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Speaker: Honourable Thomas Lush

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The House met at 2:00 p.m.

Mr. Speaker (Lush): Order, please!

The hon. the Member for Fogo.

Mr. Winsor: I would like to take this opportunity to extend congratulations to six Newfoundlanders who were inducted to the Newfoundland Sports Hall of Fame this weekend. The six people were John Hall, Harvey Skirving, Yves Legal, Bill Piercey, the late Graham Snow who was originally from Clarendville, Mr. Speaker, and Ray Gallagher.

Some Hon. Members: Hear, hear!

Mr. Speaker: The hon. the Minister of Development.

Mr. Furey: Mr. Speaker, we would like to congratulate those inductees into the Hall of Fame as well, and to lend our support that the House go on record to offer sincere congratulations to those individuals.

Statements by Ministers

Mr. Speaker: The hon. the Minister of Employment and Labour Relations.

Ms Cowan: Thank you, Mr. Speaker.

Members will find on their desks a small pin, I do not know whether or not you got one, Mr. Speaker, but we will see that you do later on, which is to mark the occasion which I will be making a statement about right now.

Thank you.

Today it gives me great pleasure to join my colleague, the Hon.

Philip J. Warren, in announcing that the week November 4-10 has been designated as National Co-operative Education Week.

The concept of co-operative education is endorsed by this Government and efforts currently undertaken are funded through the Canada/Newfoundland Youth Employment Strategy, a Federal/Provincial initiative which encourages strong partnership among industry, education and training institutions and promotes improved employment opportunities for today's youth.

This Government supports the co-operative education concept as an important investment in the youth of Newfoundland and Labrador. There are many benefits to this program: (1) it helps students make informed career choices, (2) research indicates it has positive results for student retention, and (3) it provides relevancy to the school curriculum and stronger links with business and industry.

Co-operative education programs will better prepare our young people to meet the challenge of the global marketplace of the 21st century.

Thank you, Mr. Speaker.

Mr. Speaker: The hon. the Member for Harbour Main.

Mr. Doyle: Thank you, Mr. Speaker.

I want to thank the Minister as well for an advanced copy of her statement. It is very much appreciated. I am pleased that the Minister today, in consultation with the Minister of Education is focusing some

attention on National Co-operative Education Week and in doing that, of course, the Minister is drawing attention to the Youth Employment Program which was a federal/provincial initiative that was negotiated by the previous government and the Federal Government. Least any wrong impression be created today, or be conveyed, it is not a new program on youth employment. It is a program that has been in place for some time, a very good program, and an important investment, I would say to the Minister, in the youth of Newfoundland and Labrador. The benefits are quite obvious indeed in preparing young people to meet the difficult challenges that lie ahead in obtaining employment. I fully endorse the Minister's praise of the program in that it does prepare our young people to meet the challenges of the global marketplace in the 21st century.

Mr. Speaker: The hon. the Minister of Mines and Energy.

Dr. Gibbons: Thank you, Mr. Speaker.

Mr. Speaker, I have a brief statement today on a mining matter. In 1989, my Department issued a call for proposals to companies interested in re-activating the limestone quarries at Aguathuna, on the Port au Port Peninsula. I am pleased to announce today that we have accepted a proposal from Zeraldo Minerals Ltd., of Ontario, to pursue the development of this project.

Under the terms of the agreement Zeraldo Minerals, through its subsidiary, Aguathuna Mining Incorporated, will hold the mineral rights to the quarries for

three years. In that period, the company will determine if re-activation is commercially viable. The company has already completed a detailed feasibility study on this project, and is presently pursuing project financing. It will register the project shortly under the Environmental Assessment Act. If Aguathuna Mining is unable to bring the project to fruition, mineral rights will revert to the Crown and will be available to other interested parties.

If the project does proceed to commercial production, approximately 470,000 tons of high quality limestone and dolomite would be shipped annually to markets in Eastern Canada and the United States, creating approximately 15-20 new jobs in the local area.

Mr. Speaker, this is an important step in the development of a new mining venture in Newfoundland, and I wish Aguathuna Minerals Limited every success in its plans.

Mr. Speaker: The hon. the Member for Menihek.

Mr. A. Snow: Thank you, Mr. Speaker. First of all I want to thank the hon. Minister for sending me a copy in advance of his ministerial statement.

I just want to say that I am pleased for the people, the fifteen or twenty people of Aguathuna who hopefully will get employment, new employment in this particular area. It is good news for these people and I am pleased for them.

I would certainly hope that while the Minister's Department is having his people in the economic

sector of Department of Mines and Energy looking over the proposal and aiding this company in establishing a new mine in this Province, that they will also work diligently to look at financing of the mine in St. Lawrence, where we must preserve 110 jobs, that is very important and the Minister should not lose sight of that.

I wish the new company all the best in the future and hopefully they can open up a new business and new opportunities for employment for the people of this Province.

Oral Questions

Mr. Speaker: The hon. the Opposition House Leader.

Mr. Simms: Mr. Speaker, I have a question for the Premier. He has consistently maintained that statements made by various groups, including the Newfoundland Hospital and Nursing Home Association, as to the implications of the Budget freeze for hospitals and nursing homes are not correct and that their assessment that over 1,200 jobs would be lost, that they would have \$60 million less to spend, and that this means tremendous cuts in services is a fabrication. He also makes the same comments, by the way, with respect to implications of the Budget freeze on education, as suggested by teachers and the media and others. Does the Premier maintain this position? It is a very straightforward question.

Mr. Speaker: The hon. the Premier.

Premier Wells: Mr. Speaker, I

will say it again for perhaps the fifteenth time. Maybe it is the sixteenth, maybe it is the twentieth, but it does not seem to get into the heads of those who do not want to hear it the way it is. And the way it is is very simple and straightforward. No decisions are yet made as to how we are going to cope with the situation in the coming Budget year. All we have asked the departments and agencies to do is say to us, what would be the consequences if you had to live within the limits of your Budget as it stands this year, that there was no financial increase next year? Tell us what the implications would be. When we get all of that information and after the President of Treasury Board completes his consultations with the leaders of the public service unions involved, when all of that is done, Mr. Speaker, then we will be in a position to make a decision. As of now no decisions are made. No cuts are decided on in health. No cuts are decided on in education. And as a matter of fact, Mr. Speaker, the proposition that these cuts are focused on health and education is totally and completely contrary to what was contained in the statement. What the statement -

Some Hon. Members: Oh, oh!

Premier Wells: Hon. members can laugh, but if they would read and listen and if they listened to others instead of themselves once in a while, they might know something, and they might learn something.

Some Hon. Members: Hear, hear!

Premier Wells: What was contained

Mr. Matthews: The teachers listened to you this weekend.

Mr. Speaker: Order, please!

Premier Wells: Mr. Speaker, now you know why they do not know anything. Now you know why they keep listening to themselves.

Mr. Speaker, what was contained in the statement, and it is there to be seen, is that the Government was frank about the matter and said the amount involved, possibly \$200 million, possibly as much and maybe even more, possibly as much as \$300 million, is so large that we do not see how we could possibly deal with that without also having to look at health and education. Now that indicates we do not want to look at it. That is not the primary focus. We are simply being honest and frank in saying we do not see how a problem of this magnitude can be dealt with without having to look at health and education, bearing in mind it constitutes 50 per cent of the Budget. Now that is the true situation, Mr. Speaker.

Mr. Speaker: The hon. the Opposition House Leader.

Mr. Simms: A supplementary, Mr. Speaker. The Premier says and suggests that we should listen to others, and that is precisely the point of my supplementary question to the Premier. Having said all that, is the Premier aware that last week the Government's own representative, in front of an arbitration board set up to arbitrate the collective agreement with the Royal Newfoundland Constabulary, said, presumably at the instruction of the President of Treasury Board, and these are his words, 'that the Government is looking at upwards of 1,500

layoffs in Health care and 950 layoffs in the public service. How do these statements square with those of the Premier? Is that a fabrication also?

Mr. Speaker: The hon. the Premier.

Premier Wells: Mr. Speaker, I can say that I have no knowledge of it. The person who said that had no authorization to say it, and it is based on nothing anybody in Government said to the individual. Now, if he made that statement irresponsibly, if, and I say if, because I am not at all convinced that he did or she did, whoever it was, if the statement was made, Mr. Speaker, it was made without any factual basis or without any indication from Government that that was done.

Mr. Speaker: The hon. the Opposition House Leader.

Mr. Simms: A final supplementary, Mr. Speaker. Perhaps I can ask the Premier, then, if it is true that he did make the statement, and we have no reason to disbelieve it from the source of information we have, would the Premier then advise his own Government representation at the arbitration table not to use that particular argument if it is not accurate and is not true? And would he advise him that he, along with everybody else in the Province, is wrong?

Mr. Speaker: The hon. the Premier.

Premier Wells: Mr. Speaker, I have no hesitation saying that it is wrong. There is no basis for it. It is part of the scaremongering tactics that those who have a particular position to achieve want to use and have been using. I have stated

interminably, so has the President of Treasury Board, so has the Minister of Finance and the Minister of Education and other Ministers, clearly what the Government is doing. Now, I do not know how much we are going to be able to save, how much we will be able to reduce expenditures, how many if any jobs may be lost as a result. Nobody knows. So, to make that statement is not only wrong, it is grossly irresponsible.

Mr. Speaker: The hon. the Opposition House Leader.

Mr. Simms: One further supplementary, Mr. Speaker. I say to the Premier, and I ask him this question as subsequent to the others, that my information is that, in fact, the Government's own representative at the arbitration table is actually using all these same figures. So it is not only the media, not only the Opposition, it is the Government's own representative. Would he check this matter out to see if it is accurate? Was it said at the arbitration table? If so, considering the Premier's comments, would he ask him to curtail those kinds of statements?

Mr. Speaker: The hon. the Premier.

Premier Wells: Yes, Mr. Speaker, I will check it out. The situation is simple. We have to try and reduce our expenditures by perhaps as much as \$200 million. There cannot be a reduction of expenditures without some reduction of expenditures or without preventing increase in cost. In some way we have to prevent the increase in cost, and that is all we have asked. And now if some individual, whether an arbitrator before a board, wants to do a calculation and say we

think it might mean this much, I cannot stop that. But nobody was ever instructed by Government to take that position.

Mr. Speaker: The hon. the Member for Humber East.

Ms. Verge: Thank you, Mr. Speaker. I have a question for the Premier. The Minister of Health and his staff have given information orally and in writing to hospital and nursing home administrators. The Provincial Association of Hospitals and Nursing Homes has said that based on that information, on those data, the Health care institutions will be over \$60 million short next year and will have to eliminate about 1,500 jobs. Does the Premier think these Health care institution administrators are fabricating and scaremongering?

Mr. Speaker: The hon. the Premier.

Premier Wells: Mr. Speaker, I cannot take any responsibility for what somebody who wants to put forward a position in order to try and put their institution or their agency in a most preferential position might want to do, or might want to do to put pressure on the Government to prevent any reductions. I cannot take responsibility for what they do, I can only say what the Government's position is and I have spelled it out here. Surely, I do not have to spell it out for the hon. Member again. I have just finished doing it, and I do not want to take the time of Question Period to repeat it again, Mr. Speaker.

The position is clear and straightforward: no decisions are made. But if somebody wants to create the biggest bogeyman they

can find, they can say, Oh, well, it is going to be a 12 per cent reduction. We have to have this and this and this, and the only way to do that is cut out these many jobs. That is not correct. I can say, Mr. Speaker, with complete confidence that one major Health care institution, one of the members of the Association of which the hon. member speaks, has said quite clearly they will be able to operate their facility next year without closing one single bed on the basis of limiting the expenditure to this year's total expenditure.

Mr. Speaker: The hon. the Member for Humber East.

Ms Verge: Mr. Speaker, we learned through the news media that the new President of the Provincial Liberal Association, a teacher in Mount Pearl, Mr. Gerry Glavine, joined the NTA picketing outside the Liberal Convention on the weekend. In explaining that position, Mr. Glavine told reporters that he shares other teachers concerns about educational funding cutbacks. Does the Premier think that, Mr. Glavine is fabricating and scaremongering?

Mr. Speaker: The hon. the Premier.

Premier Wells: It is hardly worth answering, Mr. Speaker, except it is so picayune and small, maybe it needs a picayune and small explanation. Mr. Speaker, the organizers of this event deliberately and specifically organized the event to coincide with the time when I would be addressing the Liberal Convention, and then they contacted all the teachers, and there are a great many teachers supporting and working for the Liberal Party.

Some Hon. Members: Hear, hear!

Premier Wells: They contacted all of the teachers with a view to asking them to walk out during my speech, which was timed to coincide. Now, Mr. Speaker, I have a great respect for the expressing of views and exchange of ideas and criticisms back and forth, but I have very little if any respect for that kind of an approach. It adds nothing, it only put the members who are dedicated and loyal members of a great institution in this Province, the NTA, in a very difficult position, to try and pressure them to choose between their loyalties. I cannot see how any fair-minded teachers can approve of that kind of an approach.

Now, Mr. Speaker, if you want the view of Mr. Glavine, he came back and campaigned for and won the Presidency of the Liberal Party after that. Now that speaks a hell of a lot louder than anybody's words.

Mr. Speaker: The hon. the Member for Humber East.

Ms Verge: Thank you, Mr. Speaker. I have a supplementary for the Premier. Since the Premier has never substantiated his claim that his Government is facing \$120 million current account deficit this year, the Premier has never explained that, he has never substantiated that, can it be that the ones who are really fabricating and scaremongering, are the Premier, his Ministers and their PR gurus? Can it be that the Premier and his Chief of Staff, Mr. Edsel Bonnell, are really orchestrating a PR campaign, orchestrating the first act designed to scare the living

daylights out of people so that when the Budget next spring contains cuts they will pale in comparison to what people are fearing now so the Government will not look all that bad next spring?

Some Hon. Members: Oh, oh!

Mr. Speaker: Order, please!

The hon. the Premier.

Premier Wells: Now, Mr. Speaker, I could not have written a better question. It has given me a tremendous opportunity to explain, and people will then know and understand the hypocrisy of the Opposition in this matter.

Mr. Speaker, it was the Government who said these are the potentials, and the Minister stood in the House and he explained the details, exactly how it was arrived at. He explained these details, and told them about the shortfall in Provincial revenue, the increase in expenditures, and the shortfall in revenue from the Federal Government.

He also told hon. Members, Mr. Speaker, about the effects of the Tory-induced national recession in this country and explained where that would leave us. And all the Tories were denying the existence, Mr. Speaker, for a very long time, until finally it overwhelmed them; they were encompassed in the avalanche of the recession, and they had to stand up and admit that it was so.

Then, Mr. Speaker, we, with fairness, frankness, straightforward, no scaremongering, explained the situation to the people of this Province. We explained it in the House. We said do not jump to any

conclusions, we are looking at how to deal with this. And it is the Opposition and the others who create this great bogeyman of all these cuts. We did not do it! We have been denying it! They are the ones who are putting forward 1,200 and 1,500 cuts. Now they suggest, with an hypocrisy, Mr. Speaker, that exceeds Mount Everest, they now turn around and say the Government is trying to put forward these bogeymen so that when the real cuts come, they will look lesser. The bogeymen are the Tory bogeymen, Mr. Speaker. We did not produce them.

Mr. Speaker: The hon. the Opposition House Leader.

Mr. Simms: Thank you, Mr. Speaker. Sounds like some excerpts from the Premier's speech on the weekend to me.

Mr. Speaker, I have a new question for the Minister of Municipal and Provincial Affairs. On September 25, the Minister would remember, he met with the town councils of Grand Falls and Windsor to discuss their response to the amalgamation question and the Commissioner's report.

That meeting which he attended resulted in a fifteen point agreement to amalgamate the two towns, effective December 31. Will the Minister confirm that at that meeting, according to the minutes, by the way, the Minister proposed and both towns accepted a transitional tax incentive grant of 45 cents on the dollar in 1991, 35 cents in 1992 and 25 cents in 1993, for the new town? Can he then explain why in his letter of October 15 he has restricted that transitional grant now to tax revenues collected from just the Windsor portion of the new town?

Is that not contrary to the whole concept of bringing the two towns together and amalgamating?

Mr. Tobin: Is that true? Is that true?

Mr. Speaker: The hon. the Minister of Municipal and Provincial Affairs.

Mr. Gullage: Mr. Speaker, in the meeting on September 25 we did discuss the transitional grants. The fact that 45 cents on the dollar for the first \$2 million of revenue tax incentive program, which is the grant incentive program we have right now, would be applied to the town of Windsor, faced off against the town of Windsor. And I did say to them that if the formula worked out better if the calculations were done separately at forty-five cents on the dollar the first 2 million and twenty cents thereafter, if it was better than the towns put together or vice-versa, the Province would give them the better of the two calculations. That was the gist of the agreement. My letter back to them some three weeks later, after I received the Order-in-Council and so on, reflected exactly that and explained the phase-in program.

Mr. Speaker: The hon. the Opposition House Leader.

Mr. Simms: A supplementary, Mr. Speaker. That is contrary to the understanding I understand at least, from the two councils involved and the two mayors. On September 25, again according to the minutes of that meeting, as I understand it, the minister made a firm, unqualified commitment to provide \$1.25 million for capital works for each year up to 1993.

Why, then, in his letter of October 15 did he qualify this commitment by making it subject to general spending priorities for capital works and change it to read over any three years? In other words, they could get \$1.25 million this year, \$1.25 million five years from now, and \$1.25 million ten years from now. What kind of sense does that make?

Mr. Speaker: The hon. the Minister of Municipal and Provincial Affairs.

Mr. Gullage: Mr. Speaker, I think if the hon. member would speak to either one of the mayors, particularly in the last two days, or he would speak to them even later today or tomorrow, he would discover that that point has been clarified, that in fact the agreement in the meeting of September 25 was that the \$1.25 million would not be for consecutive years. Because I said quite clearly we could see a situation where the Province would not have a capital works program and, therefore, could not provide capital works for any part of the Province, and they agreed that it would not necessarily be in consecutive years. Hopefully it will be in consecutive years but not necessarily, and they agreed to that. I think that was your question, was it not?

Mr. Speaker: The hon. the Opposition House Leader.

Mr. Simms: Mr. Speaker, I am aware that up until late last night there was no resolve to that point. Perhaps he resolved it this morning.

I also understand, in a final supplementary, that because there is some furor over this

interpretation of the agreement, difference of opinion between the minister and the towns, apparently that is pretty clear, would the minister agree with a request from the towns to sign a formal agreement between himself, representing the Government and Municipal Affairs, and the two towns? Would he agree to sit down with them and sign a formal agreement so that in the future there is no chance of misunderstanding of this very important issue?

Mr. Speaker: The hon. the Minister of Municipal and Provincial Affairs.

Mr. Gullage: First of all, Mr. Speaker, may I say that I do not know of the furor he speaks of. The only thing I have seen is in the papers, reflected by the Mayor of Grand Falls in his remarks. I have not heard any comments made by any of the councillors or, indeed, the Mayor of Windsor, although they may have made comments.

Mr. Simms: They certainly did.

Mr. Gullage: Anyway, let me speak to the letter, the idea that we should sign an agreement per se. Mr. Speaker, the points that were arrived at and agreed to in a meeting of September 25 with both mayors and councillors were such that the majority of the points of concern, and the majority of the points agreed on are under my ministerial authority to deliver as a minister; it is not necessary for the majority of those points for me to go to Cabinet and get Cabinet approval.

There were, however, some three or four points for which I needed Cabinet approval, because they

were outside my jurisdiction and my discretion, if you like, as the minister. So I subsequently went to Cabinet and received an agreement from the Government to proceed on three or four items that were discussed in the meeting of September 25. I received agreement on those items, wrote both mayors, and outlined the points of concern and the points that we agreed on. Those were outside my mandate as the minister. Clearly they were stated within that letter, and that letter, of course, is a letter from the minister which is authoritative and obviously will be upheld, and in all good faith it will be honoured.

Mr. Speaker: The hon. the Member for Green Bay.

Mr. Hewlett: Thank you, Mr. Speaker.

Mr. Speaker, last week my seatmate, the Member for St. Mary's - The Capes, asked the Minister of Education about the practice of prorating student aid grants to match the number of courses being taken. That is if you took three courses you would receive three fifths of your grant entitlement, four courses four fifths of your grant entitlement, etc. The Minister undertook to look into this further so could he bring us up to date on what the current situation is, please?

Mr. Speaker: The hon. the Minister of Education.

Dr. Warren: Mr. Speaker, I am pleased to provide the information for the hon. Member. This may seem complicated but it is not really, it is a very simple application of a policy that has been in place for years. This

policy had nothing to do with the reforms that we made to the Student Aid Program this Summer at all. In the past what we have done is, in arriving at a decision on a grant we assume that people are going to do a full program and therefore we give them credit for a full tuition amount. What we found in the past, also, is that after two or three weeks some students reduce their load from a full load to a partial load, and sometimes after the date for which they can drop courses they reduce to a partial load. In the past, also, we have not been able to make the adjustments right away. We have made the adjustments on the student bursary portion of the grant later on, but students have had, after verification, their amount of tuition reduced. For example, if they are taking a full load they pay, I do not know what the dollar figure is, if it is a partial load the amount they pay is less, and later on their grants are adjusted accordingly. This time we made the adjustments at this point in time so students are only getting as a grant the actual amount they are paying to the university for tuition. Now we did go a little beyond on that, and I am pleased to announce that we have made certain adjustments to help those who may have some problems. For example, we did reduce last week the book grant. After talking with the students over the weekend, and the students again this morning, we decided to leave the book grant as is, even if students do reduce from a full load to three courses, which is a partial load and a partial tuition. We are going to leave the book grant as is. We agreed also, after the weekend, to ensure that people who dropped after the drop day was on, and had to pay full tuition, they would receive

in their grant the full tuition because they dropped after it was too late for Memorial to adjust their fees. The third thing we have done, Mr. Speaker, is we have said to those students who may, and they are a small number, I think fifty students who may have some difficulty this semester, what we have said to them is approach the Appeals Committee and if we can do something to deduct it next semester instead of this semester, even though we are applying a policy, supported by the Auditor General and required by the Auditor General, we said, look, if students have some difficulty this time perhaps we can hear them, the Appeals Committee will meet them and next semester, or sometime in the future, we may be able to adjust their grant downward when it is more convenient for them. I am pleased to provide that information to the press, Mr. Speaker.

Mr. Speaker: The hon. the Member for Green Bay.

Mr. Hewlett: Thank you, Mr. Speaker.

Oh, but the sunshine Liberals are slick. Mr. Speaker, there was a threshold of three courses. If you did three you were considered full-time and your grants were not prorated. Will the Minister not admit that many students were surprised at the new prorating policy strictly because they were doing at least three courses and in prior years that meant they were full-time?

Mr. Speaker: The hon. the Minister of Education.

Dr. Warren: Mr. Speaker, the Government does not define a

full-time or part-time student. The university charges full tuition for four or five courses. It charges partial tuition for three. So in arriving at the grant we gave students credit for precisely the same amount of money that the university charged. I can assure you that, Mr. Speaker.

Mr. Speaker: The hon. the Member for Green Bay.

Mr. Hewlett: One final supplementary. Probably, Mr. Speaker, the Minister could indicate why students who were getting their grant cheques this time for the first time ever were surprised by a reduction. If this is such a normal, natural thing, why all of a sudden were they caught off guard and surprised?

Mr. Speaker: The hon. the Minister of Education.

Dr. Warren: Mr. Speaker, perhaps it is in the small print and we should stress it in the future. But we have deducted from the grants the precise amount that students had deducted from their expenses. Precisely the same amount, \$135 I think it is for students who drop from a full load where they pay full tuition to a partial tuition. And that is precisely the amount that we are deducting from the grant.

Mr. Speaker: The hon. the Member for Fogo.

Mr. Winsor: Thank you, Mr. Speaker. My question is to the Minister of Education. Article 1808 of the teachers collective agreement requires the consent of the Minister of Education in the event that a teacher under special circumstances needs more than three days leave. Can the

Minister still indicate that this policy is still in place.

Mr. Speaker: The hon. the Minister of Education.

Dr. Warren: Yes, Mr. Speaker, the policy is still in place, but I must be frank with the House and the public of this Province and indicate that I have rejected many applications this year for extra leave. Last week, for example, we had a request for leave - with pay now, I am talking about with pay - we had extra Ministerial leave sought for somebody for five days and I thought in these very difficult times for that particular purpose that I should not approve that leave. It cost the Government the cost of that persons salary and we would have had to pay \$150 to \$200 a day extra for each of the five days that the person was requesting leave for. And I felt that in these very difficult times I should say no to the request for leave with pay. Now, without pay that is another matter. School boards have the authority to grant that anyhow.

Mr. Speaker: The hon. the Member for Fogo.

Mr. Winsor: A supplementary, Mr. Speaker. Could the Minister indicate what kind of special paid leave that he would consider? And would he not recognize that Mr. Walt Forsey, the gentleman who was denied paid leave, a Canadian and Pan-Am record holder in power lifting, was denied the necessary leave to allow him to take part in the world championships. Now, Mr. Speaker, that is who represents Newfoundland in the world championships November 13th to the 18th.

Mr. Speaker: The hon. the Minister of Education.

Dr. Warren: Mr. Speaker, the purpose of having that item in the collective agreement is that the Minister has to evaluate each case on its own merits and then decide whether or not, on the recommendation of the board, leave will be granted. I might say, Mr. Speaker, that the Minister did not deny leave. I want that to be perfectly clear. The Minister did not deny leave. That person could go, but the Minister did deny, in this particular case, leave with pay. And the Minister will continue to review each case and in many cases will not, in these very difficult financial times approve leave, which costs the Government by the way from \$150 to \$225 a day for each day that some teachers are on leave. The average, Mr. Speaker, is \$157 this year.

Mr. Speaker: The hon. the Member for Torngat Mountains.

Mr. Warren: Thank you, Mr. Speaker. My question is -

Mr. Speaker: Order please! Order please!

Mr. Warren: My question is to the Minister responsible for recreation. On October 23 the Minister of Finance in the absence of the President of Treasury Board announced that all Departments in Government have been asked to hold the line for next year as compared to this year. Could the Minister responsible for recreation advise if his Department will be following those guidelines?

Mr. Speaker: The hon. the Minister of Municipal and Provincial Affairs.

Mr. Gullage: Mr. Speaker, I can only say that every Department of Government is reviewing its budget. I have asked all my officials to have all the department heads, division heads, to review their respective budgets and to prioritize and submit to us a rationale for every dollar that is contained in that budget. So are we reviewing the budget? Yes we are. Does it mean that we are going to cut certain departments, yes, possibly so. We may also increase other departments as we re-allocate money depending on priorities of programs. And we are undertaking that particular review right at this very moment.

Mr. Speaker: The hon. the Member for Torngat Mountains.

Mr. Warren: Thank you very much, Mr. Speaker, my supplementary to the Minister: In view of the fact that the fourth annual Labrador Winter Games are scheduled for March of 1992, and in order for those games to go ahead with Government financial involvement, the Minister would have to make sure that there are funds in the upcoming budget for the 1992 Winter Games. So could the Minister advise if there will be sufficient funds to continue with the Labrador Winter Games?

Mr. Speaker: The hon. the Minister of Municipal and Provincial Affairs.

Mr. Gullage: Mr. Speaker, my understanding of the Winter Games is that they have been very successful so far, in that they provide an outlet for athletes in Labrador. It is very difficult, as we know, to travel to the Island portion of the Province for the games held on the Island, and those games in Labrador have been

very very successful.

As to whether or not the games will be maintained, my suggestion is that I can see no reason why they would not. But to say that they are not under review as everything else is would be an untruth. Because in fact we are reviewing every area of my particular Department including those games. But, Mr. Speaker, I cannot foresee a circumstance where we would want to cancel out games that are so important, particularly in a time when as we all know, airfares are going to increase dramatically. It is going to be increasingly difficult to travel to events such as sporting events and games and so on, on the Island portion of the Province.

Mr. Speaker: Question Period has expired.

Presenting Reports by Standing and Special Committees

Mr. Speaker: The hon. the Member for St. John's South.

Mr. Murphy: It is a pleasure for me, Mr. Speaker, at this time, to present the report of the Government Services Legislation Review Committee dealing with the Bill, "An Act To Respect The Creation Of Regional Service Boards Throughout The Province."

In tabling this document, Mr. Speaker, just a few key notes. I want to, first of all, thank the hon. members who participated on the committee, the hon. the Member for Kilbride, who is not in his place today, the hon. the Member for Harbour Main, and to thank the hon. the Member for Grand Falls,

who, when we participated in hearings in Western Labrador, Corner Brook, Grand Falls, Gander, Clarenville and St. John's, was with the committee.

I might also add, Mr. Speaker, we had in excess of twenty-one briefs presented. It certainly was a very worthwhile exercise, and I would suggest, Mr. Speaker, that it gave those who had concerns and/or support for concerns a chance to come forward and make themselves known as witnesses by presenting briefs. It is a pleasure, Mr. Speaker, to table this report which underlines the democratic process of this new Liberal Government.

Mr. Speaker: The hon. the Minister of Finance.

Mr. Simms: Mr. Speaker.

Mr. Speaker: I have recognized the hon. the Minister of Finance, unless the -

Mr. Simms: It is the same committee.

Mr. Speaker: Pardon?

Mr. Simms: It is the same Committee. The Government Services -

Mr. Speaker: The same committee. What is that, the same committee?

Mr. Simms: The Chairman of the Government Services Committee, just tabled a report -

Mr. Speaker: Yes?

Mr. Simms: - and I wish to table a report of the same committee.

Mr. Speaker: Order, please!

The Chair is of the understanding that the chairman has tabled the report and that is all that is permissible. If the hon. member has some other report, it should be tabled with the hon. member's report.

Mr. Simms: With all due respect, I spoke to the Government House Leader on this matter last week, when the Member for Kilbride attempted to table the minority report, and he assured me then that the Chairman of the Government Services Committee would be attaching as part of that report the minority report. That was not done by the Chairman, so I simply want to table the minority Report. That is all. Nothing more, nothing less, no debate.

Mr. Speaker: The hon. the Minister of Finance.

Dr. Kitchen: Mr. Speaker, I would like to table the audited financial statements of the Province of Newfoundland's pooled pension fund for the year ended December 31, 1989.

An Hon. Member: You cannot tell the Speaker what to do.

Mr. Speaker: Order, please! Order, please!

The Chair was under the understanding that there was an agreement between the two House Leaders. If there is no agreement, then the hon. Member does not have the right to table a document. There is a procedure for tabling a minority report, and the procedure is that it be attached to the majority report. The Chair, of course, has no idea why it was not tabled, but I understood, as the Opposition House Leader said, that there was

an agreement.

If there is an agreement, there is an agreement. But if there is no agreement, the Chair, obviously, would have to rule that it cannot be tabled. Maybe the Government House Leader would like to -

Some Hon. Members: Oh, oh!

Mr. Speaker: Order, please! Order, please!

Mr. Baker: Thank you, Mr. Speaker. My understanding is that when there is a report from a committee, the minority report, if there is one, would be part of the report of the committee. I have no idea whether that minority report has been given to the Chairman of the Committee or what the situation is. I will certainly check into it.

Some Hon. Members: Oh, oh!

Mr. Baker: But my understanding was, and it was done in this House as well, that the minority report be tabled as part of the report of the Committee. I would also like to point out that this particular report has already been distributed to the press, Mr. Speaker. It seems to me a little bit unusual and irregular that a minority report from the Committee should be distributed to the press before the Committee report is actually presented in the House. I think it is an extremely unusual circumstance and it goes against the spirit of what is supposed to happen in terms of the tabling of reports. I think it is a very unusual circumstance, and it should never have been distributed. And if, indeed, members wanted it to be part of the Report of the Committee, that is the approach they should have

taken. When it is already distributed to the press, Mr. Speaker, it is almost in contempt of the Committee proceedings.

Mr. Speaker: The hon. the Opposition House Leader.

Mr. Simms: Mr. Speaker, just briefly to that point. It is a good thing it was given to the press, I guess, because obviously it was not tabled as part of the Committee's report, which it should have been, as the Government House Leader himself rightly just said.

Mr. Speaker: Order, please!

The Chair can only rule on, again, the procedure for presenting. And if the Chairman of the Committee has not presented it, and he said he has not received it, of course the Chair can only take his word. Again, I would like to just dismiss with this now and carry on with other -

Mr. Murphy: Mr. Speaker.

Mr. Speaker: The hon. the Member for St. John's South.

I will just entertain one more comment.

Mr. Murphy: Thank you, Mr. Speaker.

It was my understanding from the majority of the Committee that it was the Committee's decision -

Some Hon. Members: Oh, oh!

Mr. Speaker: Order, please!

Mr. Murphy: - not to table the minority report with the report.

An Hon. Member: Who made that

decision, Tom?

Mr. Windsor: You had a responsibility to table it.

Mr. Murphy: Beauchesne is very clear, Mr. Speaker, that dissention by any member of the Committee can be noted in the report. There is nothing which says a minority report must be tabled with the report. So it was the unanimous consent of the Committee that the report in its entirety, as presented and tabled by me as the Chair today, would be the only report.

Mr. Doyle: How could it be unanimous?

Mr. Simms: Don't be so foolish.

Mr. Speaker: Order, please!

Again the Chair can only accept reports as outlined by our rules and orders, and I want to say that the matter is now over with.

Mr. Speaker: Further Reports By Standing and Special Committees.

The hon. the Minister of Finance.

Dr. Kitchen: Mr. Speaker, I would like to table the Audited Financial Statements of The Province of Newfoundland's pooled Pension Fund for the year ended December 31, 1989. In doing so, I would like to state that there were about 7,300 pensioners last year, with a payroll of approximately \$77 million, and that the pooled Pension Fund presently has investments worth, at cost, \$501 million.

Notices of Motion

Mr. Speaker: The hon. the Minister of Employment and Labour Relations.

Ms Cowan: Mr. Speaker, I give notice that I will on tomorrow ask leave to introduce a Bill entitled, "An Act To Amend The Fishing Industry Collective Bargaining Act, 1971".

Petitions

Mr. Speaker: The hon. the Opposition House Leader.

Mr. Simms: Mr. Speaker, I must rise on a point of order on this issue of tabling reports, because I do not quite understand what is happening here in this Legislature. We had a Committee of the House made up of a majority of Government Members, of course, who, for some reason or other, apparently decided, not unanimously as a Committee, but only unanimously because they have the majority on the Committee side, not to allow a minority report drafted by the minority members of that Committee to be tabled in this Legislature. That is what has transpired here today, and I cannot for the life of me believe what I am seeing and hearing.

In view of the fact that the discussion I had with the Government House Leader, who clearly understood I think - I am not putting words in his mouth, I think he clearly understood as did I, that the Chairman of the Committee would be tabling, with the Committee report, the minority report as well. Mr. Speaker, this is the very essence of democracy and all the rest of it, and I cannot for the life of me

understand why the Government is so reluctant as to not allow this report to be tabled. As the Government House Leader says, I understand the press have received copies, and we have copies over here, and surely, members on that side of the House, as well as the table and Your Honour would be interested in seeing what the minority members had to say with respect to that report. It is not a big deal.

An Hon. Member: I read it in the paper.

Mr. Simms: No, you did not read it in the paper. I really think that this is terrible.

Mr. Speaker: The hon. the Member for St. John's South.

Mr. Murphy: Thank you, Mr. Speaker.

The primary reason that the minority report, as introduced by the hon. the Member for Kilbride the other day, was not contained in the Committee's Report was that the hon. Member had distributed the report throughout the House of Assembly and to our friends in the media.

An Hon. Member: (Inaudible).

Mr. Murphy: Now, I never spoke when the hon. Member was explaining his position. I had absolutely no thought in my mind that there was any necessity, Mr. Speaker, to table a minority report that everybody in Newfoundland had a copy of. And the Committee in whole, in a unanimous sense, Mr. Speaker, decided that the minority report was not needed to be contained.

Mr. Windsor: To that point of

order.

Mr. Speaker: I will entertain one more point of order. The hon. the Member for Mount Pearl.

Mr. Windsor: Mr. Speaker, to that point of order, Your Honour ruled a couple of days ago when my colleague for Kilbride rose to table his minority report that such a report could only be tabled as part of the Committee Report. We have no quarrel with that ruling, Your Honour, but that puts a responsibility on the Chairman of the Committee to table, together with the Report of the Committee, any minority reports that are submitted to him. Unfortunately my colleague is not here to speak for himself, but I would submit that that report was indeed given to the Chairman prior to now, and that the Chairman has a responsibility to table that report, otherwise, Mr. Speaker, how does any member of any committee who disagrees with the majority consensus of the Committee get the minority report tabled in this House? It has to be done by the Chairman of the Committee, who has a responsibility not only to the majority view but also to any number of minority reviews that may be held and that may be made known to him in writing prior to his time of tabling it, and he has a responsibility today to table that minority report together with the report of the Committee.

Mr. Speaker: Order, please!

The Chair was under the understanding in the development of this argument earlier that the Chairman did not have the report and that puts it in a different perspective if the Chairman has the report. The Member for Mount

Pearl makes the point of order quite well, or interprets quite well the ruling that I made, but the Chair was under the understanding that no minority report had been received by the Chairman, and obviously if he has no minority report it cannot be presented.

The hon. the Member for St. John's South.

Mr. Murphy: I just received a copy of the minority report and I have no problem tabling it, but I did not feel as the Chairperson of the Committee that there was any necessity to table a report that was already public knowledge. I have no problem now with tabling the minority report, Mr. Speaker.

Mr. Speaker: Order, please!

The matter is resolved.

The hon. the Member for Menihek.

Mr. A. Snow: Thank you, Mr. Speaker.

On behalf of 367 people who have signed a petition regarding an issue in the district of Menihek I am pleased to have the opportunity to speak on their behalf. The prayer of the petition I will read into Hansard: To the Hon. House of Assembly of Newfoundland in Legislative session convened the petition of the undersigned residents of Wabush and Labrador City that we protest the decision of the Government of Newfoundland and Labrador to close the Motor Vehicle Registration office in Wabush. Your petitioners urge the Government to reconsider this decision which will have the effect of eliminating an essential Government service in our communities. Mr. Speaker, this

Government service has been within the communities of Labrador City and Wabush for the past ten years. It is a service that the people of Labrador City and Wabush argued and lobbied the previous Administration to have established.

One of the primary reasons of establishing that Government service, Mr. Speaker, was the fact that we live in a very isolated region of this Province, in Labrador. The population of western Labrador comprises about 40 per cent of the population of all of Labrador. And I would suspect that probably means we have maybe 60 per cent of the vehicles in all of Labrador, registered in this electoral district. So it is important that with the slow mail delivery and long mail delivery that quite often occurs going into Labrador, it is necessary to have that type of Government service in western Labrador. It is a Government service that costs any administration very little in the whole scheme of things. A total of \$80,000 a year. Eighty-thousand dollars a year may represent a substantial amount of money to an individual taxpayer but to remove that Government service from an area that contributes more to the economic wealth of this Province than any other electoral district in this Province I think is very very callous.

Since this Government has been elected, they have imposed a 2 per cent additional income tax on the people of western Labrador, their personal income taxes have gone up 2 per cent. It has already been announced in a previous Budget brought down this year. The payroll tax will garnish an extra \$3 million I believe from the

residents or the corporations of Western Labrador. We also live in an area that just saw this particular Department bungle a contract on a bridge that cost the taxpayers of this Province \$1.5 million. If this Government had been able to handle that contract properly and not incur this additional expense on the people of this Province, that money alone would have been able to operate this particular office for another fifteen years.

The Minister has made statements with regard that this service will now be operated in the banks. Next year maybe. And it may indeed cost the consumer an extra one dollar. I, and residents of Western Labrador, would also like to know how much the Government will pay the banks for operating this particular service? Will indeed the people be able to get the license plates right at the bank? Because if not this is again an added problem for the people of Western Labrador in the fact that they may be buying new vehicles and they would need plates. They quite often buy new vehicles prior to going on vacation and would have to wait sometimes several weeks for these plates to arrive.

Mr. Speaker, this is a very important issue in Western Labrador because we have very few Government services in Western Labrador vis-à-vis what other electoral districts have in this Province. And this particular Department - in a Ministerial statement, the Minister suggested that his particular Department are people oriented and they offer services affecting the day to day lives of all residents of Newfoundland and Labrador.

They do indeed affect the day to day lives of the people of Western Labrador. And I would urge this Government to reconsider the announcement of cutting back and closing down this Motor Registration office in Wabush and not close it at the end of November, and consider continuing to have it open for the foreseeable future. And at least provide the people of Western Labrador with a service that has been there for the last ten years in light of the fact of the major economic contribution that these people make to the general wealth of this Province.

Thank you very much, Mr. Speaker.

Mr. Speaker: The hon. the Premier.

Premier Wells: Mr. Speaker, it is difficult to believe that anybody could quarrel with the Government's decision. It is probably the first and only time any Government will be able to expand and increase services around the Province and make it more widely available to people in all parts of the Province, and at the same time save money. Now it is not every day of the week, and perhaps it is not even every year or every term of office that you can achieve that.

Now in respect to the Motor Vehicle Registration, that is essentially what the Government achieved. By going through this process of making it available through banks, we have made it available in virtually every area of the Province where there is a bank, and I believe it also applies to a credit union, does it not? And if it does not it should, because there is no reason why it should not. So every area where there is such a financial

institution people can go and buy their driver's licences and get their automobile licences, without having to wait for the mails and so on, as the hon. Member mentions.

Now, to be critical of the Government for doing that, because in the process we have saved two jobs I believe in Labrador West, one, the driver examiner will remain in Labrador West to provide that service, as should be the case - the bank clerk is not going to give the driving test. So, Mr. Speaker, to criticize that approach is almost unbelievable; that there should be any reaction or criticism to the Government taking that kind of approach to save money for the taxpayers and, at the same time, improve the quality and availability of services when it is not every day of the week you can do that. And then to suggest that the Government is insensitive to the situation in Labrador West, or the needs of the people of Labrador West or their contribution to the overall economy of the Province, is totally without foundation.

It was this Government, Mr. Speaker, that restored first year university to Labrador West. That had been taken away by the former Government. It was this Government that did it. It was this Government that did it, Mr. Speaker, and do not let anybody ever forget that. It was this Government that went to bat for the town council in Labrador West, in Labrador City in particular, and got a resolution of a very difficult problem for them in terms of tax revenue, because, Mr. Speaker, we are concerned about ensuring that the people in Labrador West, like all people of the Province, are treated with fairness and balance.

Now, we are going to do exactly the same in the case of the motor vehicle registration, and I suggest to you, Mr. Speaker, we have done that. And to try and criticize it or suggest that for some reason or other we are doing something unfair to the people of Labrador West in these circumstances, Mr. Speaker, its explanation just boggles the mind. It is difficult to see any rational concern to address, but, Mr. Speaker, I thought I would just take this minute or two to explain it to the hon. Member. I am sure he now better understands.

Mr. Speaker: The hon. the Member for Torngat Mountains.

Mr. Warren: Thank you very much, Mr. Speaker. I want to speak in support of that petition. The Premier is listening to his Minister of Transportation, but I thought I should remind the Premier that it is that Government which cut out the air subsidy program for Labrador, also, that same Government.

Premier Wells: Again (inaudible) fairness and balance.

Mr. Warren: Fairness and balance, Mr. Speaker, yes. I do not see how the Premier can get up and say fairness and balance after just coming out of Labrador, where he addressed a 'Labrador in the 90's' conference, and where the tension is so tight, the people are talking about separating from the Island portion of the Province. And why, Mr. Speaker? Because they know the treatment they are receiving from this Government, and it is more and more evident. In fact, Mr. Speaker, one of the resolutions that came out of the workshops was to have a referendum in Labrador on whether they would

stay with Newfoundland or not. Now, that is how serious it is. How can the Premier say it is fairness and balance?

So, Mr. Speaker, I want to say that my colleague presented a petition by 379 people from his district. The people are concerned about another slap in the face from this Government, of reducing a service that the people in Labrador have been used to. And I would suggest also, Mr. Speaker -

Some Hon. Members: Oh, oh!

Mr. Parsons: The argument going on here should be discontinued. Tell them it is a good thing for the Island now, but Labrador is different. It is completely separate - apples and oranges.

Mr. Warren: They are not listening. I do not care.

Some Hon. Members: Oh, oh!

Mr. Warren: Mr. Speaker, I want to continue when I get your attention also, Sir.

Mr. Speaker, I don't think the Premier told all the facts a few minutes ago, when he said that banks would be doing a service. There are no banks on the coast of Labrador, from Rigolet north. No banks whatsoever. And secondly, what the banks will do, which the people in Newfoundland and Labrador as of now have to understand, will be the same as going to a post office; you will bring in your dollar or whatever the case may be, then the banks will send it out to Motor Registration, and they will send back the licence plates to you. So, it is only just another delaying tactic. Also, I would

like to know from the Minister of Transportation, not when he speaks today, but in due course, how much will the banks receive for doing this service? Are the banks doing it free? Are the banks going to give this service free, or is there going to be a charge?

Mr. Parsons: No, there is a charge.

Some Hon. Members: For what.

Mr. Parsons: There is a charge for the service.

Mr. Speaker: Order, please!

Mr. Warren: With that in mind, I want to support my colleague for bringing in such a petition. And I should say, Mr. Speaker, that tomorrow there will be more petitions in this House, larger petitions coming into this House about this Government's action towards the people of Newfoundland and Labrador.

Some Hon. Members: Hear, hear!

Orders of the Day

Mr. Baker: Order 22, Mr. Speaker.

Mr. Speaker: Order 22, second reading of a Bill, "An Act Respecting The Creation Of Regional Service Boards Throughout The Province."

The hon. the Member for Burin - Placentia West.

Mr. Tobin: Thank you very much, Mr. Speaker. I am happy to have the opportunity to speak to this Bill, particularly after the charade we saw carried out this afternoon by the Member for St.

John's South -

Mr. Murphy: Oh yes.

Mr. Tobin: - when my colleague for Kilbride gave him a copy of a report and he would not present it.

Mr. Winsor: He gave it to the press, though.

Mr. Tobin: A minority report. He had it over there, Mr. Speaker, and would not present it in the House. What kind of a charade is that? Then he said he had the unanimous support of the Committee. This is very important, what is going on here. You know what the councils told you when you had your public hearings, and for you not to table that today is a affront to the people who represent the municipalities in this Province.

Mr. Murphy: Read the report, boy!

Mr. Tobin: Now, Mr. Speaker, I will read the report.

Mr. Speaker: Order, please!

Mr. Tobin: It did absolutely nothing. It is a charade, Mr. Speaker, what the Member for St. John's South carried out. He should be fired off the Committee.

Mr. Simms: Right on! Hear, hear!

Mr. Tobin: He should not be allowed to Chair another Committee. Anyone who is incompetent, Mr. Speaker, and would carry on that way and confront the civic leaders.

Some Hon. Members: Oh, oh!

Mr. Parsons: Get up and apologize.

Some Hon. Members: Hear, hear!

An Hon. Member: He should be shuffled.

Mr. Tobin: Yes, he should be fired right out of it. He should not be allowed to Chair another Committee.

An Hon. Member: What did he do?

Mr. Tobin: What was said in the presentations, Mr. Speaker, and I will be referring to some of them today, that were made by the various councils to that Committee, and for the Liberals on the Committee, Mr. Speaker, the Government side, which had the majority, to act the way they did today and for the Chairman of that Committee to get on the way he did today, is shameless. Then there was no reference to what is going on, and he with the report in his desk. He said that - well, I cannot say that, Mr. Speaker. But, in any case, I listened to most of what the minister had to say on Thursday, and I read the rest of it today in Hansard. Now, Mr. Speaker, what the minister says is not what this act is about. This act gives that minister and this Government another way to force amalgamation on the people of this Province. That is the intent of this Act. Do not let anyone tell you any differently. That is the intent of this Act.

For example, Cabinet, may by order, designate any portion of the Province as a region. Under The Municipalities Act we presently have it says, Cabinet Order subject to a feasibility study and public hearings under The Public Inquiries Act may do it. Now why has this minister and this Government and that Committee, Mr. Speaker, chosen to eliminate the feasibility studies

and the public hearings? Why are they afraid of public hearings as it relates to this act? Why is this Government afraid of public hearings?

How can the Minister eliminate public hearings and feasibility studies to implement such a position on the Province? How can the Member for St. John's South, Old Landslide, one vote, how can he bring in a committee report which does not deal with that? And what type of committee members does he have serving with him?

I can tell you they have made a farce of the hearings. They have made a farce of that project, because the Member for St. John's South and the Government Members on the Committee, I would suggest, were dictated to by the Minister for Municipal Affairs. He told them what to bring in in that report. And, Mr. Speaker, I can tell you right now that there will be a lot of debate on this Bill before we will be part of approving it, or letting it be approved, an Act that abolishes public hearings for the setting up of Regional Service Boards.

I am not sure if the Member for Placentia and the Member for Carbonear are aware of what is taking place in this. I am not sure they are, because 'Cabinet may by order designate any portion of the Province as a Region.' No provision for public input, no provision for feasibility studies, no provision for the Government to consult with the various towns and councils throughout this Province. Why, why did the Minister eliminate it, and why did the Committee refuse to bring it in? Mr. Speaker, that was one of the things that was brought before that committee by several of the

councils in this Province.

An Hon. Member: Who brought it in?

Mr. Tobin: Who brought in what?

An Hon. Member: (Inaudible).

Mr. Tobin: That is what is in the new Bill. That is what is in the Act.

Mr. Murphy: (Inaudible).

Mr. Tobin: That is in the Bill. That is in the new Act, to eliminate feasibility studies. What is in the old Municipalities Act states: Division A, for the establishment of Regions, that states Cabinet or subject to a feasibility study and public hearings under the Public Inquiry Act can do it. Okay?

What the new one does, in S3, Regions of Boards, the structure of them, it says, Cabinet may by order designate any portion of the Province as a Region, and what that does is take out the feasibility studies and it eliminates public hearings, so the Cabinet now can force it upon the councils in any portion of the Province without any input whatsoever from the citizens, from the residents, from the councils. It is automatically going to be put there, without them having a chance to voice their opinions.

Now, Mr. Speaker, that is wrong. That is not right, and I can tell you that the councils in this Province are not very excited about it. I have letters from basically every council in the Province. Not all of them, but a good many. I have them from your district.

An Hon. Member: (Inaudible).

Mr. Warren: Yes, I have so. Here it is, look. Placentia Town Council to the Minister. 'It was with complete surprise that the Town of Placentia learned last week of the proposal by the Provincial Government to pass through the House of Assembly in this session the legislation establishing Regional Service Boards. From reading the Bill, it appears that these Boards will completely usurp the powers of municipalities and reduce them to mere tax collectors.' That is what the Town of Placentia is saying about it.

An Hon. Member: Who copied (inaudible).

Mr. Warren: I do not know who copied it, but I have copies. There are not too many councils in this Province that did not copy me. That is what one town is saying, and, Mr. Speaker, I would be prepared to bet my salary that if the Member for Placentia was still the Mayor of Dunville, that he too - I am not so sure he will not do it yet, but I am sure if he was Mayor of Dunville, he would be sending in those types of letters. And I would not blame him. Because what is happening here, and the Minister did not say it the other day when he spoke. I have been through Hansard and I cannot find what the Minister said. Never once did he make reference to it. That is what is going on here. Callous! There are other letters here in my file here too, although another file is down in the office.

The town of Badgers Quay in Valleyfield, what did they think? 'This Bill has some serious implications for municipalities.' That is what they said. The town of Mount Moriah, what did they say

about it? The town of Peterview, what did they say about it? 'Although not specifically stated, it leaves the door open to allow the Minister to amalgamate towns without any input from residents or councils of the area, as is not the case with the amalgamation process under the Municipalities Act.' That is what the councils are saying throughout this district about that.

An Hon. Member: You do not know what you are talking about.

Mr. Tobin: I do know what I am talking about because I have gone through it. But neither you nor members opposite know what is included in that report.

Some Hon. Members: Oh, oh!

Mr. Tobin: I can tell you right now that I know you do not support it. Mr. Speaker, if this Bill is passed in its present form it will give that Minister - what is that?

An Hon. Member: You are talking (inaudible).

Mr. Tobin: Ask the Mayor of Placentia, who wrote the letter, what he thinks about it, and what the other councils think about it. Here is another one now.

Mr. Murphy: Table that now.

Mr. Tobin: Mr. Speaker, when it comes to tabling something in this House, there is one member who cannot speak, after the charade he pulled off today, when he lacked the courage to table the report my colleague for Kilbride had given him. When it comes to tabling reports in this House let me say to the Member for St. John's South that he should be the last one to make reference to tabling reports,

a man who stood in this chamber today and refused to table the wishes of other members of his Committee.

An Hon. Member: You have one for Peterview.

Mr. Tobin: Yes, I have one from Peterview, in the hon. member's district, and I know what they are saying about amalgamation and what they are saying about this Bill. It is the same as the teachers told the member this weekend, about what they think about that Bill and others. That is what is happening in this Province today and why it is in such a sad state of affairs. 'The Bill, if passed, will be an important piece of legislation, with the potential to strip municipalities of their powers and make representatives at the municipal level responsible to the Minister rather than to the people.' That is one of the briefs presented to the Chairman of the Committee, and I will bet he does not have that in it. 'Furthermore, what town in this Province will attract citizens to run for office when their only role may be to level and collect taxes? How about that? Do members opposite support that? Does the Member for Windsor - Buchans support that?

Mr. Flight: (Inaudible) Grand Falls - Windsor amalgamation, (inaudible).

Mr. Tobin: I heard about it all weekend. Every time you turned on the news the Mayor of Grand Falls was on saying he was going to withdraw, mostly because of the incompetence and lack of strength of the Member for Windsor, in the Cabinet, to be able to get the deal through. That is what has happened to the Grand Falls -

Windsor amalgamation, the Member for Windsor - Buchans lacks strength in the Cabinet and had to back off on the deal that was offered.

Mr. Flight: (Inaudible).

Mr. Tobin: Who can trust this Government - I am glad he mentioned it - when the Minister goes out and makes a deal with the councils and comes back and changes his mind, reneges on the deal? Is that what the Member for Windsor - Buchans is proud of, Mr. Speaker, the fact that the Minister did not keep his commitment to your councils?

Mr. Flight: He did.

Mr. Tobin: You should be proud of it.

Mr. Flight: He did.

Mr. Tobin: He didn't. If this Bill is passed, the legislation will give Cabinet and the Minister unqualified powers they do not now have to do the following. This is what the Minister will be able to do: Establish any area in the Province as a regional service area without public hearings or without a feasibility study, which presently exists in the current Act. He will be able to strip elected municipal governments of all responsibility for management of municipal services and facilities. That is the other thing that this Minister will be able to do. Transfer the management of municipalities and the powers of elected municipal government to unelected, Government-appointed regional service boards.

Is that something that this Government should be proud of?

Will be able to transfer, Mr. Speaker, the management of municipalities and the powers of elected municipal government, to unelected Government-appointed regional services boards.

An Hon. Member: That can't happen.

Mr. Tobin: Yes. It can happen. I am telling you it can. And I am sure of that, Mr. Speaker, and I know that this Member, once he gets into it, and I am going to share some notes I got with him after I am finished.

An Hon. Member: (Inaudible).

Mr. Tobin: What? I am going to share some notes with you, I am sure boy.

Some Hon. Members: (Inaudible).

Mr. Tobin: Mr. Speaker, Cabinet by its own order, and the Minister of Municipal and Provincial Affairs, by his own regulations, can in effect disestablish municipal governments and disenfranchise citizens in every city, town and community in Newfoundland and Labrador. They can do the deed without so much as a notice of intent to the people whose democratic rights will be usurped by their decree. There is no basis, no justification, for this blatant attack on the institution of municipal self-government in this Province.

Those are some of the feelings that are circulating in this Province as it relates to that Act and what is taking place.

Some Hon. Members: (Inaudible).

Mr. Tobin: Mr. Chairman, yes, we can go further than that. Let's go to Section 5 first. The

Minister determines the number of board members other than the Chairman. Who determines the Chairman?

An Hon. Member: The Premier.

Mr. Tobin: Who determines the Chairman? That is the question. Yes. And I would like to have an answer. But the Minister is not here to listen, he should be in his seat listening to every speaker. That is another blatant example, Mr. Speaker, of the contempt for this House by the Government. The Minister of Municipal Affairs should be here to listen to what is being said in this debate. And when he gets up to close debate he should be able to give us the answer to the questions.

An Hon. Member: (Inaudible) read Hansard.

Mr. Tobin: And I would like -

Some Hon. Members: (Inaudible).

Mr. Tobin: There is no Minister of Municipal Affairs in this House, that is what I am saying. And it is blatant contempt for this institution and for the debate that is taking place. That is what is going on. And I can tell you right now that the Member for Windsor - Buchans, or the Minister of Agriculture - Mr. Speaker, I would not depend on him to convey my questions to the Minister.

But as the official spokesman for municipal affairs in our party I have got some question that I want answered. And I want to know who will determine the Chairman?

An Hon. Member: (Inaudible).

Mr. Tobin: Who will determine the Chairman? Go out and answer the phone, boy. That is the question that has to be answered and I hope that someone will get it to the Minister. Because my colleague from Placentia is confused over that issue. Because the Chairman under this new Act may not even be from the region.

An Hon. Member: No.

Mr. Tobin: Oh but yes.

An Hon. Member: No.

Mr. Tobin: Okay. He is not elected and not from the region. I would suggest with the way that political hacks have been given jobs for this Party. When they look at what this Government has been doing in terms of appointments, that there will be a lot more defeated Liberal candidates serving as Chairmen of these boards. Not even from the Province. Mr. Chairman, after the next elections I would have no difficulty appointing the Member from Placentia, but I can not do it until after the elections.

But what is happening -

An Hon. Member: Talk about the legislation.

Mr. Tobin: Yes, I am talking about the bill. You get the answer as to who is going to appoint the Chairman. Will he have to be from the region in question or will he be a political hack?

An Hon. Member: (Inaudible).

Mr. Tobin: What is that?

An Hon. Member: (Inaudible).

Mr. Tobin: No, Mr. Speaker, they brought one in from Mars, because there is no one who lived on this continent could turn their back on the teachers like the Member for Exploits did, if he is the same fellow who is the past president.

Some Hon. Members: Hear, hear!

Mr. Tobin: So I would suggest that he is not the past president, he is the man from Mars that he just referred to.

An Hon. Member: Oh, oh. Come on now.

Mr. Tobin: There is nobody in this Province who could have done that. Nobody.

I have some other questions that I want answered. Let me say to my colleague from Placentia, that that's S5 under Membership. The Minister determines the number of board members other than the Chairman. Board members are appointed by the Minister from councils nominated by the Government, the Minister may appoint any persons he wishes in the region.

An Hon. Member: Where is that?

Mr. Tobin: Section 5 - Membership.

What does the old one say? The number of councillors is set by Cabinet.

An Hon. Member: (Inaudible).

Mr. Tobin: I got it done. I can tell you more now than, Mr. Speaker, if you want to know more. Cabinet selects and appoints the Chairman. Vice-Chairman is elected by the Board, by its members. That is what is going on.

An Hon. Member: What is wrong with that?

Mr. Tobin: There is a lot wrong with this Government appointing the Chairman.

An Hon. Member: (Inaudible).

Mr. Tobin: Because it provides the Minister with the right to appoint a chairman who is not elected by the councils. That is what is wrong with it.

An Hon. Member: That is not true.

Mr. Tobin: Well why was it said here then? Why did the councils say it?

An Hon. Member: Stop interrupting him.

Mr. Tobin: Why did the Council from Placentia say it? That is what is going on.

Now, Mr. Speaker, I touched two issues so far in this debate.

An Hon. Member: (Inaudible).

Mr. Tobin: Don't you worry, I have my work done on this.

There are two things that I have mentioned so far to prove two issues, one is this Government has eliminated the public hearing process and has eliminated the feasibility studies. That is number one.

An Hon. Member: (Inaudible).

Mr. Tobin: That is wrong.

Mr. Tobin: This Government at the stroke of the pen can eliminate or shut up boards if they so wish without public hearings in this Province.

An Hon. Member: That is a matter of opinion.

Mr. Tobin: That is not a matter of opinion. It is in the Act.

An Hon. Member: (Inaudible) right or wrong?

Mr. Tobin: Oh!

But, Mr. Speaker, nobody including the Member for Placentia should ever be afraid of public input, and he should not support a piece of legislation that eliminates public input. That is there now. And that is the right that the people have been denied in this Province. That is what is going on. Mr. Speaker, there are other divisions there. And the appointment of the Chairman, that really bothers me. That is one issue together with the hearings because the Minister can appoint a chairman to that board from anywhere.

Some Hon. Members: Oh, oh!

Mr. Tobin: Yes. I missed that one. I heard about it though.

That is what is going on here.

An Hon. Member: (Inaudible).

Mr. Tobin: No, I do not think the Opposition should appoint the Chairman either. The councillors should appoint the Chairman the same as the deputy chairman not somebody in here. How do we know, they took a defeated Liberal candidate and make him an assistant deputy minister. They have taken another political hack off the street and stuck him down in the Public Service Commission and put him in charge of all of the hirings. And how do we know, how can we trust this Government

to do anything different than to take somebody, Mr. Speaker, and my greatest fear is that they will take people who will do what the Minister wants done and that is amalgamate councils in this Province. That is the plan. Do not kid yourselves. This is amalgamation by another word. That is what is taking place in this new Act. Do not ever kid yourself. You go out to Peterview and look after the people out there. That is what you should do.

Some Hon. Members: Oh, oh!

Mr. Tobin: The powers that this new committee will have. What about that?

Mr. Parsons: I will read it all.

Mr. Tobin: Yes, section 13, expenses. Do you want to try that one. Revenue generated by assessment of user fee in the region and on municipal authorities. Do you know what that is? That is another level of taxation on the people.

An Hon. Member: (Inaudible).

Mr. Tobin: That is what he told you. You would probably give it back to him. That is another level of taxation on the people of this Province. And I do not care what the Member for LaPoile says, Mr. Speaker, because I do not put too much credence in what he says, in any case, nor do other Members in this Assembly, including your own.

An Hon. Member: (Inaudible).

Mr. Tobin: Mr. Speaker, the bill does not provide for compensation. This is the key one. And I hope my colleague for Placentia, a former mayor, will be

speaking on this. The bill does not provide for compensation or other financial relief for municipal assets acquired by the regional board. What about that one? That is what is in the Act. So, tomorrow they can go out in your district and amalgamate the areas and take all the recreation facilities from a council that was developed over the year -

An Hon. Member: (Inaudible).

Mr. Tobin: Just use that.

- developed by the people of that community, put in place, door to door campaigns and some expense collecting money, paying taxes a lifetime, and all of a sudden they no longer own that facility and do not get any form of compensation. Is that what my colleague supports? Is that what he thinks is right? If that is to happen, the municipality should, Mr. Chairman - I cannot see how members can disagree with that - should receive compensation because what has been structured here is no form of relief.

An Hon. Member: (Inaudible).

Mr. Tobin: Yes it is. Sure, it is there. It is all there. Everything I am saying is there.

An Hon. Member: (Inaudible).

Mr. Tobin: What?

An Hon. Member: (Inaudible).

Mr. Tobin: Mr. Speaker, this bill is here in place. It is not the Committee's report, it is this bill we are debating here today and the Minister has brought it in without change. As a matter of fact I read in Hansard, when I was going through Hansard, that the

Minister says there is one area there he is going to have to bring in an amendment to -

An Hon. Member: (Inaudible).

Mr. Tobin: Yes, but it is not an amendment to cover this.

Some Hon. Members: (Inaudible).

Mr. Tobin: Now, Mr. Speaker, we got the Member for Placentia, and I just have to read out what one of his councils thinks about this deal. We got the Member for Placentia who was advocating that the Minister of Municipal Affairs should make amendments to the bill. Why didn't he have the Minister change the bill before it was brought in? Because we will not see any amendments. Don't kid yourself. There will be no more amendments brought into this bill.

An Hon. Member: (Inaudible).

Mr. Tobin: You can get up when I am finished.

An Hon. Member: (Inaudible).

Mr. Tobin: Yes. Mr. Speaker, I will be interested to hear what he has to say about it. And I can tell him that he better be careful of what he is saying because his comments may be circulated to his council.

An Hon. Member: (Inaudible).

Mr. Tobin: Yes. Well, I can tell you something, I think the Mayor of Placentia is extremely knowledgeable about Municipal Government. And, Mr. Speaker, probably we should talk about how happy I was the other morning when I heard that the Mayor of Placentia had been appointed to Marine Transport, and how pleased

I was that probably the most knowledgeable person in that area as it relates to marine transportation was appointed to the board. He has done more for that transportation issue out there than any other member. I would suspect, and I would have to be fair and say that the Member for Placentia has done his share as well. There is no doubt about that. I will give credit where credit is due. There is no doubt about that. But he is extremely knowledgeable in that area and I was delighted. I think everybody in the area should be happy to see him appointed to that board. It is a good thing. Now, what else does this bill do?

Mr. Speaker, I am glad to see that the Minister is here and I am going to repeat a couple of questions that I had for him earlier under this bill. I want truthful answers, and I am not suggesting that he will not give it to me, Mr. Speaker. I am not suggesting that, but I want truthful answers. Who will be appointing the Chairman of these committees? I would like for him to make note of it. And there is nothing in this Act that states they have to come from the region, so I would like for the Minister, when he speaks, to tell me whether or not people other than those living in the region can be appointed as Chairman, because the Act does not state that they have to be from the region. You could take some political hack from here in St. John's and put him responsible for a board out in Placentia where he would know nothing at all about it. It is not covered in the Act. I tell the Minister it is not covered in the Act. I do not care who it is but I want somebody who is going to be appointed by the councils.

The Minister should not have the right to appoint him is the point I am making. It should be done the way the rest of them are going to be done. The other question I want the Minister to answer when he gets up to speak in debate -

An Hon. Member: I am going to recommend that Section 5 say the Chairperson appointed should be a political hack from the immediate area. How is that?

Mr. Tobin: Go down and shine the Premier's shoes, boy.

Some Hon. Members: Hear, hear!

Mr. Tobin: By the look of the Member for LaPoile he is after smoking his share of cigars. Let me ask the Minister of Municipal Affairs why he has eliminated the public hearings in this Act - that is in the present Act? Why has he eliminated public hearings that exist, and feasibility studies that exist? Right now under the Act Cabinet must order public hearings or feasibility studies, and under his new system that is eliminated. I wonder why that has been done? Why would the Minister and the Government be afraid of public input? That is the question that has to be answered here. Mr. Speaker, I have some other letters that I would like to make reference to. This one is from the town of Logy Bay, Middle Cove, and Outer Cove and it says that Section 3(1) gives the Minister total authority to the formation of any regional authority. We feel the wording should be changed to include, in consultation with the municipalities. Why would the Minister be afraid of that? That is the question. The town council of New Perlican are concerned about having this Bill become

law. They cannot see how such a Bill will benefit municipalities or the Government. Why would they be concerned? I wish to inform you that the members of the Fortune town council strongly oppose the enacting of the Bill entitled An Act Respecting The Creation Of Regional Service Boards Throughout The Province in its present form.

An Hon. Member: The town of Fortune (inaudible).

Mr. Tobin: The town of Fortune made a submission, as did the town of Burin, and as did other towns. How about this, Mr. Speaker? The Chairman of that board refused to go down to the Burin Peninsula to have hearings when they wrote and asked him. He refused to go down there. All of the councils made presentations. He refused to go down there the same as he refused to table the minority report today. He should be flicked off the Committee. We object to any proposal being forced upon us. We believe in the principles of democracy and the consultative process, especially when such a proposal has the potential to impact so forcefully on the people of our town. How about this one? Maybe the Minister can answer this one when he gets up to close debate. I hope the Minister is listening to this. I would like to get the Minister's attention if I could, seeing that he just came into the House.

The question must also be asked how Regional Service Boards will affect employees of the town services by a Regional Board? Their proposed Bill states in Section 9, that the Board may be responsible for such things as the construction and operation of water and sewer systems, waste

disposal systems and any other services designated as regional in nature.

It follows then, that the Board must also have a capable trained staff, available to carry out that mandate. If this is the case, the present staff employed in towns, for example, to maintain water and sewer systems becomes redundant to maintain, and are no longer required by the towns, plus, with the implementation of Regional Services Boards, layoffs, layoffs of employees become a real possibility. Layoffs of employees becomes a real - and that is the buzzword of this Government in the last few weeks - isn't it the buzzword of this Government in the last few weeks, layoffs and close-ups and shutdowns, that is what is going on, and there are some other things we have to say about this Government as it relates to the Department of Municipal Affairs, and that is the Grant structure.

Some Hon. Members: What about it? What about it?

Mr. Tobin: What about it? You are going to learn what about it pretty soon and you are not going to be very happy.

An Hon. Member: No?

Mr. Tobin: No, you are not. Mr. Speaker, I only wish the Premier would put the Member for Mount Scio-Bell Island in the Cabinet soon, because if he waits too long, he might forget some of the stuff, as right now he knows everything, so the Premier should take advantage right now of the Member for Mount Scio-Bell Island, he knows everything, and he should put him in Cabinet right away before he forgets some of it,

because it would be a sin to waste that talent of a man who knows everything. The jewel, the jewel of the Liberal back bench.

Here is another one. How about this one from Rocky Harbour. Whose district is Rocky Harbour in, I wonder?

An Hon. Member: He had a copy of that (inaudible).

Mr. Tobin: Yes, he did get a copy of it. It was unanimously agreed by all councillors on June 12th, that the new Bill entitled, An Act Respecting The Creation of the Regional Service Boards Throughout the Province will cause the same type of problems for our community as amalgamation. Is that the Opposition saying that, Mr. Speaker, is that the Opposition saying that?

It is the councils throughout this Province and I have oodles of letters in my office, files filled; it said it was unanimously agreed by all councillors on June 12th, 1990, that the new Bill entitled An Act Respecting The Creation of The Regional Service Boards throughout the Province will cause the same type of problems for our community as amalgamation. That is what it said because councils do not want - no problems, no problems, amalgamation is no problems.

An Hon. Member: What are they, tell us what they are.

Mr. Tobin: Listen to the Minister. Mr. Speaker, I will tell the Minister where they are, it started last year when you delayed elections and you said to North East Avalon, give me a year. What did the Minister say, give me a year, delay your

elections, he went out and begged the councils to delay the elections for a year and what happened, what has transpired in that year that he would now call the election? What has changed for the Minister to call the election, not one thing I would suggest. He delayed the elections for a year without doing anything, even though he asked for it to be done, and then he turns around and he says, oh, there are no problems.

Well, I can tell the Minister that there are problems. There are problems here in the city of St. John's and there are other places in this Province where people are frightened to death because of the actions of this Government as it relates to amalgamation. You go out in your own district and talk to the councils there about amalgamation. That is what the Minister of Social Services should do.

An Hon. Member: What?

Mr. Tobin: Go out and talk to your councils about the amalgamation issue.

Some Hon. Members: (Inaudible).

Mr. Tobin: Yes, indeed you do. According to what was in -

An Hon. Member: And they say no to (inaudible).

Some Hon. Members: Oh, oh!

Mr. Tobin: - the paper. So, is the Minister of Social Services saying every council in his district supports amalgamation?

Mr. Efford: Every council except the (inaudible).

Quote me on it.

Mr. Tobin: Now there you go. Every council except the Tory council, he said.

Some Hon. Members: No no!

Mr. Tobin: Every council except the Tory Mayor accepts amalgamation.

Some Hon. Members: (Inaudible).

Mr. Tobin: Now we have got it. Is that the same throughout the Province?

Mr. Efford: I do not know but it is the same in my district.

Mr. Tobin: Is that the same throughout the Province? For example, Rocky Harbour. Would the Mayor of Rocky Harbour? What about Mount Moriah? I do not even know - who's district is that in?

Some Hon. Members: (Inaudible).

Mr. Tobin: What?

Some Hon. Members: (Inaudible).

Mr. Tobin: What did Mount Moriah say? From what we can see of this bill, it is just another way to replace amalgamation. That is the Premier's district. We opposed amalgamation and we opposed the regional service boards. Now, that is what the Premier's district is saying about amalgamation. And in case the Minister did not hear it I will read it again. We opposed amalgamation and we opposed the regional service boards. If this regional service board is appointed they might as well do away with all the municipal councils.

Town council of Badger's Quay - I am looking for appropriate -

An Hon. Member: Badger's Quay! The mayor is a good Liberal.

Mr. Tobin: Is that right?

Now then.

Town of Steady Brook. Town of Fortune.

Some Hon. Members: (Inaudible).

Mr. Tobin: Mr. Speaker, what about the town of Peterview?

An Hon. Member: You said that five times! The same town!

Mr. Tobin: I can tell the Member that he got a copy of this letter.

An Hon. Member: (Inaudible) sat down and had a meeting with him over it.

Mr. Tobin: I can tell - and does he support it now?

An Hon. Member: (Inaudible).

Mr. Tobin: Does he support it now?

An Hon. Member: (Inaudible).

Mr. Tobin: They are still not sure, he says. Do they know, for example, that public hearings have been eliminated and the the feasibility studies are gone? Do they know that they can appoint a Chairman from anywhere? The Chairman does not have to be elected?

Some Hon. Members: That is wrong!

Mr. Tobin: That is not wrong!

An Hon. Member: It is!

Mr. Tobin: I am telling you it is not. Okay. Go out and tell your

councils.

Some Hon. Members: (Inaudible).

Mr. Tobin: Okay, Mr. Speaker, let me ask the Member this. Will you vote against it if I am right?

Some Hon. Members: (Inaudible).

Mr. Tobin: Okay, okay, good.

Mr. Matthews: If you are right he is going to vote against it.

Mr. Tobin: That is right.

Mr. Matthews: Well, we got him on the record.

Mr. Tobin: I am saying to the Member from Placentia that the Chairman is not elected, and does not have to be elected. And he does not have to be from the area. Not according to the Act, and it is nowhere in the Act.

Mr. Efford: (Inaudible).

Mr. Tobin: Mr. Speaker, that is what is going on. If the Minister of Social Services does not want to listen to it he can go out and make up another story like he did the other day about the reporter out in Springdale. And he should talk about amalgamation when he did not know but Springdale was in Western Newfoundland. He should talk about amalgamation and regional service boards.

Some Hon. Members: (Inaudible).

Mr. Tobin: What? He said he did not know about Springdale, Mr. Speaker, he said it was in Western Newfoundland.

Some Hon. Members: (Inaudible).

Mr. Tobin: Now here is the group

that is making decisions around the Cabinet table on amalgamation and regional service boards. When you have a Minister of the Crown who thinks Springdale is in Western Newfoundland. So that is what we have. And no wonder that this is the best Bill they could come up with. And I can tell you that this thing here will not pass.

Some Hon. Members: (Inaudible).

Mr. Tobin: Your goose is cooked. You have found out that you cannot come in here and quote the people from other newspapers throughout this Province when they throw it back in your face. That is exactly what happened. Now that is what is going on here.

Some Hon. Members: Go back to the Act.

Mr. Tobin: Yes, I will go back to the Act. The Member from Placentia, does he support the abolishing of public hearings and feasibility studies? Well, how can you support this bill?

Some Hon. Members: (Inaudible).

Mr. Tobin: I hope that you will not.

Does the Member from Placentia think that the Chairman should be elected?

Mr. Hogan: No.

Mr. Tobin: You do not. You think they should be appointed rather than elected?

Some Hon. Members: (Inaudible).

An Hon. Member: Political hacks (inaudible).

Mr. Tobin: Now, Mr. Speaker, that

is on the record. The Premier's parliamentary assistant has now put it on the record that they will be appointing political hacks. That is what he said.

An Hon. Member: That is what he said.

Mr. Tobin: Now. That is something for the people of this Province to fear. And that has been said by the Premier's parliamentary assistant, that the Chairmen will be political hacks. That is what is going on.

And is that not reason enough right now, Mr. Speaker, for the Minister to withdraw the Act, based on what the Premier's Assistant just said. He should abolish the Act right now, withdraw it. I wonder would the Minister consider withdrawing that, based on what the Premier's assistant just said? That is serious stuff. We all heard him.

Mr. Chairman, seven members on the committee and he said he had unanimous support. Two voted against. No wonder you got in with one vote when you do not know what unanimous is.

That is what is going on in this Province today. And there are other areas. Cabinet selects and appoints the Chairman.

An Hon. Member: What?

Mr. Tobin: Cabinet selects and appoints the Chairman.

Mr. Grimes: No, we will change that and let you do it.

Some Hon. Members: (Inaudible).

Mr. Tobin: I should not have the right to do it, nor should that

Minister have the right to do it. The councils should do it. Who knows best? Does the council in Peterview know best what is good for Peterview or does this Government know best? There he is now. And based on what you just said they have every reason to fear that there are going to be political hacks as Chairmen. And we will probably have to ask the Premier a question tomorrow in Question Period on that, Mr. Chairman, based on what he said, so that it will be in the record for the people of this Province. And let the Premier have a chance to straighten it out once and for all. That is what is going on.

Some Hon. Members: (Inaudible).

Mr. Tobin: Mr. Speaker, he said I was in meetings all morning, the deputy minister took the call. Remember that? He was in meetings all morning, the deputy minister took the call? That is what is going on.

What else is here in this Act? Mr. Speaker, under Section 9, the powers of the board, and the question that I have got to ask and that has to be answered is why they will be taking the facilities - they will be taking town council offices, or recreation facilities, arenas, tennis courts, softball diamonds, swimming pools - they will be all taken now and put into a region. That were built by certain towns throughout this Province and not one cent of compensation. Not a nickel.

Some Hon. Members: (Inaudible).

Mr. Tobin: I think the report addressed them. And I congratulate the writers of the report for doing it. But I hope that the Minister will act on what

you have recommended there. And if the Minister - that is another point - does not act on that point, I can not see how the Members of the support board can support it. So we may be able to defeat this bad piece of legislation. The Member from Placentia is not going to support it, and now the Members of the Committee, and now the Member sitting - well Mr. Speaker, it looks like it. Oh, probably he will cave in.

Some Hon. Members: (Inaudible).

Mr. Tobin: Well we want that changed. Compensation, we want it changed. It has and must be changed. It should be changed. And I ask the Minister to change it, and to give these councils compensation for what you are taking on them. It is no less than they should expect.

Some Hon. Members: (Inaudible).

Mr. Tobin: There are some cases, but I can tell you not in every case. For example, there are arenas built in this Province where people gave so much out of their pay cheques every payday for five years. There are arenas like that in this Province, and swimming pools.

How can the Minister go out and take that on these communities and not give them a nickel for it? How can he do it? That is the question which has to be asked. How can he do that? Cruelty! There are some other things to which we have to get answers. Does the Minister agree that they should be compensated for their facilities which are going to be taken?

An Hon. Member: (Inaudible).

Mr. Tobin: You are not the Minister. You think you are, but you are not. There are the Ministers, over there.

He said, The Man from Mars. He is going to bring down a man from Mars and make him chairman. That is the contribution he made to this.

Mr. Matthews: Who said that, Exploits?

Mr. Tobin: Yes. The Man from Mars he said was going to be made chairman, they were going to bring him down. But, Mr. Speaker, I have to remind him that the Man from Mars is already here. Because nobody living on this planet could turn his back on the teachers the way the Member for Exploits did. So the Man from Mars is here.

Mr. Warren: Did he speak to the teachers.

Mr. Tobin: Who?

Mr. Speaker, my time is getting close, but I am going to say to the Minister that I do not think there is a need for this Act to go to the extent it goes. I think there is a fair bit of authority right now, under the present Act. And to eliminate public hearings and feasibility studies is what is going - there is no council in this Province that will want to eliminate public hearings and feasibility studies.

And why should the Government hide behind that issue? What are they afraid of, if it is not another form amalgamation? And that is what is in this Bill. Let no one forget that. This is done for one reason, and that is amalgamation. How can they do it? How can they

do this? They do not have to have public hearings, feasibility studies are eliminated, and a chairman is going to be appointed by the Cabinet not by the area. Who could support a document like that, when you have the chairman appointed, and God knows who he or she will be, by the Cabinet not elected by the people, responsible to no one, as - I beg your pardon?

An Hon. Member: (Inaudible).

Mr. Tobin: He can do it. The Act is not precise. What you are saying, I would hope that would happen. But the Act is not precise in dealing with that issue, and that is the problem I have. This Government is capable of doing anything. The record shows that, their record shows that.

Mr. Murphy: (Inaudible).

Mr. Tobin: The Member for St. John's South, who heard all the petitions and heard all the presentations -

Mr. Murphy: (Inaudible).

Mr. Tobin: Yes, you heard them all. You know exactly how the people feel about this. You know, for example, how the Town Council in Burin, in my own district, feels about this.

Mr. Murphy: I had twenty-two submissions out of 380 (inaudible).

Mr. Tobin: That is right. But there are councils on the Burin Peninsula who could not afford to come to St. John's, the smaller councils, and on the Bonavista Peninsula. That is right, it is Central, but they still have difficulty with that, because what is happening in small rural

communities, let me say to the Member, and I am sure he understands it, is that people there are working in the fisheries or whatever the case may be, and they cannot get time off to come to St. John's or to go to Clarenville. Burin came in. But if you look at Burin, it is a large council which can afford to send their members in. But if you look at some of the smaller councils -

An Hon. Member: (Inaudible).

Mr. Tobin: I am sure he will. But that is what is happening here. Let me say for the record that there is no need for this Bill in its present form. The intent and legislative provision of the Bill are similar, in most respects identical to part 3 of the Municipalities Act, 1979. The substantive difference, Mr. Speaker, between the Act and the new Bill is the arbitrary powers that it gives the Minister: 'the Bill assigns to the Minister and to Cabinet to restructure Municipal Government without notice.' How about that?

To restructure Municipal Government without notice. How can the Minister do that?

An Hon. Member: (Inaudible).

Mr. Tobin: No, I have those here. There are some things here that I want to try to find to say to hon. members. 'This document, and I hope the minister is listening to this, is insulting to every elected councillor in this Province, as it implies incompetency and lack of capability. It leaves us to question whether the Minister of Municipal and Provincial Affairs and the Government of which he is

a member have lost all confidence in the leadership of the elected people in this Province.' That's what is being said.

Mr. Murphy: Who wrote that?

Mr. Tobin: That was presented to you people. I do not know who wrote it. There is no name signed to it. It is a copy of the brief that was presented to you people. It came from my district, Mr. Speaker. That is where it came from. I do not know who wrote it, but it came from the Town of Burin. But that is what is being said. They are not the only council in this Province that feels that way. I think it is disgusting of members opposite to support that type of restructuring of municipal government in this Province, without input, without public notice, without feasibility studies, without public hearings.

Mr. Murphy: There are a lot of good things in it, though.

Mr. Tobin: Sure there are a lot of good things said, but in its present form there are not a lot of good things said. In its present form this piece of legislation strips public acts, strips public hearings, strips feasibility studies, gives no compensation to people who are going to lose their facilities, and gives the minister and the Cabinet the right to appoint a political hack, as the Member for Exploits said. That is what is wrong with this Bill.

Mr. Murphy: He was only joking.

Mr. Tobin: He was not joking. It is in Hansard. It is recorded now, Mr. Speaker, and councils can see what is being said.

An Hon. Member: (Inaudible).

Mr. Tobin: The Minister of Education, he did say it. The same as you did the other day, and then got on radio and denied it. The same as you said the other day about substitute teachers. Then you said you did not say it. That is what is going on with this Government. Every day they are saying something different. I must say the Minister of Agriculture has not said anything different, because he has not said anything.

Some Hon. Members: Hear, hear!

Mr. Tobin: Mr. Speaker, that is what is going on here with this piece of legislation.

Mr. Murphy: (Inaudible).

Mr. Tobin: I am saying to the Minister of Municipal Affairs, that piece of legislation, I cannot honestly, nor can our caucus, support it. We cannot support it. We cannot support the abolishing of public hearings. And I cannot see how these members can. We cannot support the abolishment of feasibility studies.

An Hon. Member: It does not say that.

Mr. Tobin: Yes, it does say it.

Mr. Grimes: There is nothing in there that says you cannot have a public hearing and do a feasibility study.

Mr. Tobin: Under the present system it says you have to have them. That is the difference.

Mr. Grimes: What about if you do not even need them?

Some Hon. Members: Oh, oh!

Mr. Matthews: You can't do away with it. There might be a need for it, boy.

Mr. Grimes: (Inaudible).

Mr. Tobin: Mr. Speaker, that is a good question. If that is the case, what the Member for Exploits just said, will the minister bring in an amendment right away to allow for public hearings if any of the councils decide -

Some Hon. Members: Oh, oh!

An Hon. Member: That is already there.

Mr. Tobin: It is not there.

Mr. Simms: It is not.

Mr. Flight: The Member for Grand Falls is (inaudible).

Mr. Tobin: It is not there.

Mr. Grimes: There is nothing there saying you can't (inaudible).

Mr. Simms: Propose an amendment.

Mr. Tobin: Propose an amendment.

An Hon. Member: (Inaudible).

Mr. Tobin: Because it is not fair. The councils do not have the right. It should be written in this that if councils want public input, they should have it. It is not there. You are taking it away from them, and you are given the powers to this Government, Mr. Speaker, to go ahead and do it without the councils even knowing about it. That is what is happening in this Province.

Mr. Murphy: The minister would never turn down -

Mr. Tobin: It is all right for the Member for St. John's South to say the minister may never. Probably that minister will not, okay, but probably some other minister would.

Some Hon. Members: Oh, oh!

Mr. Tobin: No. That is obvious today. What is going on here today is obvious. They do not realize what is in their own bill. Now, Mr. Speaker, I will tell you that when I served as Parliamentary Assistant to the Premier of this Province, I knew what was in the Bills. That was one of my jobs.

An Hon. Member: If the Premier did not know, someone had to know.

Mr. Tobin: I said this evening that the Premier should put him in the Cabinet. He is the only fellow here who knows everything, but one of those days he is going to forget something so the Premier should capitalize now, while he knows everything, and put him in. That is what is happening here. And members opposite do not know what is in the Bill. They do not understand what is in the Bill. I can tell the member opposite that we indeed do know what is in the Bill. The Bill was studied to pieces by people for us.

An Hon. Member: Not by you.

Mr. Tobin: Yes, Mr. Speaker, I was in on a lot of it. I was there when it was discussed. We had lawyers look at it, as to how it compared to the other Act, and what is and is not in it. We had people who at one time, I would suggest, drafted legislation, was

the expert for drafting legislation in this Province, who knew what was in it. The Minister of Social Services, who thinks Springdale is in Western Newfoundland, does not know what is in it. If he thought Springdale was in Western Newfoundland, how would you expect him to know what is in the Bill? I would say the Member for St. John's South knows what is in the Bill. I think he knows about it. Who was on your Committee?

Mr. Murphy: (Inaudible).

Mr. Tobin: Well, he does not know what is in it. If Pleasantville was on it, there is a good chance he knows what is in it. My colleague for Harbour Main knows what is in it, and my colleague for Kilbride knows what is in it. The Member for Grand Falls knows what is in it, and everybody on this side of the House knows what is in it. I am not so sure the Minister knows what is in it, based on what he said the other day. Because there is no provision for public hearings. Nowhere in the Act is it written that there be public hearings and feasibility studies. It is clearly stated in the old Act. Nowhere in this is there provision for the councils to be compensated for the facilities which are going to be taken.

Mr. Efford: You have been up now for an hour and you have said nothing.

Mr. Tobin: Why do you not go back to Springdale, in Western Newfoundland? Nowhere in this Act is there any compensation for the facilities which people built with their own hard dollars in a lot of cases.

Mr. Murphy: (Inaudible) the Committee Report.

Mr. Tobin: I know the Committee Report.

Mr. Speaker: Order, please!

The hon. member's time is up.

The hon. the Member for LaPoile.

Mr. Ramsay: Thank you, Mr. Speaker. It will take me a little while, because I have to clear some of this stuff out of my ears that came from across the way and which was half truth and innuendo as far as this Bill is concerned. Some of them were very good points, I will give you that. You did make some good points, and as an Opposition I would say that you probably performed, with respect to this Bill, at maybe about 50 per cent of what the hon. John Efford would have if he were over there.

I would think that there are certain parts of this Bill where questions are required to have a look at. There is one thing I do want to mention regards the report that was made, and something I feel would constitute a breach of privilege of this House, but we did not raise it. The hon. Member for Kilbride would certainly not be expelled for breaching the privileges of this House, because he is not with us today, he is on vacation. The thing about the report, though, is that we certainly brought up certain points, and we have addressed all of the concerns that were -

Mr. Simms: He is not on vacation.

Mr. Ramsay: I thought he was going.

Mr. Simms: No, it is a personal matter. His father died last year and he is (inaudible).

Mr. Ramsay: I didn't know. My condolences to the hon. member.

But with regard to the report and what has transpired, I think some things have to be mentioned. First and foremost there was a request made at a Committee meeting for a minority report. This was made at a Committee meeting, and at that Committee meeting all there agreed that the minority report would not be included, based on the democratic system that is spoken of by the Opposition. We voted on that issue and came to a consensus that the minority report would not be tabled by this Committee. So, therefore, for the hon. Member to bring forth the minority report as such and ask that it be tabled, was certainly incorrect. And I still feel somewhat uncomfortable that it was not agreed to by the Committee that this minority report be tabled as part of our report. Now, of course, that is a matter that will be taken up later with the Committee itself.

There are certain aspects, I am sure, included as part of this minority report which are also part of the actual report as presented to this House of Assembly. I note item one: It says that the Bill as drafted would concentrate too much power in the hands of the Minister and the Lieutenant-Governor in Council. That was expressed by some councils to the Committee. We addressed that and had good explanations as to why that was the case, as to why this power did exist.

Mr. Speaker, if as Government we

are prepared to provide financing and provide borrowing ability to the different boards that are set up throughout the Province, therefore, it would only serve the public's interest that this Government have a representative on these regional service boards. As the councils are representing their respective communities, then the Government, who is providing the bulk of the money in some cases and part of the money in other cases, should be afforded the opportunity to appoint the Chair.

Now, normally, the Chair as an active member of that regional service board would be the individual who Chairs meetings and not necessarily have too much to say in the proceedings that he presides over. But there is a problem that these regional service boards would certainly be operating without direct Government input into the process.

Also, Mr. Speaker, I might add that some of the presentations made to the Committee with regards to regional service boards supported the issue of having an appointed Chairperson because of the possibility of conflict with the various communities and community interests that were present on the regional service board. This, of course, would allow for a Chairperson to be appointed who would, in effect, provide an element of neutrality with regard to the general community's interest within the sphere of that regional service board.

Also, something that was mentioned, and it was included in the actual committee report as presented to the House today, was that there should be a requirement

in the legislation for feasibility studies and public hearings before a board is established. Now, that was the view expressed by a majority of the various groups that were there. But when explained to them that there is a possibility that these public hearings and feasibility studies may be redundant, that in essence if all of the different councils agreed and one council in that given area wanted to opt out, then why would the regional area want a feasibility study if those that agreed would participate and those that disagreed could opt out? So, therefore, it would negate the reason or the need for a feasibility study, and it did not, within the confines of the legislation, state that there would be no feasibility study. If a council and other councils in a given area were interested enough to require for their own purposes a feasibility study, and possibly even if Government would require a feasibility study to see if they could support a regional service board concept in a given area, then the feasibility study could be carried out. There is nothing to prevent that from happening. But there is written in there a requirement for a feasibility study, because, of course, the redundancy factor that may enter into the process. So if it were in there -

Mr. Tobin: That is there now.

Mr. Ramsay: It is within The Municipal Act.

Now that is another thing I want to bring up. The Municipal Act, as it is currently constituted in law, does have provisions for feasibility studies when regional councils are being considered for a given area. That is correct, as

I understand it. Now the problem is with The Municipal Act, I think the last time it was done was 1977.

An Hon. Member: 1979.

Mr. Ramsay: In 1979 it was revised. And there will be, as I understand, an undertaking to have The Municipal Act improved because there are some anomalies in it and some problems. So it was determined within the bureaucracy here within Government that some of the bureaucrats who were working on this determined that it would be better to create a separate Act rather than including this as part of The Municipal Act and therefore having to change this along with the other Act again, when that other Act requires changes in the near future.

So one would be certainly messing it up to include it with something that is in requirement of change and to have it stand alone would be the best possible solution for now and possibly it may be included later when things are improved.

Mr. Speaker, I also might note that there were submissions brought to the regional services board hearings that board members should be chosen from among elected councillors or be nominees of council. Now there is nothing preventing that from happening in any way, shape or form, and the Committee did recommend just that. And I think it was the original intent, although not clear in the drafting of the legislation, it was the original intent of the department to have just that in place. Now the only exception possibly being the Government representative on the regional services board which

would be a Government appointee, by virtue of the requirement to have some one on there to monitor Government's input financially and otherwise into the regional services board.

I might also note that there were some contentions that the Chairperson should possibly be elected by the board and nothing prevents that either. It is a possibility that the board may look at the various councillors that they would want on that regional services board, and then decide that they would recommend to Government that a certain individual who happens to be a councillor would represent the Government's interest. Then the Government may, in fact, decide that that would be the best individual. So there is no, I suppose, lack of consideration for municipal councillors. Someone with some longstanding background in municipal activity over the years who has a good understanding of the way that Government and the municipalities work would be able to serve in that capacity on behalf of the Government in a very good way. And I think certainly the Minister of Municipal Affairs who shows a set of big ears when it comes to listening to councils' concerns, I am sure he has been very co-operative with councils to date, and will in the future.

Now some of these concerns that were mentioned by the Opposition could possibly be because councils are used to having dealt with the Opposition in Government, and I do not mean to in anyway suggest they were anything but fair in their operations. But when it comes to appointments I am sure that we all know their track record when it comes to appointments and certainly that is a matter of

concern, as was mentioned earlier about the people who would receive these appointments. So legitimately in the past these appointments could be considered questionable. But I would think that this Minister and this Government will support a fairness and balance approach to appointments and see to it that politics is only part of the equation.

I also might mention, Mr. Speaker -

An Hon. Member: (Inaudible) is that what you are saying?

Mr. Ramsay: I said part of it, we are all politicians, so therefore it would have to be part of it.

An Hon. Member: Politics would be part of this question.

Mr. Ramsay: The other thing I might add, Mr. Speaker, is that it is noted here that councils did suggest to the Committee that they should in effect be compensated for assets that will be transferred to the boards, if in fact these councils had a relative contribution towards those assets. That was mentioned. And it was taken into consideration in deliberations and the things that were being said were very valid points. Again, you have to separate what contributions were made by who. If the contributions were made on behalf of the Provincial Government then in transferring it would be a paper transaction. It would be a compensation on paper but not necessarily of any consequence as far as the actual transaction goes because it would not require the payment for an asset, but if a given community had contributed funding towards a given asset in that community, that was then

going to come under the auspices of the regional services board it would then be certainly circumspect to expect that the regional services board should in turn assume the liability that would transfer with the asset. On that basis the Committee then did recommend, as one of its five recommendations, that liabilities as well as assets be transferred to boards from councils, so in turn then the requirement for looking after that asset would be spread throughout the different councils that were part of that regional services board. Also noted was the lack of a penalty for violation of conflict of interest aspects in the legislation. Now this was brought to light, and I think it was just an oversight on the part of the wordsmithing departments as was often mentioned in the Chairman's remarks, that maybe this had to be attended to. It also was noted and, of course, based on other legislation will be looked at and considered as to whether there would be penalties included. Another thing of note was that it did say was that the board should be established at the request of the council. Now, this, of course, is something that is contentious in certain cases. If Government were to be a strong-arm type Government who is going to force councils into doing anything that councils did not necessarily want to do, that was deemed to be in their best interests, then by virtue of the council's decision the council decided that it was not in the best interest of that specific council and there should not, according to these people who made their presentations, there should not be an ability for Government to force it down their throats. Well, I must say that the Committee did concur that a

given group of councils in an area that would be serviced by a regional service board could, at their request, try to form a regional service board. Now, it is a council driven piece of legislation. As I understand it, it will facilitate, it will not force, it will be a facilitative piece of legislation that will allow the councils in question to form a regional services board, because as it is currently constituted under the Municipal Act one of the councils in a given area bears the brunt of the financial responsibility for whatever would happen to be considered regional services, and that is incorrect. It has not allowed a proper setup, a proper corporate entity to be set up that legally would allow, under current legislation, Government to provide the variety of things on a regional basis. If done it would have to be done by a given council and then user fees would be charged to the other councils in question.

Now, what this does is it allows the setup of this and would prevent any one council from having to bear the brunt of it being on their books. In some cases, I am sure, it could be spread around on a per capita basis but it is kind of difficult to administer the fact that if you are going to borrow say, \$1 million, and one council has 30 per cent of the population, another 20, and another 50, are you going to spread that borrowing on the books of the individual councils or do you put it on the one? As I understand it, currently, it would go on one council's books. For example, in Exploits it would go on the books of the council of Grand Falls and the other councils are assessed

fees based on Grand Falls debt load incurred with response to the water system, regional incinerator, or whatever. This would then allow a setup that would administer itself with the council's input and with the input of Government as their representative on the board. Also noted in our report was that budget submissions should be changed in order to allow municipal councils affected to attend to their needs as far as user fees might be concerned. We made a recommendation that the deadline for submitting budgets with regards to the regional services boards would be moved back one month from December 31st to November 30th. This is included as a recommendation in our report. This would then allow the various municipal councils to include their provision for regional services in their own municipal budget which has a deadline of December 31st. So, that is a facilitative move that we hope the Government will consider to allow for improved administrative ease in the overall operation of the regional services board. There are some other small things, some words that need to be changed, and that is also mentioned in our report.

Now, with respect to the Act I also would note that as far as the premise of the arguments of the Opposition would normally be based on us setting up regional service boards in a given area on Governments behalf, but not at the request of the given councils in the given area. Now, this is possible, I suppose, that this would be done if there were severe problems in a given area. I would submit though that this Government would only do that in a situation that was certainly of dire

consequences when the health, safety, security or services in a given area were being jeopardized because of a lack of tax collecting ability, or whatever, in a given area. And it would save money in a given area in order to do this by decree and not necessarily by consultation. But I do doubt that it would work. I think that consultation is the order of the day as far as municipal councils are concerned. And certainly with the strength of Municipal Government in this Province to even suggest that a Government would by anyway decree that X happened in a given area, I submit it would not work well. It would be against the wishes of a given council in a given area and this, in turn, Mr. Speaker, would certainly set up for a confrontation.

Now, this Government has certainly shown that it is interested in consultation with the public. The process that we have just gone through on this Bill alone is a consultative process, but it is a new process only ever done once or twice before as far as an event went in the past with respect to the flag and some other area that the previous Government did it. But this Government is willing to do it with every bill given the request from the public in the Province. And that is a new consultative process that I think we have to be proud of. And the fact that we do not come back with empty arms, that we come back making recommendations for changes in the legislation, this in turn, Mr. Speaker, will see to it that we can, together - the Opposition and ourselves - provide better Government for the people of the Province through improved legislation and also in providing access and a general improvement

in accessibility to Government to the people in rural Newfoundland.

An Hon. Member: (Inaudible).

Mr. Ramsay: Yes, that is another point. In the past committees certainly were brought back and pretty well beat into submission on a variety of things and had to live within Government edicts as to what it was that Government wanted would be the final statement of the day. This is no longer the case. We have had cases where legislation has been amended that was brought through the committee system in this House of Assembly since taking office, and this is possibly, you could say, a populist movement. It is a movement to provide people with a much more feeling government, a government that understands by virtue of having listened. And this, Mr. Speaker, is something that is much better than the ad hoc approach that has been taken in the past. And I know we have received encouragement from the Opposition to make it work, to make sure that the committee system is listened to and that it is certainly one of -

The other thing that I did want to mention, Mr. Speaker, is when you speak about appointing a chairperson, well there were no cries of difficulty when Government appointed chairpersons would be appointed to hospital boards or would be appointed to a variety of different boards and associations in the Province that Government has the requirement to appoint and yet, in this case to have one, a lone chairperson appointed who has no way of doing anything other than influencing -

An Hon. Member: (Inaudible).

Mr. Ramsay: I beg your pardon?

An Hon. Member: (Inaudible).

Mr. Ramsay: No, never happened. One chairperson to a given board and then the various members of that board would have the bulk of the input, they will have the bulk of the voting power on a given regional service board and it would also, I might add, provide for the good feedback through the Government system, up and back down into the council that would allow for very much improved administration of Government monies, it would not just be left in the hands of councils who normally do a good job, but it certainly could improve things with someone with a good base of knowledge, who may very well, as I mentioned before be a councillor and if that person was a councillor, I would think that would be good as well, if the person had good experience as my hon. friend opposite, the hon. Member for Humber Valley, I think, has some council experience over the years. Maybe he would be a good chair for the regional services board in his area and maybe Government would appoint someone with that kind of experience, and he has a lot of experience with the joint councils and that and it is a good possibility.

With that, Mr. Speaker, I would think that we have dealt with the aspects of the committee's report and I would state that I do sincerely feel that the report presented on behalf of the Members of the Opposition on the panel was done in an improper manner, and I would ask you, Mr. Speaker, to check into the way that the thing transpired and certainly ask if you could report back to the House

on the precedence in the past and also, in that the committee itself did not have any intention of submitting the minority report because we decided in committee, when the Members of the Opposition were there, that the report as presented by the hon. Chairman initially, was, what would be presented to this hon. House. If the hon. Member wanted to make a report to the press or make that report to anyone else for that matter, including ourselves, that is fine, but, as an official document, I would contend that that minority report is unofficial in being presented, and with that, Mr. Speaker, I ask for the question please?

Some Hon. Members: Question, question?

Mr. Speaker: The hon. the Member for Harbour Main.

Mr. Doyle: Mr. Speaker, I am very pleased to have a few words on this particular -

An Hon. Member: (Inaudible).

Mr. Doyle: I think after I am finished speaking, I will get together with you outside.

Some Hon. Members: Hear, hear!

Mr. Doyle: The Member for Menihek was throwing me off and I had to - throwing me off.

Mr. Speaker, I am very pleased to have a few words to say on this Bill today. Having been closely associated with the Department of Municipal Affairs for about three and a half years, I have been closely following the whole amalgamation process and the whole regional service board concept over the last number of months and

before I get into my remarks on the Bill, I certainly want to congratulate the Members of the Committee.

The Members of the Committee did a good job, I think an excellent job. Having been a member of the committee, I am in a position to know that, that the members of the committee did a very good job. I must say, I must congratulate the Member for St. John's South as Chairman of that committee. He did a very good job on it as well. There was nobody who tried to stifle anybody. Everyone had the opportunity to express their views as often as they wished. And the Committee, I thought, worked very well to a certain extent, and I want to congratulate all Members of the Committee, especially the Chairman, who did a good job in ensuring that everyone had a chance to air his views on the legislation itself.

I was a Member of the Committee, incidentally, for only a very short time, a couple of weeks. I replaced the Member for Grand Falls, who was a Member of that Committee for a considerable period of time. But in speaking about the Committee itself and the whole process of having a Legislative Review Committee, I have to say that I found the process a good one and I believe it can work, Mr. Speaker, if we are all honest with ourselves and if we want the system to work. But I am afraid, Mr. Speaker, that under the current circumstances I believe there is a possibility that the committee system will not work. The Legislative Review Committee quite possibly will not work under the current circumstances.

Because if you have a committee in

place to study and review legislation, and to hold public hearings all around the Province, and I believe in this particular instance we had about twenty-one submissions, both oral and written, on this particular piece of legislation, if there are concerns from people, as there were a number of concerns articulated by a number of councils and individuals, then the final draft of the legislation, I believe, should reflect the concerns of those people. I think the final draft of the legislation, before it comes into the House of Assembly, should, in some way, shape or form, try to reflect the views of those people and of the Committee.

That in my view - and I could be wrong on this - means that the Committee will travel, it will sit, and it will hear recommendations from groups of people and individuals, it will hold meetings and it will make recommendations. Those recommendations will then go to the Department, in this case the Department of Municipal and Provincial Affairs. From there the Department will prepare a Cabinet paper and put it up to Cabinet, with the recommendations contained therein. The Government will then have an opportunity to say yes or no to the recommendations of the Committee. And if there are changes to be made, it goes to the legislative draftsmen and again into the House of Assembly. I believe that is the proper course for the thing to take.

But under the current system that we have right now, that is not what we are seeing, Mr. Speaker. And unless some changes are made, I don't think that is what we will

see in the future. Because what we see now is a piece of legislation that was brought before the House of Assembly three of four days ago, on Thursday of last week as a matter of fact, brought in and debated even before the Legislative Review Committee had tabled its report and made its recommendations known.

Now, I think there is something wrong with that whole process. I think what we should see first of all is the Committee having its report ready and giving its report to the department and having the department make changes in the legislation which reflect the views of the people concerned. We did not see that, Mr. Speaker. So that is one concern I have about the whole committee system. Because, you know, you can spend a lot of money on the committee system if it travels throughout the Province hearing councils: there are hotel bills, and per diems and what have you. But what is the point of having the Committee make these recommendations if the legislation is already before the House? I guess it is reasonable to assume under these circumstances that maybe some changes might be made to the bill when we go through Committee stage. Because what good is the Committee or the review system if its recommendations are not going to be listened to? It turns out it will be a waste of time and a waste of effort, and I certainly would not want to be a member of a Committee under those particular set of circumstances. Because, as I said, Mr. Speaker, you have the taxpayers' money being wasted if it is to be a Committee in name only, and not have any clout or any teeth to be able to make any kind of substantive changes in the

Bill.

I believe we all want the Committee system to work, so to that end I would like to see the mandate of the Committee defined a little bit better, the terms of reference of the Committee outlined a little bit better, so we will know exactly where we stand, if the Committee's recommendations are going to be listened to or not listened to. It is not fair to say that our recommendations should be listened to, but at least it is fair to say that the recommendations should go to Government before the legislation is brought into the House of Assembly.

And I would imagine the people who make recommendations to Government, like the various councils around the Province, would have the same concerns as well. They would not want to think that their time was being wasted in this whole process, because councils spend a lot of money in getting their submissions ready for Government. They have to, in some cases, hire a lawyer, hire consultants to put their position down on paper, and then to have it submitted to Government. I would like to see the mandate of the Committee defined a little bit better and the terms of reference drawn up for the Committee so we would know exactly where we stand.

Now having said that, Mr. Speaker, the next question I would like to ask the minister is, is the act really necessary when you get right down to it? Because currently under The Municipalities Act, part three of the act gives the minister the power to establish regions in the Province. I would like to know

when the minister responds, when he stands to speak in the debate, why the Act was necessary in the beginning? If the minister already has under part three of The Municipalities Act the power to establish regions anyway, why are we going through the whole process of bringing an act in and going through the expensive process of travelling around and hearing people, and putting councils through that type of exercise, when it may not be necessary to even have this particular Bill here today?

Mr. Speaker, we have heard speaker after speaker, and I would imagine you will hear speaker after speaker, voice their concerns with respect to the whole feasibility process and the fact that we do not have any provision in the Act for a feasibility study to be put in place. I find that to be extraordinary, and I am surprised that Government would take that type of an approach with respect to regional service boards. We should, and the people of the Province deserve to have some kind of a feasibility study process put in place. But under the current Act there will be no provision for that, unless it is all changed at the Committee stage.

I notice that the Member for St. John's South in tabling his report today did make reference to the fact that municipal councils around the Province did have that concern, that there was no provision for a feasibility study, and I cannot figure out for the life of me why the Government would want to go through the same kind of criticism that it went through on the amalgamation process. I think one of the main reasons why the amalgamation issue was derailed and did not get the

support in the Province that it possibly, in some areas, should have gotten, was the fact that Government did not consult with the people most directly affected.

Mr. Speaker, I cannot figure out for the life of me why Government would want to bring in another rod for its back in establishing regional service boards without the input of the people most directly affected, without any level of consultation at all. It would not take a lot of effort to have a feasibility study undertaken. It is only a matter of putting in place an independent commissioner to hold a few public hearings and come back and make a recommendation to the Minister. The Minister has the protection in the Act, as well, that he is not bound by the recommendations of any commissioner. He is not bound by anyone's recommendations, he can go his own route. But at least if you had feasibility studies and input from the local people directly affected, then you would have some degree of credibility when it comes time to amalgamate, or, in this case, to establish a regional service board. And we have heard that criticism many, many time.

Now, if a feasibility study clause were to be put in the Bill, I would like to see an independent commissioner undertake the feasibility study, not the way it was on the amalgamation process, in which public hearings were held and a feasibility study undertaken by commissioners who were departmental employees.

Mr. Flight: One (inaudible).

Mr. Doyle: A departmental employee on each commission. That is not the way to go, because the

credibility of the whole process, I would say to the Member for Windsor - Buchans, is put in jeopardy when you have your own departmental people sitting on a board, or sitting on a commission who will, in the final analysis, be making a recommendation to the Minister. That is not a good process. And I believe the whole amalgamation issue would not have gotten off the rails the way it did, and it would have had more support than it did in certain areas of the Province, if there had been independent people, people who are perceived to be independent, making the recommendations back to the Minister. If he wanted to force it he could, because he had the protection that he did not have to be bound by the recommendations of the commissioner. And the same thing applies to the regional service board concept that we have here. In some cases it might be very good to have regional service boards around the Province. I would imagine that in some areas of the Province it will be good, but if you are going to bring it in without having independent people making recommendations back to the Minister -

Mr. Gilbert: How come you would not do it for us when (inaudible)?

Mr. Doyle: In what case?

Mr. Gilbert: (Inaudible).

Mr. Doyle: It was always independent commissioners.

Mr. Gilbert: No, you refused.

Mr. Doyle: No. We never, ever, refused. Well, I would say that would be a violation of the - well, no, it would not be a violation of the legislation, but

I would say in all cases where we put in place amalgamations and what have you, and it was only a couple, two or three, Pasadena - South Brook, and where we had a study, in the Placentia - Dunville - Freshwater area, in each case you had an independent commission put in place. Independent totally and completely, not departmental employees.

So I would say, not to be sidetracked here, Mr. Speaker, if we are going to have a regional service board set up in various areas of the Province, it will be imperative to have some kind of a feasibility study and an independent commissioner making recommendations back to the Government, if it is to have any credibility at all. It was alright twenty years ago, but it is not alright today. You have to go to the people and you have to get their concerns and their views.

Also, we see in this Bill, Mr. Speaker, too much power given to the Minister of Municipal and Provincial Affairs, and we have heard that from council after council making submissions - too much power given to the Minister. And not only the small councils, but the large ones like St. John's, as well, outlined that in their briefs, that there is much too much power given to the Minister of Municipal and Provincial Affairs, that these powers should be outlined probably by the councils themselves, and in the process of public hearings.

Now, in the Member for Kilbride presenting his minority report, we had a number of recommendations that we made in our minority report which we hope to see implemented at Committee stage, when this legislation is debated

in Committee. I would imagine it is pointless for us to be a Committee if there is not to be implementation of some of these recommendations.

We wanted to amend Section 3, to make a Cabinet order designating any portion of the Province as a region subject to a feasibility study, as I have been saying. To amend Section 5, to provide for the election of the Chairman, and the Member for Burin - Placentia West spoke at great length on this today. And we heard that from councils everywhere who made recommendations, Mr. Speaker, to amend Section 5 of the Bill to provide for the election of a chairperson by the board from among the members of the board, not to have them appointed by Cabinet.

I am wondering what the Government is afraid of in this regard. Why would they again want to make a rod for their backs by not providing for the election of the chairperson by the board from among the members of the board. And not just to have the Cabinet arbitrarily say to a community and to a group of people who have representatives on that board: you are to be the chairman or the chairperson of that board, why not have the chairperson appointed by the people who are the members of the board themselves who have a better feeling for the thing?

Mr. Simms: The chairman should be an outside person not from among councils elected.

Mr. Doyle: Yes, the chairman could also be an outside person not elected from the members of the board.

Also, Mr. Speaker, we want to see

an amendment made to section 5 of the Act, to provide for the appointment of board members by Cabinet from persons designated by the municipal councils or elected at large or to represent wards or a combination of elected and appointed members. And probably these people should be put in place for a fixed period of time as well.

The Member for Kilbride and myself in our minority report would like to see an amendment to section 9 of the Act to restrict the Minister's authority, to prescribe the powers of a regional service board to those powers recommended in the report of the feasibility study and public hearings under The Public Inquiries Act.

An Hon. Member: (Inaudible).

Mr. Doyle: Pardon me?

Also, Mr. Speaker, we are hoping that the Minister will amend section 13 to provide compensation to municipal councils for municipal assets transferred to the regional service boards, and also to amend section 13 to specify in greater detail the authority of the regional service boards to raise revenues and to specify the method of assessment and collection. They can under the Act, I believe, charge a user fee. But we think there should be an amendment to that section, and the new section added to the Act, and hope the Minister of Municipal and Provincial Affairs is going to pay close attention to the recommendations that we have made to him. A new section requires regional service boards to co-ordinate regional planning with municipalities. And I believe that should be done with the consent of the municipalities,

with the input of municipalities. If you are going to have a regional service board in the Province take over, for instance, a fire department, something that the council for years and years have had control of and have built up, isn't it only fair, and is it not only right and proper, that the municipalities affected should also have some input as to how that particular service is going to be run from then on? We would also like to have a new section added to the Act which will permit regional service boards to provide, upon request, consultative and technical service to municipalities, for instance, tax billing collections and what have you, and that could reduce the cost of duplication.

The regional service board could have that power, for instance, to bring together councils who could have a tax role that would be administered by the regional service board and which could be cost effective. A regional board could recover it on a cost recovery basis. The last recommendation we are making is that a new section would stipulate an appropriate level of accountability to municipalities for board revenues and expenditures, and presently there is absolutely nothing in the Act to provide for that, Mr. Speaker, a new section which would stipulate an appropriate level of accountability to municipalities, and again, no accountability built into the Act for any municipality to say, for instance, if you had five municipalities under a regional service board, they have no provision in the Act to go back to that regional service board and to make that regional service board accountable to the area in question.

Mr. Simms: Not even accountable to the public?

Mr. Doyle: Accountable to nobody. There is nothing in the Act which makes the regional service board accountable to the municipalities it is serving and that is a gate being-

Mr. Simms: A dereliction of duty.

Mr. Doyle: Yes, it certainly is a dereliction of duty.

An Hon. Member: After gaining responsibility.

Mr. Doyle: In other words, what we are saying is that there is nothing in the Act to make the regional service board a creature of the municipality and I do not believe it is the intention actually of the Minister to make it a creature of the municipality.

I think it is the intention to make it a totally separate body, an autonomous body that has no accountability to any one.

An Hon. Member: Except the Minister - he would have the power -

Mr. Doyle: So these are some of the areas, Mr. Speaker, that we are concerned about and if the committee, under its current structure cannot make thoughtful and well considered amendments for Government's perusal, then it is pointless to have the committee system.

Mr. Speaker: Order, please!

Mr. Doyle: It is not something that should be shoved down the throats of people, because, as I said, when the Minister was outside, one of the things which

really got the whole amalgamation issue off the rails, was the fact that there were no feasibility studies, no independent commissioner set up to deal with the issue and the Minister is now in the process of making the same error that was made back in the days of the amalgamation issue.

He is making a rod for his back and all we are asking is that there be some level of accountability to the people and some avenue opened up to the people to make their views known in a feasibility study before it is pushed on them. This is what we have heard, Mr. Speaker, in travelling around, and hopefully in the committee process, the Minister will see fit to implement some of the recommendations that the committee has made.

Seeing that it is close to five, Mr. Speaker, I will adjourn the debate.

Mr. Speaker: The hon. Member says he will adjourn the debate?

The hon. the Minister of Development.

Some Hon. Members: Hear, hear!

Mr. Furey: Mr. Speaker, I want to advise hon. Members that Private Members Day on Wednesday we will be debating the resolution by the Member for Bellevue.

I move that the House at its rising do adjourn until 2:00 p.m. tomorrow and that the House do now adjourn.

Mr. Speaker: The hon. the Opposition House Leader before I put the question.

Mr. Simms: Just before you put

the -

An Hon. Member: (Inaudible).

Mr. Simms: Did he? Are you sure?

Just before you put the motion, Mr. Speaker, I wonder if the Minister, or the acting House Leader, can advise the House, for planning purposes, whether we will be sitting next Monday or not.

Mr. Speaker: The hon. the Minister of Development.

Mr. Furey: Members can plan not to sit next Monday.

On motion, the House at its rising adjourned until tomorrow, Tuesday at 2:00 p.m.