

PRELIMINARY
UNEDITED
TRANSCRIPT

HOUSE OF ASSEMBLY
FOR THE PERIOD:
3:00 p.m. - 6:00 p.m.
THURSDAY, MARCH 9, 1978

The House met at 3:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER: Order, please!

I would like to welcome to the galleries some visiting students. There are seventeen Grade XI students from Fitzgerald Central High in English Harbour West in the district of Fortune-Hermitage. They are accompanied by their Vice-Principal, Mr. Fubert Langdon and also by Mr. Max Taylor and Mr. Lawrence Bladen. From Vaters Academy in St. John's there are fifty-five Grade VI students accompanied by their Principal, Mr. Clayton Rice, and also by Mrs. Adams, and Mr. Stringer. I know all hon. members join me in welcoming these students to the House of Assembly.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Hon. members will recall that upon the adjournment yesterday there was a point of order before the Chair, on which the Deputy Speaker reserved judgment. I understand he is now prepared to give his decision on that matter.

MR. SPEAKER (DR. COLLINS): Order, please!

As hon. members will remember a decision was reserved on a point of order that came up in debate at the end of the day yesterday. Firstly, the point of order is an important one. Over the years members of parliament have developed the convention of refraining from discussion of matters before the court. Accordingly a basic parliamentary right is limited to some extent by what has been called the sub judice convention. The matter is not therefore one that the Chair can take lightly, and accordingly when the decision was reserved the matter was discussed with the officers at the Table and documentation was consulted before rendering a decision.

The matter raised is not only important, it is also quite a specific one; that is, whether a criminal matter, and I emphasize the word "criminal", when that criminal matter is before the court all aspects of the matter before the court do fall under the sub judice convention, and therefore are precluded from reference in debate

Mr. Speaker (Dr. Collins) in accordance with the rules and the precedents for the House of Assembly.

Now in regard to the convention itself, reference to Beauchesne the Fourth Edition, Section 149, Page 127 states, "A member while speaking must not refer to any matter on which a judicial decision is pending." Referring to another source, another authority, Erskine May, Eighteenth Edition, page 361-362, "Certain matters cannot be debated, save upon a substantive motion. Amongst these are conduct of judges of the supreme courts, including persons holding a position of judge. These matters cannot be, therefore, questioned by way of an amendment, or upon any notice of adjournment."

Our own Standing Orders do not speak directly on this point, but Standing Order No. 1 states, "In all cases not provided for hereinafter or by sessional or other orders, the usages and customs of the House of Commons of Canada as in force at the time shall be followed so far as they may be applicable to the House."

Following the first report of a Select Committee on Procedure in 1962-1963 the House of Commons passed a resolution which set out the rule in detail. And I quote from a source in regard to that resolution, "This resolution bars reference in debate as well as in motions and questions to matters awaiting or under adjudication in all courts exercising a criminal jurisdiction from the moment the law is set in motion by a charge being laid to the time when verdict and sentence have been announced."

DR. COLLINS: Our own House has no direct precedents that I can quote or that we that we have found to quote but I would recall to hon. members attention that Hansard of March 25, 1977 indicates that where a question of the former Leader of the Opposition was raised on a matter enquired into by the Chief Justice, Mr. Speaker ruled that matter referred to was sub judice and the hon. House upheld his decision.

Yesterday in putting forward arguments on one point of order, some hon. members expressed the opinion that the sub judice convention may interfere with the civil rights of the individual and I believe it would be helpful, therefore, if I refer in part to a report of a special committee of the House of Commons on rights and immunities of members submitted in 1977 which states as follows: "The purpose of the convention, that is the sub judicative convention is to protect the parties in a case waiting or undergoing trial and persons who stand to be affected by the outcome of a judicial enquiry. It exists to guarantee a fair trial and to prevent any undue influence prejudicing a judicial decision or a report of a tribunal of enquiry. It is important to emphasize that this is a convention and not a rule. It is a voluntary restraint imposed by the House on itself in the interest of justice and fair play but which the House is free to disregard should it so resolve."

Hon. members will understand, I am sure, that any decision to disregard a precedent is not the duty of the Chair, nor indeed the duty of the Premier or the Leader of the Opposition or indeed of any member. It would be a matter for the house itself and such means would be taken under those indicated by the House of Assembly Act. I might add that the special committee to which I have referred also states the convention has consistently been applied in criminal cases. It is the decision of the Chair therefore that the point of order did refer to a criminal matter, that the matter is before the court following the laying of the charge and that the court has not as yet made final resolution of the matter.

DR. COLLINS: Under well-established precedents of this house, which have not been revoked up to the present time, I have to state that the hon. member for LaPoile (Mr. Neary) should not have discussed the matter in debate and he was therefore out of order. Having come to that decision, I might also add that I would like to inform hon. members that what I understand to be sub judice is everything that transpires in court proceedings from the time of laying of the charge until the final disposition of the court.

PRESENTING PETITIONS

MR. NEARY: Mr. Speaker, the petition that I have to present involves a federal matter, a matter that comes under federal jurisdiction. I was asked to solicit the support of the Premier and the government in trying to bring about the request as mentioned in the prayer of the petition. As a matter of fact, I believe the people who circulated the petition sent a copy to the hon. the Premier. They asked me to present it here in this hon. House. I will read the prayer, Mr. Speaker, and I do not think it will need any explanation at all. I think the prayer of the petition is fairly adequate. I am sure that hon. members on both sides of the House will understand what the petition is all about when I read the prayer.

We, the undersigned citizens of Cape Ray, are deeply dissatisfied with the post office services in our community. The present post office business is within a business establishment, Marks store, and the post mistress is Mrs Mary Marks. We wish to have a community post office with post office boxes etc. for the following reasons: (1) We cannot get our mail after the post office hours of 9:00 A.M. to 12:30 P.M. and 1:30 P.M. to 6:00 P.M., Monday to Friday. (2) At present we have to frequently wait for mail service while the business of the store is completed. (3) We cannot get old mail while new mail is being sorted. In fact, on these occasions we cannot even get in out of the weather. (4) There is a definite lack of privacy

MR. NEARY: by using this family business as a post office.

(5) Our community has in excess of 110 families and thus warrants a post office with better facilities and more availability to incoming mail. (6) There is need for full-time employees and a federal post office in our community. No one can carry on two or three jobs at one time. (7) A great number of families of Cape Ray deal with the post office at Port aux Basques and have to travel fifteen kilometres to have the conveniences, facilities and privacy to do business that should be done in our own community. (8) Many of the citizenry have purchased post office boxes at Port aux Basques because of the above problems and thus show their disapproval of the present system. However, the consensus is that these post office boxes should be available in Cape Ray. (9) Many towns smaller than ours have a

MR. HEARY:

Federal post office in a federal building within their community. Because of the reasons listed that our request be given your earliest possible attention. We hope that the weight of the signatures below will bring about a suitable change to the present predicament." And the petition is signed by 107 voters in the community of Cape Ray and the electoral district of LaPoile. I would hope, Mr. Speaker, that all members of the House will give their support, especially the Premier. They specifically wanted the Premier to give the petition his support because Cape Ray is a growing community and they are in dire need of a new post office. And I hope, Sir, the petition will get the support -

MR. MORGAN:

Did you provide a copy to Mr. Jamieson's office?

MR. HEARY:

A copy has been sent to Mr. Jamieson, by the way. I hope the petition will get the support of members of both sides of this hon. House.

While I am on my feet, Mr. Speaker, I have another petition, an unusual petition. The prayer of the petition objected to moving the liquor store in Port aux Basques from the main street to the shopping mall. The government went ahead despite the fact that they knew that this petition was going to be presented, and a thousand signatures on the petition. They went ahead anyway and moved the liquor store. And I would like to present the petition retroactively, Sir. And in so doing, the only thing that I can add to it is that the government is completely insensitive to the needs of these people and ignored the wishes of the people and that I do hope that the Minister of Public Works will now consider turning the old building - the retail outlet on the main street - turn it over to the senior citizens in the community as they have requested.

AN HON. MEMBER:

Hear, hear! It is a good idea.

MR. SPEAKER: The hon. member for Burgeo - Bay d'Espoir.

MR. SIMMONS: Mr. Speaker, I wish to support the first of the two petitions. I am concerned about the mail, not the booze in the comments which just preceded me. But very seriously, the matter of the mail, I recognize it is a federal responsibility but it is certainly a good opportunity to air it. And it affects a number of small communities; by way of example, the community of Grey River in my district. And I am also aware of one other community in my friend's district of Green Bay where the kind of situation that my colleague from LaPoile (Mr. Neary) has outlined is ongoing there too. And just to reiterate two of the points that he has made in speaking to the petition, the unavailability of mail when mail is being sorted or to put it more simply, they close the wicket while they sort the new mail. The wicket is just closed for a half hour or three quarters of an hour and there is no receipt of mail or no delivery of mail through the wicket until the incoming mail has been sorted. It does mean that the persons who use that service have less than full availability to their mail deliveries. And the other point which was made about lack of privacy is an important one in those small communities. And I suppose, as in the case of Cape Ray and Port aux Basques, so in the case of just about every small community where you have this type of mail service rather than a fully operative post office, you have a situation where people go off to the adjoining large community and take out mail boxes in the larger community for reasons of privacy. It is a fairly important issue, it affects many thousands of people around this Province. And I would hope that the right department of government would undertake to take it up with the federal people to see if something more satisfactory than this service can be worked out for the sake of people in communities like Cape Ray, Grey River in my district, and many other communities throughout the Province.

MR. SPEAKER: Before recognizing the hon. member for Lewisporte, it has been drawn to my attention that we have thirteen young men from the Whitbourne School for Boys visiting the House of

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MR. SPEAZER: Assembly with their teachers,
Mr. Nichol and Mr. Reid, and on behalf of hon. members I welcome them
as well to the House of Assembly.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. member for Lewisporte.

MR. WHITE: Mr. Speaker, I rise to present a petition from approximately 300 residents of the district of Lewisporte, and while the petition comes from the district of Lewisporte I am sure it has widespread application for all districts in the Province. I will read the prayer of the petition, Mr. Speaker, so all members will know exactly what it is all about and then I will make a couple of comments.

"We, the undersigned residents of Lewisporte district, do protest the ever increasing cost of electricity. We feel the government should move quickly to develop new energy sources, particularly in the area of wood heating and to that end we demand that the sales tax be removed from wood stoves and furnaces as governments in the three Maritime Provinces have recently done. And we demand as well that government undertake greater scrutiny of the Newfoundland Light and Power Company and Newfoundland Hydro to ensure that rate hikes are justified."

Mr. Speaker, I want to address myself mainly to the alternate sources of energy point in this petition. Last year in the House we saw a large number of petitions coming in asking the government to curtail rate hikes by Newfoundland Light and Power and by Newfoundland Hydro, and we have seen hearings and so on so that is basically in hand at the moment. We are sure the Cabinet is going to act quickly with a sharp knife when the time comes. But on this alternate sources of energy, Mr. Speaker, you know, all members know, that in recent years the cost of electricity has gone up tremendously in Newfoundland. Consequently people in rural areas, who in many cases are seasonally employed, found themselves in a situation where they had electric heat in their homes and consequently during the winter months found themselves paying \$150, \$200 a month in electric bills, far too high for anybody to be paying who are on minimum incomes as well as seasonally employed.

MR. WHITE: So a number of us in Lewisporte did some research into wood heating and we found that this year the sales of wood stoves and wood furnaces has increased tremendously throughout Newfoundland. Not only throughout Newfoundland, Mr. Speaker, but throughout Canada as well.

AN HON. MEMBER: Hear, hear!

MR. WHITE: Last Spring the three Maritime Provinces, it was agreed at one of the Maritime Premiers Conferences, that they would jointly drop the sales tax on wood heating stoves and furnaces. They did it in P.E.I., Nova Scotia and New Brunswick. And now, Mr. Speaker, the same thing has been done in Ontario. The Ontario Government moved within the last two months to drop the sales tax on wood stoves and wood furnaces. And there is also a bill before the Quebec Legislature at the moment to drop the sales tax on wood stoves and furnaces in Quebec.

AN HON. MEMBER: What?

MR. WHITE: Wood stoves and furnaces.

MR. HICKMAN: Wood burning furnaces.

MR. WHITE: Wood burning furnaces. There is a type of furnace you can get now that burns both wood and oil, and that would come under this as well.

So I hope that the Minister of Finance, in the upcoming budget, takes a careful look at this because it is an important point and our aim, hopefully, is to try to dissuade as many people as possible from getting into expensive heating implements such as electric heat and oil heat, and hopefully direct them to wood, because there is enough wood being left on the ground behind timber jacks and everything else to keep every wood stove in Newfoundland going.

I also saw a study the other day which showed there was enough wood in the Maritime region to keep most of the houses going forever more. And leftover wood alone would be sufficient to keep most of the wood stoves and furnaces going in Newfoundland even if there were one in every house.

MR. WHITE: So I will present this petition, Mr. Speaker, and ask that it be referred to the department to which it relates and I hope that the government does give some serious consideration to this petition, which I think is very, very positive. The petition was individually signed and I have all the individual signatures here.

MR. SPEAKER: The hon. member for Conception Bay South.

MR. NOLAN: Mr. Speaker, I rise to support the petition so ably presented by our colleague in the House from Lewisporte. And I am not sure if he mentioned the number of people - 370?

MR. WHITE: 300.

MR. NOLAN: 300 people who signed the petition and I suspect, Mr. Speaker, that what our hon. friend did today and those who signed the petition were in fact speaking on behalf of many, many thousands of other Newfoundlanders who may not be here in a petition form today but are certainly here in the sense that they have representatives, members of the House of Assembly.

We have long debated of course the fact that where the government had some time ago, wisely I thought, removed the sales tax from oil in this Province, we felt and still do that they should now, and long since should have removed the sales tax from electric heat. But they have, of course,

MR. NOLAN:

refused to do that thus far, thus penalizing those who have electric heat in their homes in a most savage fashion. Now, we have a situation whereby many, many Newfoundlanders have never left, in many instances, wood-burning stoves or furnaces of one kind or another and now more and more Newfoundlanders are returning to it because of the energy situation and problem that we have, and so it is that I would think that now that we have a new Minister of Finance that he will not merely leave it to the financial mandarins in his department to decide what tax he should have or should not have to balance the budget, but that he will remember, as he said at the Liberal Convention in 1969, that he was just an ordinary poor little fellow from Grand Bank. We hope that he will remember that now and remember all of the other poor little people who need this sales tax to be removed on the wood furnaces, and also all wood burners of any kind, and I think that he would be starting off in good fashion with his first budget here in this House of Assembly.

So I am sure that the minister will be amongst the first to support this petition so well documented and not only representing, I believe, those who signed, as the member said, the 300 people all people from Lewisporte district, but also on behalf of all the hundreds and thousands of people who would gladly support it were they here and had an opportunity to speak in this House today.

May I also suggest to the hon. minister that he also give consideration to removing the sales tax and not be discriminating or continue to discriminate against those who have electric heat in the Province.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

Order, please!

Before recognizing any hon.

member I have to come to a decision on the form of the petition and whether it fulfills very specific requirements of the Standing Order. With not a matter of great latitude or great interpretation I am required to implement the direct specifications of our Standing Orders and it will require five minutes in order to do that, so I shall have to adjourn for five minutes. The other possibility is, because then obviously if other hon. members wish to speak on it, whether it is in order or not in order, would be the factor there. It appears to me that if it is in order there are other hon. members who wish to speak on it. It would appear the only solution is to adjourn for five minutes which will give me an opportunity to examine the petition and specifically our Standing Orders and apply thereto.

MR. HICKMAN:

Mr. Speaker.

MR. SPEAKER:

The hon. Minister of Justice.

MR. HICKMAN:

This is only a suggestion:

If there are other petitions coming, I believe there is one other, maybe we could hear that petition and then adjourn whilst Your Honour is reviewing the present petition and come back and clean it up.

MR. MORGAN:

No, make the decision

first.

MR. HICKMAN:

All right! I do not care.

MR. SPEAKER:

We shall adjourn for no

more than five minutes, hopefully.

MR. SPEAKER: Order, please! Standing Orders with respect to petitions in the House of Assembly are of course Standing Orders 90 to 97.

Standing Order 90 I think is particularly relevant here. "A petition to the House shall be presented by a member in his place who shall be answerable that it does not contain impertinent or improper matter; and every member offering a petition to the House shall sign it with his own hand." It is the next part, "A petition may be either printed or written and if more than three petitioners sign it, at least three signatures must appear on the page containing the prayer of the petition." And of course included in that is that the petition must in fact have a prayer. The petition must have a prayer. Otherwise it is a communication or a letter or any number of things, but in the parliamentary sense a petition must have a prayer. And the format for a petition is as outlined, Beauchesne, page 256, section 332 and that shows that it is addressed to the hon. House and I will not read the entire section, it is section 332, page 256 of Beauchesne.

So there must be a prayer, the format should be something analagous to what is outlined in Beauchesne, and those are the requirements of the Standing Orders. All I wish to say here is that either we should amend our Standing Orders or else hon. members, especially when they are involved in the citing and collection of the petition, should do it in accord with the rules. The rules are there and they are as binding on me as they are on hon. members. I do not have a discretion when the rule is quite clear. So I am not going to rule this petition out of order but I do point out to hon. members that the House really has a choice between two alternatives; one, to amend the Standing Order on petitions, or number two, to abide by it. So I would ask in future that hon. members presenting petitions do so as required by the Standing Order and I make special

MR. SPEAKER: reference to the need of a prayer in the petition. There must be a prayer in it. That in fact makes it a petition. Otherwise it is a form of communication. So I say that for the guidance in the future of hon. members.

I recognize the hon. member for
Burgeon - Bay d'Espoir.

MR. SIMONS: Mr. Speaker, I just wanted to make a point by way of clarifying, Mr. Speaker, indicating that - when he indicates we ought to abide by the provisions I certainly cannot argue with him on that point, but is he indicating that to include the actual wording which is fairly stilted and fairly formal, I think he will agree, or is he really addressing himself specifically to the need to have a prayer contained in the petition?

The wording itself is, I submit, quite formal and quite stilted and perhaps beyond the understanding of a lot of people who would want to sign petitions.

MR. SPEAKER: No, it would

MR. SPEAKER: not have to be in a particular word for word. duplication of any necessary model, but it would, number one, have to be addressed to the House of Assembly, not to somebody else or any individual or any organization; it would have to be addressed to the House of Assembly, and then pray, request, petition the House of Assembly with respect to certain courses of actions. I think the important part is that it be addressed to the House of Assembly because this is where it is tabled, this is where hon. members speak on it, and if it is addressed sort of to no one or to any one but the House of Assembly, then strictly speaking it is to that individual or to that other body that the petition should be considered. As I say, I think that is the operative part here; the petition should be addressed to the House of Assembly, and that it must petition or request something as distinct, I would say, from demanding it-- because then you do not have a petition, you have a demand-- and also addressed to the House of Assembly and not to an individual member of it or to another organization or to the world at large.

So I say that for future guidance because the rules are quite clear, and if the rules are changed then I do not have to abide by them, As long as they are as they are I have to abide by them, as well as other hon. members.

I am not sure if I had recognized an hon. member before I left or not.

AN HON. MEMBER: The hon. member for Conception Bay South.

MR. SPEAKER: The hon. member for Conception Bay South.

AN HON. MEMBER: No, he sat after the last petition.

MR. J. NOLAN: Mr. Speaker, this is a matter of real concern to me and I am sure other members because of the fact that many people have sent in petitions without reference or consultation sometimes with people in the House or with Your Honour, and therefore I am sure it is not our intention to leave them with the impression that we are trying to provide other barriers for them to overcome. I am wondering, Mr. Speaker, if it is possible for your good offices, or in some way could we ask the press of the Province maybe a meeting with you or your

MR. NOLAN: staff: Is there anything we could do to make sure that this gets across so that as many people as possible will understand, apart altogether from the efforts of course on the members of the House of Assembly. But it seems to me that while I know we have to follow obviously the rules as outlined by you or bring in the necessary amendment or amendments, I am just wondering if there is anything beyond what you have already stated, and correctly so of course, is there anything that we can do through the co-operation of the press or the media to see that this gets out to all people in the Province who may be contemplating sending in petitions? And just a reference to last year's session will indicate how many hundreds of petitions and so on we have received.

I am sure other members may have some valid points to raise on this themselves.

MR. MURPHY: If I may?

MR. SPEAKER: I will allow the hon. gentleman, and then I think I will have to cut it off because we may be getting something approaching debate.

MR. MURPHY: Yes, I do not want to get into any debate, but first when we entered the House, and I speak for myself, petitions were something strange to us all. But there was a form available and what we did we mimeographed, or took off copies. The front page is the basic one with the prayer on it, and I think it required that there had to be at least three signatures - am I right on that? - on the front page. Now once you establish the prayer what follows afterward is quite simple. So these could be processed in your office and anybody who has a petition could get that three signatures and then the rest is only the list of names.

MR. NOLAN: Thank you.

MR. SPEAKER: To finalize the matter, actually Standing Orders only apply to fifty-one people in this House of Assembly.

They refer to the members of the House presenting petitions. I have no authority over thousands of potential petitioners. The

Mr. Speaker: House's authority is restricted in this sense to the members of the House.

Of the Standing Orders, I think the basic one here is 91 (a). And with respect to the format of a petition, certainly I would ask the Table officers to do up a sample format for any hon. member who wished it. But the operative part is Standing Order 91 (a), and the petition must be to the House of Assembly, and it must in fact be a petition, a distinct one, not some other form of communication.

The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, I rise to support the prayer of the petition presented by my colleague the member for Lewisporte (Mr. White), Sir. I think the prayer was probably a double-barreled one; it asked to have the sales tax removed on wood stoves and wood furnaces, and at the same time ask the government to bar, stop, any further increases in electricity rates in the Province.

MR. NEARY: The prayer of the petition, Mr. Speaker, is a very reasonable one indeed -

AN HON. MEMBER: Hear, hear!

MR. NEARY: - and is something that can be done by this administration without too much cost or too much inconvenience to the administration or to the Province. Mr. Speaker, we have contended for some time that those people who use electricity to heat their homes and for cooking purposes should be exempt from the sales tax the same as those people are exempt from the sales tax who use coal and who use oil. Many are the times, Mr. Speaker, we have said in this hon. House that this is discrimination of the worst kind. People were encouraged a few years back to heat their homes electrically. Everybody will remember the great campaign -

MR. ROBERTS: Heat better and cheaper electrically.

MR. NEARY: - the great campaign that was put on to encourage people who were building new homes to electrically heat their homes. And a lot of these people, Sir, did so, and now they find themselves in the position where they are being discriminated against as opposed to people who use oil and who use coal. So I think it is a very reasonable request, Sir, and it is one that the Premier of this Province promised that he would look into two years ago. On cross-examination and questioning from this side of the hon. House, the Premier committed publicly, went on the public record as committing his administration to looking into the elimination of the sales tax on electricity that is used for heating and for cooking. Now, Mr. Speaker, I might point out that the government have it in their own hands to stop any further increase in electricity in this Province. Last year we passed a bill in this House making it compulsory for the Public Utilities Board to hold public hearings involving Newfoundland Hydro on any request that they may want for increases in the electricity that they sell to the Newfoundland Light and Power Company. But, Mr. Speaker, and the big but is this, that the Public Utilities Board only go through the motions.

MR. NEARY: They hold the hearings and they listen to evidence, but the final decision, Mr. Speaker, rests in the hands of the government, in the hands of the Lieutenant-Governor in Council, which is the Premier and his Cabinet. The final decision rests on the 3th Floor of Confederation Building and not down in Philip Place with the Public Utilities Board. They can make recommendations. The government cannot increase on any recommendations that they make, but they can decrease any recommendations or wipe it out altogether.

MR. MORGAN: You are debating the petition.

MR. NEARY: No, we are not debating. I am merely pointing out for the benefit of the people of this Province the procedure, and the procedure is the Public Utilities Board under an act we passed last year that has no teeth in it, the Public Utilities Board merely goes through the motions - holding hearings, taking evidence, and it comes under, I think, my hon. counterpart, the Government House Leader - I believe the Public Utilities Board comes under my hon. friend. And my hon. friend -

MR. HICKMAN: I have reported to the House but -

MR. NEARY: They are responsible to the House and the minister answers to the House for the Public Utilities Board. And the minister, I believe, can confirm what I am saying, that the final decision on whether or not there is going to be an increase in electricity rates in this Province rests with the minister, the Premier and his colleagues in the Cabinet down on the 3th Floor. And if there is an increase in electricity, Sir, it can be blamed not on the Public Utilities Board - as I said, that was the purpose of passing the act, so that the hon. minister and the hon. Premier can get up and say, 'Oh, the Public Utilities Board recommended it.' Well, they can try to pawn it off on the Public Utilities Board all they like, but the decision rests with the government whether or not there is going to be an increase in electricity rates. And the reason, Mr. Speaker, that the government will go along with this, will merely rubber stamp it, is because the

MR. NEARY: cost of electricity in this Province was always subsidized out of general revenue, and the government within the past year decided that they would get back the deficit all in one crack instead, as we suggested, it be spread over a period of eight or ten years. They want to wipe out the deficit in one year. And that is rather cruel, Sir, and it is going to cause all kinds of hardship for the people of this Province. And the dwindling number of taxpayers that we have left in this Province, it is likely to push them over on welfare, because they will figure

MR. NEARY: they would be better off if they gave up their jobs, they cannot cope, and went over on welfare.

So, Mr. Speaker, it gives great pleasure to support the prayer of the petition that was so ably presented by my hon. colleague and I do hope that members on either side of this House will speak on this petition because there is a forty per cent increase in electricity hanging over the heads of every taxpayer, every customer of Newfoundland Light and Power Company in this Province. And if that forty per cent goes through it is the government that is to blame and not the Public Utilities Board.

MR. SPEAKER: Before I recognize the hon. member for St. John's West, it has been drawn to my attention that we have a number of visitors from grades seven, eight, nine and ten, from Our Saviour King High School in Southern Harbour. I know hon. members join me in welcoming them as well.

SOME HON. MEMBERS: Hear, hear!

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

DR. H. KITCIEN: Mr. Speaker, I rise to support this petition and to congratulate the speakers so far. The point that I wish to make is that presently electricity rates are subsidized by the Province. The more people who convert from electricity to wood, the more money the government will save. And therefore it is a good investment in my view for the sales tax to be removed from these stoves and furnaces. The government will be better off financially and the people will be better off.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Minister of Consumer Affairs and the Environment.

MR. MURPHY: Mr. Speaker, I rise as one perhaps who receives more representations about prices than anybody else in the House, being

MR. MURPHY: Minister of Consumer Affairs. We all have great sympathy for what is happening with prices of everything generally. I do not want to get into the debate on Hydro or on the Public Utilities Board. I do not think it is a debate we are talking about. But on the first part of the petition where the hon. gentleman referred to wood burning stoves and remove the sales tax, I think that is a very commendable thing to suggest but in St. John's Centre, where we have not cut a birch junk for perhaps 300 years on Barter's Hill, where we burn mostly oil, would everybody support the fact too or would government be in a position to remove the sales tax on oil burning stoves, on every other type or just on wood?

MR. WHITE: Alternate sources of energy, wood.

MR. MURPHY: Just on wood. So the people in the urban areas would be prejudiced against and they would still pay the sales tax on, or get your - That is crazy eh? Because it does not appeal to the member. Would you represent St. John's Centre and come in and have it removed on wood and not on oil. I think we all represent people in this House. There must be half the House representing urban areas, you know.

MR. FLIGHT: Parasites.

MR. MURPHY: They are not parasites, brother. They are hard working people. And if you think the St. John's people are parasites I beg to disagree with you. But I do not want to get into a debate, Sir. All I want to do is put the position clear, that any government that imposes a tax they impose it squarely across the board and not because someone has wood available on their door steps they should get something and someone else who might have to go miles and perhaps not be able to get it at all, why impose a tax on them for oil or anything else?

MR. SPEAKER: The hon. member for Trinity - Day de Verde.

MR. F. ROWE: Mr. Speaker, I beg leave to present a petition, actually two petitions, Mr. Speaker, on behalf of 356 people of Hearts Desire, Hearts Delight and Islington, and 100 people of the community of Hearts Content and I am going to present both of the petitions at the same time, Mr. Speaker, because they relate to exactly the same subject.

The prayer of the petitions, Sir, the first petition is as follows: "We, the undersigned residents of Hearts Desire, Hearts Delight, Islington, very strongly protest your decision to disallow Dr. Fung Leung, Winterton, to dispense drugs to the residents of these communities as in the past.

We know from experience that drugs purchased from a private pharmacy cost forty to one hundred per cent more than drugs purchased from a general practitioner such as Dr. Fung Leung. Since it does not effect the residents of New Perlican, Winterton, Cavendish, Whiteway, who are also served by Dr. Leung, we feel that your decision is discriminating against the residents of Hearts Desire, Hearts Delight, and Islington who are compelled to purchase these drugs at the pharmacy.

If the residents of Hearts Content want a drug store in their community that is okay by us. But why should the residents of Hearts Desire, Hearts Delight, Islington, be forced to have their prescriptions filled by a private pharmacy at a much higher cost. A rough estimation shows that a private pharmacy must make \$35,000 to \$45,000 annually to pay the cost of wages, taxes, rent, etc., in order to stay in business. We feel we are being ripped off by our very own government by being forced to patronize this private enterprise.

MR. F. ROWE: We also understand that this pharmacist will be working on a five day a week basis and will not be available on the weekends. That a person getting a prescription from Dr. Leung may find it necessary to have to wait twenty-four hours to sixty hours to have their prescription filled at a private pharmacy is not very convenient for the person concerned.

There is also the matter of days off. Dr. Leung's days off and the pharmacist's days off may very well not be the same days, which will cause at least a twenty-four hour wait to have a prescription filled. The undersigned request that this decision be given every careful consideration before making it law."

Mr. Speaker, I will not read the prayer of the second petition because it is very similar. Now, Sir, this is probably one of the most volatile

MR. F.B. ROWE:

and controversial issues in these four communities. And the reason for that is that the majority of the constituents appear on the surface to approve of the concept and support the concept of having drugs dispensed by the doctor, and they are against having the drugs dispensed by the drug store.

Now far be it from any hon. member of this House to speak out against private enterprise in a case such as this. And there is a law, I understand, where if you have a doctor in a community and you have a drug store or a pharmacist in that same the doctor, obviously, cannot dispense drugs. Unfortunately, we have a grey area here. We have a doctor in Winterton, a drug store in Heart's Content, a number of communities in between and the order has been given that the patients must go to the drug store in order to get the drugs.

Now, Sir, there is a lot I could say on this, and I have been in consultation with the Minister of Health and the Deputy Minister of Health on this, and it is unfortunate that I have to bring this matter before the House of Assembly because it involves the actions of a doctor and the actions of a pharmacist and the people are not being satisfied.

I would simply ask the minister if he would be kind enough to bring the Medical Association and the Pharmaceutical Association together immediately in order that both organizations can consult with the doctor in question and the pharmacist in question and try to get better co-operation between both so that the residents of these four communities will get a better service both from the doctor and from the drug store or the pharmacist.

Sir, I do support the prayer of the petition. However, I do feel that what is really

MR. F.B. ROWE: required here is more co-operation between the doctor on the one hand and the pharmacist on the other. I would ask the minister if he would speak to this particular petition with a view to bringing the matter before the Medical Association and the Pharmaceutical Association and try to get the two people in question to resolve the problem. Because, Sir, if this problem is not solved within the very near future I can assure you we are going to have something very close to a riot occurring in these four communities. So, Sir, I ask that these two petitions be placed on the Table of the House and referred to the departments to which they relate.

MR. SPEAKER: The hon. Minister of Health.

MR. H. COLLINS: Mr. Speaker, just a few words with regard to the petition which was just presented by the hon. member for Trinity - Bay de Verde. He and I have had, I would not say several discussions, but certainly we discussed the problem more than once. It is really a complex problem and one which will have to be looked at by the Medical Association, possibly the Medical Board, and certainly the Pharmaceutical Association as well.

I have given him the undertaking in my office and I will give it now in the House that I will endeavour to get the appropriate groups together and see if there is some way we can come up with a solution to the problem which will be in the interest of all concerned.

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

MR. SPEAKER: The hon. Minister of Justice.

MR. HICKMAN: Pursuant to the provisions of Section 45(2) of the Financial Administration Act, I table information relative to or a statement of demand loans for the period February 2, 1977 - March 6, 1978 and a statement of temporary borrowings by the Province of Newfoundland Treasury Bills for the period February 2, 1977 to March 6, 1978.

MR. SPEAKER: The hon. Minister of Consumer Affairs.

MR. MURPHY: I ask leave to table the regulations pertaining to the Mortgage Brokers Amendment No. 2 Act regulations 1977.

ANSWERS TO QUESTIONS TO WHICH NOTICE HAS BEEN GIVEN.

MR. SPEAKER: Hon. Minister of Social Services.

MR. BRETT: Mr. Speaker, I give notice that I will on tomorrow ask leave to introduce a bill "An Act -

MR. SPEAKER: Order, please! Does the hon. minister have leave to revert to Notices of Motion?

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: Agreed.
The hon. minister.

MR. BRETT: Mr. Speaker, I give notice that I will on tomorrow ask leave to introduce a bill "An Act To Amend The Adoption Of Children Act, 1972."

MR. MURPHY: But that has been introduced, 'Charlie.'

MR. NEARY: Well, why do you not spend some time in the House and find out what is going on?

MR. MURPHY: He just got back from Ottawa.

MR. BRETT: I got some money this time.

ORAL QUESTIONS

MR. SPEAKER: The hon. member.

MR. CANNING: A question for the hon. Minister of Health, referring to the minister's meeting with the Burin Peninsula Hospital Committee and others. Would the minister inform the House if he indicated to that committee, to the Chairman of the committee or to any member of the committee, or to any other by phone or letter that should the Burin Peninsula district hospital become a reality the Memorial Hospital at St. Lawrence and the two cottage hospitals at Burin and Grand Bank would be phased out completely?

MR. SPEAKER: Hon. Minister of Health.

MR. H. COLLINS: Mr. Speaker, in response to the hon. member, I did have a meeting with a delegation of concerned individuals from his district. I have also had considerable correspondence from other people of the Burin Peninsula area with regard to what would be the position of the government in the event that a new regional hospital was built at South Pond: What would be the government's position? what would be the implications for the existing hospitals in Burin, in St. Lawrence and Grand Bank? Our response, Mr. Speaker, to that question has been this: If and when a new hospital is built in South Pond, a regional hospital, then it follows that the services, the in-patient services which are now provided - and I repeat, Mr. Speaker, the in-patient services which are now provided, acute care type services, if one wants to, which are now provided in Grand Bank and St. Lawrence and Burin will for all practical purposes disappear and those hospitals will become really outpatient facilities with lab and X ray facilities and no doubt doctor's offices. But from a point of view of in-patient, acute care services, if those services are to be provided in a regional hospital then it follows that those services will not be provided in the three smaller hospitals.

MR. CANNING: A supplementary, Mr. Speaker.

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MR. SPEAKER: A supplementary.

MR. CANNING: I have a further question which I consider a supplementary to the hon. Minister of Justice and Finance. For the information of the House, would the minister verify or deny that he has by insinuation or indication or by an emphatic statement conveyed to any society or club or any other group or to any constituent in his district that the government's committed regional hospital for the Burin Peninsula would not go ahead as promised by him and the former member for Burin-Placentia West during the provincial election of 1975?

MR. SPEAKER: The hon. Minister of Finance.

MR. HICKMAN: Mr. Speaker, my colleague, the hon. Minister of Health, most clearly articulated the position of the government with respect to a regional hospital on the Burin Peninsula. I sat in, in fact I was the only hon. member of this House from the South Coast who attended the meeting of the committee from the hon. gentleman's district who came in, the hon. gentleman was in Boston, the hon. member for Burin - Placentia West (Mr. Canning) was in Boston at the time, and I met with this committee from his district primarily and they asked me what the situation was and I said, "As Minister of Finance I cannot indicate what will be in this year's Budget Speech. Last year it was very clear that we did not have the finances to build the hospital and if you are as intelligent as I know you are you will see that every government in Canada is now subject to very serious fiscal constraints and obviously I am not going to be unwise enough to mislead you into believing there is more money available this year than there was last." And I think that every realistic and responsible and interested resident of the district of Burin - Placentia West who attended that meeting was very appreciative of what they called the frankness of the government's position as it was enunciated.

MR. CANNING: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary.

MR. CANNING: In my question I asked him did he convey to any society or group or any constituent in his district that the government committed regional hospital for the Burin Peninsula would not be built? I know the answer to that, Mr. Speaker, but I would like for the minister to answer here.

MR. FLIGHT: Answer the question, boy.

MR. SPEAKER: The hon. Minister of Finance.

MR. HICKMAN: To my knowledge, Mr. Speaker, I have not talked to any society most assuredly, or any organization or any municipal council. From time to time residents of the Peninsula have come to me and said, if I meet them somewhere, "Do you think we are going to get a hospital this year or next year?" And I cannot vouch for every answer I have given but certainly I have never held out any hope or anticipation that the financial position of the Province would suddenly escalate to such a desirable degree that we would have all the money necessary to build hospitals. But if the hon. gentleman says did I say to John Jones, I do not know. I cannot recall and if I did I think I might remember it, but it has been a constant subject of discussion and questioning ever since I have been elected to this hon. House and if I may add that I seem to get more questions from the Grand Bank - St. Lawrence area than from - maybe that is because they are in my district, rather than in the district of Burin - Placentia West. And I have no doubt at all where the people over there stand, as has been so clearly set forth in the petition sent in by the Town Councils of Grand Bank and the Town Council of Fortune to my colleague, the hon. Minister of Health. They will not tolerate any downgrading in their hospital at Grand Bank. And I would suggest that St. Lawrence most assuredly when you bear in mind the reasons that -

MR. NEARY: The Americans put that hospital there.

MR. HICKMAN: That is right. And that is another reason why the people of St. Lawrence will not tolerate any monkeying around with any sort of plan that will affect their hospital that they so -

MR. NEARY: You had better talk to your colleague.

MR. HICKMAN: - that they so justly deserved and that they so justly earned and that they are so entitled to keep in its present state of health care.

MR. NLARY: is going to be a medical clinic.

MR. HICKMAN: If and when my colleague said, if and when.

MR. CANNING: Mr. Speaker, a final supplementary.

MR. SPEAKER: The hon. member for Burin - Placentia West, a final supplementary.

MR. CANNING: Does the hon. minister intend denying publicly the allegations contained in yesterday's Daily News against him? Does he intend stating that they are unfounded and untrue?

MR. SPEAKER: Order, please! I will permit the hon. minister to answer it. I will give my ruling

and then I will allow the hon. minister to answer it.

It appears to me that the questions have to be in the area of a minister's responsibility and accountability in the House. But to require someone to answer with respect to something extraneous, what a person writing in the newspaper might have interpreted, would be a different matter. That is my understanding of the rules of Beauchesne.

The hon. minister has stated he wishes to reply so he may.

MR. HICKMAN: I will answer that question by saying that I concur one hundred per cent with the editorial which appeared in the March 1st. edition of the St. John's Daily News, dealing with the regional hospital on the Burin Peninsula.

MR. SPEAKER: I will have to say that that will be the final supplementary. It does not preclude the hon. gentleman from coming back to it later on.

The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, my question is directed to the Minister of Health. It is more of a general nature, Sir, in connection with health facilities and health services in this Province. Would the minister tell the House, in view of the reference in the Throne Speech to restraints and the hints that the minister has been giving outside the House before the House opened about imposing a deterrent fee or a fee for service under MCP - in other words, to allow the doctors to charge for so many visits - does the government intend to go ahead with this plan this year? Could the minister, in other words, confirm or deny whether there is going to be a deterrent fee or a fee for service slapped on MCP, on the people of this Province?

MR. SPEAKER: The hon. Minister of Health.

MR. H. COLLINS: Mr. Speaker, the hon. member knows full well that that is a budgetary item. It is not something which the Minister of Health decides, and the hon. member will have to wait the same as other people will have to wait to see exactly what the Budget indicates in that particular area. That is the only answer I can give, Mr. Speaker.

MR. SPEAKER: The hon. member for Trinity - Bay de Verde, followed by the hon. member for Baie Verte - White Bay.

MR. F. ROSE: Mr. Speaker, I would like to address my question to the Minister of Fisheries. Will the minister, Mr. Speaker, explain why an existing salt fish plant in Cape Broyle, which has changed hands or is in the process of changing hands and can employ from fifty to sixty people, has been refused a fish processor's licence on two occasions even though the fishermen in that particular community have had to dump fish over the past number of years?

MR. W. CARTER: Mr. Speaker, the matter of issuing licences for fish processing plants is now under review by the

MR. W. CARTER: Department of Fisheries. We have solicited the help of the Fishermen's Union and the industry to sit down with people in the Department of Fisheries to come up with guidelines that we will be following in the future in the issuance of licences for fish processing plants. With respect to the proposed operation in Cape Broyle, there is one thing, Mr. Speaker, that we must be very cautious with, and that is not to allow other plants to be jeopardized by the issuing of licences to operate additional plants in areas where there is only so much fish to go around. For example, in the Cape Broyle situation we have a letter signed by the President of Tor's Cove Fishing, Mr. Martin O'Brien, in which he outlined the situation insofar as his plant is concerned and its dependency on the fish caught by fishermen in the Cape Broyle area. Mr. O'Brien has pointed out in his letter that at least 47 per cent of the fish out through their plant in Tor's Cove comes from the fishermen in Cape Broyle. In fact, sixty people from Cape Broyle are employed in his plant in Tor's Cove.

I am not suggesting, Mr. Speaker, that - maybe the plant in Cape Broyle will justify a licence, but what I am saying is that before we go out and start issuing licences to every person who wants to establish a fish plant now that things are looking good, we have to be awfully sure that by allowing that plant to be established that it will not jeopardize another plant in the immediate area.

MR. F. ROWE: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary.

MR. F. ROWE: Of course the Minister realizes, Mr. Speaker, that this fish plant already exists; it is not a new fish plant that we are talking about. A supplementary question, Mr. Speaker - would the minister indicate whether any new fish plants or extensions to any existing fish plants have been carried out in the Ferryland district or on the Southern Shore in recent months or years

MR. F. ROWE: and if so, whether these same fish plants or new fish plants have been issued processor's licences?

MR. SPEAKER: The hon. Minister of Fisheries.

MR. W. CARTER: Mr. Speaker, I am not aware of any new plants. The last one that I can think of at the moment is a small feeder plant operation operated in Aquaforte. There has been nothing done in Ferryland. We have had requests from people in Ferryland for a licence to operate a feeder plant. We have rejected that application on the same basis as we are objecting to the Cape Broyle -

MR. F. ROWE: Petty Harbour.

MR. W. CARTER: Where?

AN HON. MEMBER: Petty Harbour.

MR. W. CARTER: In Petty Harbour - yes, a small feeder plant was established there a year and a half ago with no -

MR. F. ROWE: An extension to Tor's Cove?

MR. W. CARTER: No, at Tor's Cove there are new plate freezers being installed, additional equipment, but no extension on the plant.

MR. F.B. ROWE: Mr. Speaker, a supplementary.

MR. SPEAKER: A supplementary.

MR. F.B. ROWE: Is the minister really saying that the reason that the gentleman in question in Cape Broyle has not received a fish processing licence is because of overcapacity in the district at the present time, in that fishing area?

MR. SPEAKER: The hon. Minister of Fisheries.

MR. W. CARTER: There is certainly at certain times of the year. In most times of the year there is an overcapacity of plants on the Southern Shore. But again, at a certain period, during the glut period, two or three or four weeks of the year, there is probably more fish than these plants can handle, although I am told that in the case of Cape Broyle - in fact, I have letters to that effect - that the Tor's Cove Fisheries were able to purchase all of the landings that were brought in there last year and in past years, and in Cape Broyle. But certainly we do not think it is too wise to allow plants to establish just to accommodate fish that is landed during a glut period because in Newfoundland today our plants are still operating much below capacity. In fact, I think the average operating capacity is about 35 per cent, and to allow other plants to just spring up all over the place without regard for the size of the resource and the landings I think would only be compounding what is now a very serious problem.

MR. F.B. ROWE: A further supplementary.

MR. SPEAKER: A final supplementary.

MR. F.B. ROWE: Mr. Speaker - oh, final! That changes things a little. Mr. Speaker, I do not know which supplementary to ask now, but does the minister realize that the gentleman in question who intends to purchase this plant had been assured by the Salt Fish

MR. F.B. ROWE: Corporation, and it is a salt fish plant, had been assured by the Salt Fish Corporation that there is a ready market for their fish? And could the minister also, while he is answering that particular 'a' part of the question rationalize why he would allow additions to existing fish plants and a new fish plant to be built at a time when there is supposedly an overcapacity and he is refusing to issue a licence to an existing salt fish plant?

MR. SPEAKER: The hon. Minister of Fisheries.

MR. W. CARTER: Mr. Speaker, it is not a question of markets. I have no doubt that there is a substantial market but that is not the problem; the problem is the matter of raw material. There is no point in having markets if you cannot get the raw material to put through.

The second part of the question dealing with the issuance of other licences: The plant in Petty Harbour is justified as far as we are concerned. Last year it was working close to full capacity. The licence to operate was issued before I became Minister but I would still have issued the licence had I been in the department at that time, and that is the only addition. And the hon. member, Mr. Speaker, might recall two years ago when the Fermeuse plant, the Bonavista Cold Storage plant in Fermeuse served notice on its workers, 150 of them, that the plant would be closing within thirty days, the reason being that there was insufficient raw material. We had to move in and make certain guarantees to the company to assist them with respect to their catching capability. We did, in fact, provide them with two ships to land fish in that plant. It was touch and go there for a number of months whether in fact that large plant, put there, I might say, at considerable public and private expense, would survive. But it has survived by means of a lot of

MR. W. CARTER: co-operation and hard work on the part of all concerned.

But certainly the Cape Broyle operation is under consideration and once the guidelines have been established, and if the amount of raw material is there, then we will certainly give more thought to issuing a licence to them.

MR. F.B. ROWE: Mr. Speaker, I am dissatisfied with the answer and under Standing Order 35(g) I give notice that I intend to raise this question on the adjournment of the House.

MR. SPEAKER: I have indicated that I would recognize the hon. member for Baie Verte - White Bay to be followed by the hon. members for Lewisporte, Conception Bay South and Stephenville.

MR. RIDEOUT: Thank you, Mr. Speaker. My question is for the Minister of Labour and Manpower. As the minister is no doubt aware, and members of the House, the strike that has been ongoing in Baie Verte between the steelworkers and Advocate Mines Limited is now in its fourth week. I wonder if the minister could tell the House what efforts he has made, or other officials of his department may have made after that period of time, which is certainly a lengthy time, to get both sides to sit down and resume negotiations?

MR. SPEAKER: The hon. Minister of Labour and Manpower.

MR. ROUSSEAU: Mr. Speaker, when the request came in for conciliation services we appointed a conciliation officer, as is normal procedure, and within the fifteen day time period, on the advice of the officials in the department, we did not appoint a conciliation board. As I understand it, most items if not all outside of the questions of occupational and health and safety have been settled. I say most if not all. The question is one of occupational health and safety. The original conciliation officer, Jack Stanley from our Grand Falls office, is prepared at any time to meet with either or both parties should they request or require a meeting. Also of course if in his opinion there would be some usefulness to having both sides sit down, he certainly would do so. I have talked to the company about a week and a half or two ago. Contrary to reports in which I talked to one media in the Province which was CBC radio in which I made an announcement, I spent the weekend in Corner Brook in which CFCB was announcing there was a meeting and which the Daily News announced there was a meeting and none of which I had talked to. There was never a meeting planned between me and the union. As I say the only media I did talk to was the CBC and I indicated I would, because of government's concern for the question of occupational health and safety and on the question of occupational health and safety if the union or company wanted to talk to me personally on these items, because of the importance of them, I would certainly do so, not negotiate the contract because I have competent officials in the department who are prepared to do that. We have been in contact with the union and as a matter of fact yesterday or this morning, I believe it was, yesterday and this morning, and we are prepared at any time both sides want to go back to the table to convene a meeting.

Like I say again, it is a difficult situation and situations of a similar nature in the mining industry are going to find themselves more and more involved in the question of occupational -

AN HON. MEMBER: Inaudible.

MR. ROUSSEAU: You are not interested in the answer?

AN HON. MEMBER: Not interested in that at all.

MR. ROUSSEAU: - with the question of occupational health and safety which I think is a big one. It surfaced first now at Baie Verte but I do not think it is something that we will not see in other similar agreements across the mining industry in this Province this year. So we are prepared again if either or both sides wish to sit down and convene a meeting and try and bring an end to this strike.

MR. RIDEOUT: Mr. Speaker.

MR. SPEAKER: A supplementary.

MR. RIDEOUT: Mr. Speaker, in view of the issues in this strike which the minister already touched on - and they are not monetary issues, they are issues of occupational health and safety - I wonder has the minister given any consideration, or would he, to sitting down himself, publicly calling a meeting on some neutral ground, it does not have to be in Baie Verte, somewhere - Deer Lake, or some other place - and sitting down himself and attempting to mediate if possible, at least try it, some sort of solution because, as I say, it is not a monetary situation, it is a situation where people lives are involved. The minister is concerned about it. We have had dozens of conversations on it. I think maybe some ministerial guidance, as it were, could bring those parties together, because it is my contention they are not that far apart. I wonder if the minister would give any consideration to that and would he be prepared to possibly do it?

MR. SPEAKER: The hon. Minister of Manpower and Industrial Relations.

MR. ROUSSEAU: On the request from a most reasonable man in this House of Assembly I certainly will give it very serious consideration. There are repercussions to a minister sitting down, as I am sure the

MR. ROUSSEAU: hon. member can understand. In any strike situation the minister does not want to get involved but because of the request from a very reasonable and honourable man I certainly will give it consideration over the weekend and I will give the hon. member, either in private or publicly, my reply on the first of the week, Monday or Tuesday, but I will give it serious consideration.

MR. SPEAKER: The hon. member for Lewisporte.

MR. WHITE: My question is for the Minister of Education and it has to do with the government's policy with respect to the operations of school buses in Newfoundland. I would like for the minister to tell us whether or not his department is presently encouraging the phase out of all private bus operations in the Province and having them taken over by the school boards?

MR. SPEAKER: The hon. Minister of Education.

MR. HOUSE: Mr. Speaker, we are not necessarily encouraging the takeover of school bus operations by the boards. But we had to bring about a regulation last year that we would not necessarily have to accept exorbitant tenders. And we have some expertise in the department and when we say that a tender is unreasonable we suggest to the school board—we have the mechanism to go to the school board and encourage them to purchase buses and we will give them the assistance to do it.

MR. WHITE: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary.

MR. WHITE: Mr. Speaker, I fully realize that the boards, according to regulations, are permitted to take over busing in the Province, but could the minister tell us that - I have had some correspondence from various boards and it has been indicated to me this is becoming widespread, the thought of taking over school buses, not only where there are exorbitant tenders but in places generally throughout the Province, not only where one guy comes in to get all the buses, but in other places as well.

MR. SPEAKER: The hon. Minister of Education.

MR. HOUSE: No, that is not the intent. I do not know if that is happening. The cases that I know have been just the case that we have called tenders and the prices were, we consider, unreasonable and the boards have been encouraged for that point. I do not think we want, I do not think we can try to eliminate the private sector there.

MR. RIDEOUT: A supplementary.

MR. SPEAKER: A final supplementary, then the hon. member.

MR. RIDEOUT: I wonder if the minister could tell the House whether or not his department have set up a mechanism to do some sort of cost analysis on school bus runs that they have presently allowed boards to do on their own. I am thinking, for example, of the Green Bay Integrated School Board, in comparison to what it would cost his department to finance private operators to do those in past years.

MR. SPEAKER: The hon. Minister of Education.

MR. HOUSE: Mr. Speaker, when we put in the regulation governing this, it was administered by the department, that particular regulation. And when we suggest, or when a board wants to go and do their own busing, we look at the cost benefit to the board in all cases.

MR. RIDEOUT: You are looking at it now that it is in place. (Inaudible) to look at it on paper before you start.

MR. ROUSE: Well, it is very difficult to look at it until after the end of the year, after the first year it is in operation. We looked at one case last year where there was a very substantial saving, quite substantial.

MR. SPEAKER: The hon. member for Conception Bay South, followed by the hon. members for Fogo and Stephenville.

MR. NOLAN: Mr. Speaker, I was trying to communicate and ask a question since the House has only been opened two days with the Minister of Tourism, who has now vanished. We were going to ask a question of the Premier, he has vanished.

AN HON. MEMBER: There he is.

MR. NOLAN: The question is very simple and I have indicated privately to the member what it might be involved in, and that is I am wondering if he is in a position to give us any new information on what his department is currently doing on the Church by the Side of the Road in Topsail which a committee, as I am sure he knows, are trying to preserve. The former minister, I might say, was very co-operative in this manner and had his officials involved in it for some time and did a splendid job. What we would like to know now is where it is now that it is in new hands and whether we can expect the same consideration and help and assistance from the current minister as we have from the former minister?

MR. SPEAKER: The hon. Minister of Tourism.

MR. MORGAN: Mr. Speaker, in reply to that question I can honestly say that the hon. gentleman can be assured of the same kind of co-operation as my predecessor gave him. But in respect to these kind of historic sites around the Province, as the hon. gentleman now is aware that the recent agreement signed, which we are very appreciate of, between this Province and Ottawa, that these kind of historic sites can be now developed and restored as tourist attractions and I am sure that the building mentioned, the old church, will be one of the sites we will be looking at in the future.

MR. SPEAKER: A supplementary.

MR. NOLAN: A supplementary, if I may. What I am attempting to endeavour is has the minister or his officials had any meetings recently which would indicate, one, that the church will not be torn down. Because from the committee that has already been set up it was intended, as I understand it, to pass the church over from the church group themselves to the committee. It would be a historic site because it is over 130 years old and it may be a museum or something of this nature. It would not merely be a building lying there dormant. And I might say again that the staff, your staff previously, or the former minister's staff, did a tremendous job in digging into this and doing a tremendous amount of work. A great deal of credit is due to them. So where is it right now?

MR. SPEAKER: The hon. Minister of Tourism.

MR. MORGAN: Well, Mr. Speaker, I will endeavour to get the information for the hon. gentleman. In the meantime, I would like to indicate I would be pleased to meet with that committee he refers to from the area in the very near future so that we can take up where my predecessor left off.

MR. SPEAKER: The hon. member for Stephenville.

MR. MCNEIL: Mr. Speaker, a question for the Minister of Finance. How long has the consulting firm of Woods Gordon been employed by the government as selling agents for Labrador Linerboard? And the second part of my question is, what are the daily fees of this company being charged to the government?

MR. HICKMAN: Mr. Speaker, I will have to take notice of that question. And for the information of hon. gentlemen present, the Labrador Linerboard mill operation, or the President of the Board is still my colleague and the hon. the Minister of Intergovernmental Affairs and it would be more appropriate if that question was addressed to him tomorrow. But in the meantime I shall alert him of your interest

MR. NOLAN: Will he be here tomorrow?

MR. HICKMAN: That depends, Mr. Speaker.

MR. NOLAN: Will the Premier be here tomorrow?

MR. RIDEOUT: The Minister of Mines and Energy.

MR. NOLAN: Who can we count on asking tomorrow? Will the Minister of Rural Development be here tomorrow?

MR. SPEAKER: The hon. minister has not finished his answer.

MR. HICKMAN: I have not finished. I have not finished.

MR. NOLAN: You are finished.

MR. HICKMAN: I want to set the minds of hon. gentlemen present at ease. The hon. the Premier, the hon. the Minister of Intergovernmental Affairs, and the hon. the Minister of Mines and Energy are today working very assiduously in the best interest of Newfoundland to be ready for tomorrow's meeting with the Prime Minister of Quebec.

ORDERS OF THE DAY:

MR. HICKMAN: Motion 1

Motion, the hon. the Minister of Industrial Development to introduce a bill, "An Act To Repeal The Government-Pyramid Mobile Homes (1959) Limited (Confirmation Of Agreement) Act," (No. 12), carried.

On motion, Bill No. 12 read a first time, ordered read a second time on tomorrow.

MR. HICKMAN: Motion 2.

Motion, the hon. the Minister of Social Services to introduce a bill, "An Act To Amend The Adoption Of Children Act, 1972," (No. 9), carried.

On motion, Bill No. 9 read a first time, ordered read a second time on tomorrow.

MR. HICKMAN: Order 1.

MR. SPEAKER: Order 1, the adjourned debate on the Address in Reply.

The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, I would like to move that all the words after that be deleted and replaced with the following, "This House deplores the failure of the government to prepare and to present to the House measures adequate to deal with the problems confronting Newfoundland and Labrador today and demands that the government forthwith take all measures possible within their constitutional authority to alleviate these problems." That motion is seconded by my hon. colleague, the member for Conception Bay South (Mr. Nolan) who is sitting in the House. I have a copy for Mr. Speaker.

MR. MURPHY: (Inaudible)

MR. NEARY: I beg your pardon?

The member for Conception Bay South (Mr. Nolan) seconded it.

MR. SPEAKER: It has been moved by the hon. member for LaPoile (Mr. Neary) and seconded by the hon. member for Conception Bay South (Mr. Nolan) that all the words after 'that' be deleted and replaced with the following, "This House deplores the failure of the government to prepare and to present to the House measures adequate to deal with the problems confronting Newfoundland and Labrador today and demands

MR. SPEAKER:

that the government forthwith take all measures possible within their constitutional authority to alleviate these problems."

The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, I would assume that Your Honour giving me the nod in the affirmative that the vote of non-confidence that I just put in the government is in order. Now, Mr. Speaker, the first matter I want to deal with is a matter that came up really this morning. I had gotten all my notes in order but somehow or other trying to get my speech on the Address in Reply going, to get in top gear, get in high gear, that other matters keep popping up. It may take me a little while, Mr. Speaker, to get back to the items that were mentioned in the Throne Speech that was delivered in this hon. House on Monday, but I think I can say this straightaway, Sir, that I feel that the hon. the Premier and the government of this Province should write Her Majesty, the Queen, send her a deep and humble apology for forcing her representative in Newfoundland, Sir, to utter such a weak, tired, sterile recital of tried old promises.

Mr. Speaker, today more than ever before in the history of this Province the people are looking to their government for action, for leadership, for some indication that the government cares about the people, that the government cares about those who have elected them. Mr. Speaker, on Monday in the Throne Speech - and I think my colleague, the Leader of the Opposition (Mr. W. Rowe) has already indicated this to the people of the Province - that all we saw, Sir, was recycled, tired old promises. The people of this Province, Sir, are asking for bread and on Monday they received nothing but stone.

Mr. Speaker, since the House last sat there has been no planning by the government, there was no action. There was quite a bit of hunting and fishing done during the Summer vacation. Then all of the sudden in November a little bit of activity started. The government, realizing the desperate condition of their image, the desperate way that

MR. NEARY: the people of this province felt about the Premier and the ministers that they decided that they had to take themselves in hand and do something about beefing up their image. And the pressure was coming also, Mr. Speaker, I might say, the pressure was coming from within the caucus, within the PC caucus.

Mr. Speaker, can I have quiet? I can hardly hear myself with the noise that is going on outside the House, Sir.

MR. SPEAKER (DR. COLLINS): Order please! The corridors outside the Chamber are also within the authority of the House and I would ask the attendants to make sure that silence is kept there, please.

The hon. member for LaPoile.

MR. NEARY: Mr. Speaker - and now I do not know where I left off again. But, Sir, we saw a little bit of activity started up in November and brought on by some of the backbenchers on the government side who are in daily contact with their constituents and with the people of this province, who realized that the government was in serious, serious difficulty and that their image was at an all-time low in this province. And so the head of the administration felt that they had to do something to beef up their image and so that is when the activity started, that is when we saw the Action Group emerge when they hired a sports broadcaster for about \$45,000 or \$50,000 a year plus expenses, I would assume, to head up the most expensive closed-circuit telephone open line programme in the history of mankind. And I will deal with that Action Group a little later on. I want to come back to a matter that was brought to my attention this morning that concerns the Minister of Fisheries who, I understand, Mr. Speaker, will be following me in the Address in Reply.

Then, Sir, we saw the pro seal campaign where literally hundreds of thousands of taxpayers dollars were used by the Premier of this Province, not to buy eyeglasses for needy children, not to provide dentures for needy people in this Province, not to provide wheel chairs for little crippled children - no! - to send the Premier

MR. NEARY: and his ministers off on a safari around the world. To provide, Mr. Speaker, as I said when I began my speech, to provide a forum, to provide a platform for Brian Davies and Greenpeace so that they could get their message across because that is all it did, Mr. Speaker. It was a gross error in judgement. I realize the Premier's heart and the Minister of Fisheries' heart and the Minister of Rural Development's hearts were in the right place but it was a gross error in judgement on their part. And all they did was lash their money out to PR firms around the world to try to help them beef up their image.

Then the Nordsee proposal came on the carpet and that one backfired. The administration, the Premier of this Province, the administration are on public record as saying that they agree with foreign takeover of our resources, of industry in this province. The administration is on record, the Premier of this province has stated publicly that they agree with foreign takeover and I will deal with that matter a little later on too. And then came the great Cabinet reshuffle that was supposed to solve all the problems. Now what brought that on, Mr. Speaker? Well, I will tell the house what brought it on. I will tell the house what got the Premier off the golf course and off the barrens for a few days to reshuffle his Cabinet. It was the fact, Mr. Speaker, that relations between this Province and the Government of Canada and Ottawa had deteriorated so badly that the hon. the Premier had to go up several times last year to try to mend the fences, to try to patch up the differences between several ministers in this province, who were vocal on Federal programmes, and relationship between the Provincial Government, between their own departments and their counterparts in Ottawa. The Premier had to go up and try to straighten out the bad blood, the bad relations that were brought about by the irresponsible statements of minister in this province. And the Minister of Fisheries, the hon. gentleman who is going to follow me in this Throne Speech, was one of the big culprits and we hear rumours, Sir, we hear talk outside of this hon. House that

MR. NEARY: the relationship between the Premier and the Minister of Fisheries is severely strained at the moment, that there was a period last year when they were not even speaking to one another, they were writing notes, sending letters, memos back and forth. What a way for an administration to try to govern this Province, Sir, when the morale of the Cabinet is so bad and so low and, Mr. Speaker, the Minister of Fisheries was one of the big culprits. The Minister of Transportation and Communications who now got the flick, the reject who has now been put over in Tourism, an insignificant portfolio, a department that should be abolished altogether, that minister was another one that had caused drastic deterioration in the relationship between this government, between the Province of Newfoundland and the Government of Canada through his irresponsible outbursts.

And the hon. Premier had to go up and talk to Mr. Lang and try to open up the door and apologize for the minister, to try to open up the door again, because Mr. Lang and Mr. LeBlanc and several other ministers up in Ottawa said they would absolutely refuse to deal with these ministers, they were not honourable men, they had to negotiate through the newspapers. Mr. Speaker, to give you an example, we kept asking questions in this hon. House last year about the Trans-Canada Highway, about the fifty/fifty deal that Ottawa had offered the Province on the Trans-Canada Highway and the minister at that time, who has now been deposed, kept giving us information that was quoted in The Evening Telegram and The Daily News and that was the first indication that Mr. Lang had of this information, when he was sent the newspaper from this Province.

Is that the way, Sir, to carry

MR. NEARY: on relations, relations
with the Government of Canada?

MR. MURPHY: Is that a fact?

MR. NEARY: That is a fact. Mr. Speaker,
the bad blood, the bad relations between the provincial
government and the Government of Canada has literally
cost this Province millions, and millions, and millions
of dollars. We have agreements that are not yet even
signed as a result of the incompetence and the negligence
of this administration. And my hon. friend, my hon.
deposed -

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: I do not think the hon.
gentleman is going to be included in this particular
group but I will be coming to the hon. gentleman a little
later on.

MR. MORGAN: You will not fight Ottawa.
You will not fight Ottawa, no!

MR. NEARY: So what do we have, Mr.
Speaker?

MR. MORGAN: You will let them tramp all
over us down here.

MR. NEARY: Let me see what other
ministers were troublemakers, troublemakers that had to
be transferred, that had to be moved out of their
departments, deposed, rejected, cast aside. Oh, the
Minister of Finance got the flick. Mr. Speaker, why did
the Minister of Finance get the flick? Why? Well, I will
tell the House why I think the Minister of Finance got the
flick. The Minister of Finance, Sir, had become one of
the more contankerous ministers and a thorn in the side of
the hon. the Premier. A thorn in the side of the hon. the
Premier and had been doing things behind the Premier's
back, and the hon. the Premier was not going to put up with
that so he gave the hon. the Minister of Finance the flick

MR. NEARY: and put him over in Transportation to try to reestablish diplomatic relations with Mr. Lang and the Government of Canada, relations that had been broken down so badly by the former Minister of Transportation and Communications, the reject from -

MR. MORGAN: (Inaudible) we will let them walk over us down here.

MR. NEARY: Mr. Speaker, now we are getting an example, Sir, we can hear it now, we are getting an example now of the arrogance and the contempt of that hon. gentleman for his counterpart in the Government of Canada. The hatred was savage, Sir, savage. And the blood was almost as bad between the Minister of Fisheries and the hon. Mr. Romeo LeBlanc who is the saviour, the man we have to look to to save the fishery of this Province.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: Mr. Speaker, relations became so bad, as I said, Sir, between three or four ministers who were doing all the damage - there are ministers, Mr. Speaker, who did not contribute to this at all, there are ministers who realized the implications and the consequences of this and I would say they must be saints up in Ottawa to put up with the abuse and the insults that were hurled both inside and outside of this hon. House by three or four ministers including the former Minister of Transportation and Communications and the Minister of Fisheries and one or two other ministers.

SOME HON. MEMBERS:

Oh, oh!

MR. NEARY:

It is terrible, Sir, terrible.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please. The interjections, of course, are not foreign to the House but hon. members do not wish to engage in them to the extent that they do destruct debate, I am sure.

Hon. Member for LaPoile.

MR. NEARY:

The hon. the Premier had to come off the golf course, the hon. the Premier had to leave his hunting trips, he had to leave the barrens and go up to Ottawa several times last year to try to straighten out the situation, to try to straighten out the relationship between the Province and the Government of Canada. As a result of that I will shortly in my few remarks, if I can finish this afternoon I will, if not I will have to carry on tomorrow morning, but Sir, I will prove that the incompetence and the arrogance and the result of the insults that were flung out both inside and outside of this House by hon. gentlemen cost this Province millions and millions of dollars in programs that should have been negotiated and contracts signed last year that are still outstanding.

Mr. Speaker, what about the mineral exploration program? Is that a 50/50 deal? That is not yet signed, Sir. There are millions of dollars laying in Ottawa, millions of dollars in Ottawa in programs where contracts should be signed, should have been signed six months and a year ago, and they have not even started negotiations yet. I will mention a few of them shortly, Mr. Speaker, but I want to come back, Sir, to a matter that was brought to my attention, as I said, this morning. First of all, let me get off the re-shuffle. That was the reason behind the re-shuffle, Sir. The former Minister of Finance asked to be relieved of his portfolio a year ago. The hon. the Premier could not root the Minister of Justice out of his Department. The Premier realizes that he is rather thin in manpower and he could not blast the Minister of Justice out of his portfolio; he wanted to make him Minister of Finance, but the Minister of Justice knows full well that whatever chance that he has

MR. NEARY: of getting an appointment to the Bench, of creeping and crawling and getting an appointment to the Bench, whatever chance he has is as Minister of Justice, not as Minister of Finance. So the Minister of Justice would not give up. That is why we see him today with two portfolios, the first time I suppose in the history of our British parliamentary system that we had one man holding down Justice and Finance. It never happened before. And also House Leader. It never happened before under the British parliamentary system. The hon. gentleman is too lazy to look after one department. Why, the hon. gentleman is as lazy as a yellow, mangy dog in a corner, and the hon. the Premier does not give him one portfolio, Sir -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. NEARY: - the hon. gentleman gives him two.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. MURPHY: Point of order, Mr. Speaker. In the absence of the hon. minister I do not think we have to put up with language like that, Sir, quite frankly.

MR. SPEAKER: Order, please. There are certain words which are unparliamentary and I think that the words that were used by the hon. member for LaPoile clearly do fall into that category. In the heat of debate this is perhaps understandable but, nevertheless, I think the hon. member should retract those particular words.

MR. NEARY: I retract, Sir. The hon. gentleman is not as lazy as a yellow, mangy dog in a corner, but the hon. gentleman, Sir, is incapable of making decisions, without giving away any Cabinet secrets. When I sat in the Cabinet for three and one half years, when the hon. gentleman was a Liberal sitting to my immediate left in the Cabinet, the hon. gentleman was incapable of making a decision. And that is the hon. gentleman now that the Premier gives the two most important portfolios in the Province to,

MR. NEARY: And, Mr. Speaker, when I get in high gear on the administration of justice in this Province later on in my few remarks, probably not this afternoon, I hope that I can open up a few eyes, Mr. Speaker. But because the hon. gentleman would not let go, the hon. gentleman wanted to hang on, wanted to hang on to Justice because he realizes that is the best chance he has of worming his way to the bench, that is the best chance he has so he is going to stay there and the hon. the Premier being stuck, the relations between him and the former Minister of Finance had broken down so badly that they were not speaking to one another, the former Minister of Finance, an obstruction in the way of negotiations on the oil refinery and on several other important negotiations that were going on in the Province.

MR. SPEAKER: Order, please! I have to interrupt the hon. gentleman to report the three matters which will be debated at five-thirty this evening and they are in the order in which I received them. The first notice, the hon. member for St. George's (Mrs. McIsaac) arising from a question asked the hon. Minister of Justice; the subject matter, the proposed change in the matrimonial property law. The second matter, notice given by the hon. member for LaPoile (Mr. Neary) arising from a question asked the hon. Minister of Health; the subject matter, the fee for service, or deterrent fees under MCP, whether they are proposed or not. The third matter, notice given by the hon. member for Trinity - Bay de Verde (Mr. F. Rowe) arising from a question asked the hon. Minister of Fisheries; the subject matter, the possibility of a processing licence to the fish plant in Cape Broyle.

The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, the other hon. gentleman who is not in his seat today that I have to mention that was one of the big culprits in the breakdown of negotiations of relations between

MR. NEARY: the Province and the Government of Canada is the Minister of Rural Development, who I saw down on the waterfront the other day with his knapsack on his back, gone off to the seal fishery. And if the stories that are reaching our ears are correct I do not blame the hon. gentleman for going to the seal fishery. The hon. gentleman if he went to China it would not be far enough. The hon. Premier and the hon. minister, who will be brought back in pretty soon by Sealand helicopters, the hon. gentleman and the Premier are not on speaking terms, so we are told. They have had a vicious row. They have done everything but get involved in fistfights over the extension to the Grand Falls Hospital. The government have refused to keep their promise, fulfill their commitment, put the extension this year on the Grand Falls Hospital, as the Premier promised in Grand Falls to the committee late last Spring. And now they are renaging, they are renaging on their promise, and the Minister of Rural Development, who is the member for Grand Falls (Mr. Lundrigan), is not going to take any of that guff off his boss, the hon. the Premier. And so they have had a vicious row. And the Minister of Rural Development started to pout and sulk and decided instead of sitting in the Cabinet, instead of sitting in this House, in the heat of battle and trying to solve the unemployment problems, and giving us a list of all the political patronages involved in the Rural Development loans, he is going to sulk, pout and go to the seal fishery and get rid of it all. Get clear of us all, especially the Premier. At the moment they cannot stand one another.

I do not know if he will cool off his heels out to the seal fishery and come back and rejoin the Cabinet, or if the hon. gentleman will come back and sit where I was down to my right there for a couple of years as an independent.

But I do not blame the hon. gentleman, Sir, because there is a solemn promise to the people in the district of Grand Falls that the extension to their hospital would be started this year, as well

MR. NEARY: as a hospital in Channel - Port aux Basques, as well as a hospital on the Surin Peninsula, as well as a hospital in Clarendville. And from the answer I got to my question to the Minister of Health yesterday, none of these projects will start this year.

and where is the great moralist in this Province, the hon. member for St. John's East (Mr. Marshall), who always got a halo over his head, who resigned from the Cabinet because a certain gentleman in this Province was going to be given a contract to build an office building over here at Wedgewood Park and it was against the hon. gentleman's principles to stay in the Cabinet while that contract was being given out without calling public tenders! Now we are told, Mr. Speaker, now we are told that that same hon. gentleman who was going to build the

MR. NEARY:

office building for the government down at Wedgewood Park is now going around with an Order in Council in his pocket to put an extension on Confederation Building. Now where is my hon. friend who resigned from the Cabinet, the great moralist, that great man of high moral principles when the wheeling and dealing is going on and a certain gentleman in this Province is going around with an order - and this gentleman can put the bulldozers out in front of this building tomorrow and no public tenders, no inviting of tenders.

AN HON. MEMBER: That is not true.

MR. NEARY: Mr. Speaker, my hon. friend says that is not true. Let the Minister of Public Works (Mr. Lundrigan) answer it. Let the Premier answer it.

AN HON. MEMBER: The minister is in Ottawa.

MR. NEARY: Maybe the hon. gentleman was conveniently sent out of the Province when this wheeling and dealing went on. Tell us it is not true, that there are no negotiations going on to rent a substantial amount of office space downtown, and tell us that there is no animosity between the Premier and his great friend because of the wheeling and dealing that is going on in connection with this office space. Can the minister tell me? Can the minister look me straight in the eye and tell me that there is no friction in the little clique, the little group, that are carrying on this wheeling and dealing? That also again, Mr. Speaker, the coffee talk is that relations between the hon. the Premier and his golfing buddy, who will go off to California together once in a while, that relations have been strained there for the last couple of weeks because if this government goes downtown and rents office space downtown that this gentleman will never again speak to the Premier of this Province. What a way to run an administration! What a way to run a government! What about the Public Tendering Act? There is not a businessman, there is not a corporation or company in this Province that would not give their right arm to be able to get into that kind of a deal. Why not make it public and let them all have a crack at it? Maybe we would get a

MR. NEARY:

better deal and maybe we would save the taxpayers of this Province millions of dollars.

This is the kind of talk we hear, Sir. Is it any wonder, Mr. Speaker, that people are so disillusioned and fed up and distrust their politicians so much, is it any wonder when they hear this kind of rumor and this kind of story? This is the sort of thing that is reaching our ears every day. I am certainly glad, Sir, to see my colleague, the member for Eagle River (Mr. Strachan) just arrive in the Speaker's gallery. He has been storm bound now I think for I believe it is ten days. Is it ten days or longer?

AN HON. MEMBER: Nine.

MR. NEARY: Nine days in one of the worst storms they had on the coast and my hon. friend has just arrived and I think all members would like to welcome him back.

SOME HON. MEMBERS: Hear,hear!

MR. NEARY: Well, Mr. Speaker, if we talk about these things, if we talk about the great deals, the wheeling and dealing that is made in the backrooms, that goes on in the posh hotels throughout the world and in the bistros and the finest restaurants in the world, if we talk about that we are getting personal. We are getting personal and we are not allowed. We are being negative, Mr. Speaker, we are being negative when we talk about these things. When we talk about extravagance and waste and the government throwing away \$50 million or \$60 million or \$70 million or \$100 million a year, we are being negative, Sir, and we are getting personal. How can you talk about the extension to Confederation Building without getting personal? How can you talk about the downtown office space if you do not get personal? I have not named a name here yet but I think everybody knows who I am talking about. How can you talk about the Scrivener scandal without getting personal? And how can you talk about the fishery scandal without getting personal?

MR. NEARY:

Mr. Speaker, I am one hon. member of this House, Sir, who has been the subject of ridicule and scorn and insults and innuendo for things that went on when I was Minister of Social Services and I

MR. NEARY:

accept the full responsibility for it, Sir. As a minister of the department I make no apologies to this hon. House. I accept the full responsibility for doing my duty and I could not help it, Sir, and I cannot help it if there was incompetence in that department. That is not my fault. Well it is my fault. I am responsible for it. If we had incompetents there who could not do their job, who were trying to save their own scalp, fine, I take the responsibility for it.

MR. MURPHY: That is not what the judge said.

MR. NEARY: That is what the judge said.

MR. MURPHY: The judge said the minister used his influence to sidetrack the employees. It is all written down. I do not want to get into the thing -

MR. NEARY: The judge said, Sir, that the member had done his duty to his constituents. Is the hon. gentleman saying there was some wrongdoing on the minister's part?

MR. MURPHY: Absolutely.

MR. NEARY: Stand up and say it.

MR. MURPHY: For what?

MR. NEARY: Stand up and make a charge.

MR. MURPHY: I am after saying it fifty times. I will bring in the report tomorrow and quote from it.

MR. NEARY: Mr. Speaker, I accept the full responsibility for the running of that department.

MR. MURPHY: Sure you did.

MR. NEARY: And I think that the Minister of Fisheries should accept the full responsibility and the Minister of Health should accept the full responsibility.

MR. MURPHY: Sure. Every minister should.

MR. NEARY: I am not a minister. We have paid the price on this side for our errors and our mistakes and our policies and our platforms. We have paid the price. That hon. crowd are sitting over there and they

MR. NEARY: are still braxening it out, Mr. Speaker, the greatest scandals in the history of this province and they are riding it out as if they could not care less.

I will come back to that later on, Sir. I want to talk about how this administration, Sir, has taken away people's rights, how they have over the last five or six years put the screws on the people of this province, how they are regimenting the people of this province, how they are regulating the lives of the people of this province. And an example of that, Sir, was last year when the people of this province were forced to get a permit to pick blueberries and they were told last year, Sir, that the permit was free. But this year, Mr. Speaker, I would venture to bet that the permit will cost a few dollars. And my hon. friend, the Government House Leader, the Minister of Justice looks rather surprised and says oh, no, no, we are not going to do that. Well, Sir, the fishermen - Mr. Speaker, the fishermen of this province, the loggers in this province, the lumber industry in this province never thought, Sir, in their wildest imagination that they would have to pay for a permit that they got every year free of charge since Confederation, that they would have to pay for a permit to get their gasoline tax exemption. They never thought, Sir, just like the people who picked the blueberries never thought they would ever have to get a permit to pick blueberries. The fishermen, the loggers, the lumbermen, the lumber industry never thought that they would have to pay for a permit, a licence, a permit to buy gasoline tax exempt and so they, Sir?

Well just before lunch today a gentleman arrived in my office and met with myself and the member for St. John's West and presented me with a document. The ministers now can look as surprised as they like. Just listen to this, Mr. Speaker. Listen to it. How can members on the other side of the House go back and look the fishermen straight in the eye after they hear this. Listen - important information bulletin - Government of Newfoundland and Labrador. And the Minister of Fisheries sitting down there and allowing this to go on.

To users of tax exempt gasoline and tax exempt diesel

M. NEARY: fuel from the Department of Finance"- my hon. friend's
department, the hon. gentleman who would not let go Justice, who is
straddling between Justice and Finance, one foot on the bench and one
foot down on Wall Street in New York and a picket in the center.

"Department of Finance - effective

MR. NEARY: 1st of April, 1978 your gasoline tax exemption permit will have to be renewed. There will be a"- Mr. Speaker, just listen to this. Now remember these were free right from the time of Confederation right up to the present time. These permits are only a matter of just sending in your application for renewal and having it send out in the mail free of charge. Now, Your Honour, do you think they are going to charge \$1.00 for these permits now? I know Your Honour cannot answer me. If Your Honour could I am sure we would get an earfull. "Effective the 1st of April, 1978"- Is it \$5.00, Mr. Speaker? "There will be a fee", they say here -"There will be a 'dash' a fee." My hon. friend from Humber East, I do not know how many fishermen and lumbermen and loggers he has up there in his district, quite a few. Does my hon. friend think that these people who used to get this little permit free are now going to have to pay \$10.00? Does my hon. friend think that? How much would my hon. friend guess that his constituents and the member for Deer Lake and the member for Placentia and the member for Bonavista North and the member for Grand Bank and the member for Exploits who sits over there and never misses a word, how much, do the hon. gentleman know how much his constituents are going to have to pay for these permits? Does the hon. gentleman think \$10.00 will be enough? Would \$10.00 be enough? He do not know. Does the hon. gentleman from Placentia think that \$15.00 will be enough?

MR. PATTERSON: \$20.00, that is what you have in mind.

MR. NEARY: \$20.00. Now how can the hon. gentleman go back and face his constituents?

MR. PATTERSON: How do you know I am going back?

MR. NEARY: Is the hon. gentleman resigning or coming across the House?

MR. PATTERSON: I do not have any notion at all.

MR. NEARY: Mr. Speaker, just listen to this, Mr. Speaker,- free before right up to the present time -

AN HON. MEMBER: That is it 'Steve' Get it out, boy, get it out.

MR. NEARY: I am getting it out. I just wanted to see how many

MR. NEARY: members on the other side knew that the bureaucrats had put on this \$20.00 fee.

MR. RIDEOUT: The Minister of Industrial Development.

MR. FLIGHT: The benefactors of the people, the poor people.

MR. NEARY: "There will be a \$20.00 fee for your new permit which will expire the 1st April, 1978. At that time if you are still eligible for exemption you will have to renew again."

Mr. Speaker, I would like to ask the Minister of Finance and the Minister of Fisheries if they are going to tolerate this. Are they going to put up with this? What are they trying to do, Mr. Speaker? Are they trying to cause a revolution in this province? For the last five or six years all they have done is bring in regulations regulating peoples lives, putting the boots to people, making it difficult to get a moose licence so you can put a bit of moose in the deepfreeze for the winter, a permit to pick blueberries. And they say, oh, no, do not worry about it. All we are trying to do is just find out how many people pick and how many gallons they pick. It is only for statistical purposes. Next year they will charge for it.

Now we see the tests for the hunting licences. They have people running around the province, Mr. Speaker, and they do not know if they are coming or going. Mr. Speaker, this government, Sir, are trying to regulate peoples lives from the cradle to the grave. The next thing, Sir, you will have to get a permit from this crowd to go to the men's room or the ladies room and the first year they give it to you, it will be free, and the next year you will have to pay for it. I never saw the likes of the regimentation, Sir, and the regulations and the restrictions that are being placed on our people. It is

MR. NEARY:

shocking, and here is just but another example, Sir, of how the ordinary person in this Province is getting the shaft. What they are doing, Mr. Speaker, what the administration is doing is pushing all these people, these dwindling numbers of taxpayers, pushing them over the border, pushing them over onto social assistance because they cannot cope. A twenty dollar fee! Twenty dollars! Does my hon. friend have a question? My hon. friend did not see this? My hon. friend, just to round out my stories about leaks in the Cabinet and so forth, my hon. friend I can understand why he did not see this. My hon. friend does not get in on very much these days, maybe of late. But there was a time last year when relations between my hon. friend and, as ministers refer to the Premier as God, relations were slightly strained to say the least - since renewed, I understand. So I can understand why my hon. friend would not know that his constituents who are involved in logging and fishing and lumbering will have to pay twenty dollars for that permit, that little card they used to get, just a little card. They will have to pay twenty dollars for it.

No wonder my hon. friend has threatened to kick over the traces so often. No wonder my hon. friend has threatened to come across the House. I can understand the feelings of the hon. gentleman, feelings of frustration. And my hon. friend would be welcomed, by the way. My hon. friend would be welcomed. There are a number of gentlemen on the opposite side of the House whose talents we would like to have over on this side of the House. and there are a number we would not touch with a barge pole. and my hon. friend would be always welcomed. And as I said yesterday, the member for Naskaupi (Mr. Goudie) and one or two others, maybe the member for Ferryland (Mr. Power) even though I had to scold him the other day about the medical clinic down in Ferryland, about the skulduggery that went on there without calling public tenders. The hon. gentleman would still be welcome.

The hon. Minister of Tourism would not be welcome. He would be one of the ones that would not be welcome and

MR. NEARY:

yet, Mr. Speaker, the hon. gentleman would be one of the first ones to bail out. When she starts to sink my hon. friend would be one of the first to jump overboard. The hon. gentleman would be one of the first to rush across the House. And another gentleman, the hon. gentleman we would not touch with a barge pole is the hon. member for Gander (Mr. H. Collins). Everything that the hon. gentleman touches goes sour on him. The hon. gentleman has been in hot water now for several years and any ordinary minister, Sir, would resign if he got himself in as much hot water as the hon. member for Gander (Mr. H. Collins), the hon. Minister of Health.

MR. F. ROWE: He is beginning to look like a lobster.

MR. NEARY: Yes, the hon. gentleman is so red that he is beginning to look like a new-boiled lobster. Well, Mr. Speaker, I hope, I appeal, I make a plea to the Minister of Industrial Development, if the hon. gentleman would listen to me, if the hon. gentleman has any influence left in the Cabinet, if the hon. gentleman has any credibility left with his colleagues, if the hon. gentleman is interested in his constituents, will the hon. gentleman, I appeal to him, to the hon. gentleman and any other decent, hon. gentleman who is sitting on that side of the House who has the interests of his constituents at heart, would the hon. gentleman get this twenty dollar permit fee repealed at once? What a hardship it is going to create on the small fisherman, the fellow who only buys a cask or two of gasoline during the season.

Mr. Speaker, it is shocking, it is terrible.

I could not believe it when I read it this morning when this gentleman walked in, a fisherman, not a big operator. It just ties in with what we have been hearing about the Minister of Fisheries lately. The hon. gentleman only believes in the big companies, only believes in the big operators; no time for the small operators or the small fishermen, no time for them, wipe them out! The hon. gentleman is being

MR. NEABY: carried away - carried away with the big fish merchants. It is just in keeping with the policy of the present Minister of Fisheries, of putting the boots to the little guy. That has been going on for the last two or three years. And I said last year and the year before if Your Honour will remember - and Mansard is there to prove me right - when I said that I was quite prepared to sit back and give the hon. Minister of Fisheries a chance. Because fishery policy is something that you cannot develop overnight. It takes a little time. And I said that I would give the Minister of Fisheries a year or two to shape up a policy and to tell us what plans he had for the development of this fishery, and unfortunately, Mr. Speaker, I said I would sit back. I heaped great praise on the minister last session. And I said I would sit back and wait and see what happens. Well, Sir, we were in for a very great disappointment and I can tell the hon. minister that he is not held in very high esteem in this Province today among the fishermen. The hon. gentleman went around the Province and held meetings with the fishermen all over Newfoundland and said, 'Tell me what you want. Whether it be big or small, just come on over to the meeting - tell me what you want.' And I remember out in Port aux Basques when we had the meeting out on the Southwest corner the fishermen down in my district, their problems were not all that great. They had a lot of federal problems. But they asked the minister, 'Mr. Minister,' they said, - and I was there and I pleaded their case - 'Mr. Minister, could we have a few tub rooms? Could we have a place where if we bait our trawl and the weather gets bad and we cannot get out fishing that we could put our trawl in a freezer and we will not have to bait it over again which takes so much time?' 'Mr. Minister,' they said, 'can we have the people down in LaPoile, the people in Petites, the people in Rose Blanche -' - I think it was three or four communities - said, 'Mr. Minister, can we have these tub rooms?' Not very much, that is all they asked the minister for. They asked the minister to back them on some other things that were

MR. NEARY: federal matters, but basically provincial matters. 'No! No problem! Going to be done the next day.' Mr. Speaker, it is not done yet. It is not done yet. I get calls just about every other day from LaPoile district wanting to know what happened to the Minister of Fisheries. 'What happened to him? Is he now gone over with the big companies and the big boys and the big shots? Is he carried away?' I know he has had problems with the Premier.

AN HON. MEMBER: - could not get it done.

MR. NEARY: Mr. Speaker, I am not in a decision-making position, If I were it would be done, I guarantee you, it would be done!

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: It is the Minister of Fisheries who makes the decisions, Mr. Speaker, and the people are wondering what happened to the hon. Minister of Fisheries. The hon. gentleman that they put so much faith and trust in at the beginning has now let them down. And I do not have to tell my hon. friend from Placentia. The hon. gentleman has had his share of troubles trying to get a fish plant established in Argentina and all the bureaucracy and the obstructions that are thrown in the way. And I do not have to tell any other hon. members on the other side of the House about these great meetings, the results of these meetings that were held around the Province. Mr. Speaker, there is no sign of action at all. That is over a year ago and they still do not have their little tub rooms. And what are we talking about in the way of finances, Sir, that would give these people the facilities that would save them thousands of dollars and man hours? You are talking about \$4,000 or \$5,000 a unit or less. And now, it is a good thing the minister is not going around the Province now, Sir, holding his meetings with the fishermen. With the imposition of this twenty dollar fee on the gasoline tax exemption permit that was announced February 28, 1978 - there was, Sir - if the hon. gentleman was going around the Province right now it might be a different story.

March 9, 1979

Tape 111

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MR. NEARY:
adjournment of the debate?

Mr. Speaker, will I move the

MR. SPEAKER:

Not yet, you have a few more minutes left.

MR. NEARY:

Thank you, Sir.

Mr. Speaker, we are told by the
Minister of Social Services, Sir - we hear the Hon. the Premier parroting
the words of the Minister of Social Services once in a while about how
the social assistance statistics

MR. NEARY:

have dwindled in this Province over the last two or three years.

The minister seems to want to leave the impression that this is the result of programmes and policies of this government. The minister says partly, well I say not even partly, not even that much, not even a teensy-weensy little bit. I move the adjournment of the debate, Mr. Speaker.

MR. SPEAKER: The hon. gentleman has moved the adjournment of the debate. Being five-thirty the first matter for debate is the proposed matrimonial property law changes in the Province.

The hon. member for St. George's.

SOME HON. MEMBERS: Hear, hear!

MRS. MCISAAC: Mr. Speaker, with respect to the matrimonial property rights in Newfoundland, in November of 1976 a brief was prepared and presented to the government by the Status of Women's Council and in February of 1977 there was a lengthy comment in the Speech from the Throne stating that the government was most concerned over the present laws that relate to matrimonial property. Government said then it recognized that major changes in the common law dealing with the sharing of personal and real property acquired by married couples during marriage called for major reform and that the court should be given the power to recognize the contribution of work and management made by both husband and wife to matrimonial property.

The Speech from the Throne also stated that the Minister of Justice and Attorney General had authority to invite briefs from groups and individuals hopefully in time to introduce legislation during that session. The determination to bring such legislation before the House was stressed. The legislation was not introduced last year and it was not mentioned in the Speech from the Throne again this year. A notice however was placed in some of the newspapers. It appeared in the Western Star, on my end of the Island, seeking public opinion. But it referred to briefs. Now briefs to most individuals I would say are

MRS. MCISAAC: more or less legally worded documents to make individuals feel they are not capable of presenting them. I agree whole-heartedly that public opinion should be sought in this very important matter and it should be well prepared legislation, but how long must it be dragged out?

I would like the minister when he stands to tell me what the response was from the requests for briefs on the proposed legislation and, you know, what is the reason for the delay. There was no mention of the legislation in the Speech from the Throne, but is there a possibility that it could be brought through?

Mr. Speaker, the divorce rate in this Province is climbing and legislation cannot be delayed from session to session. What I want to know is when can this Hon. House expect the minister to introduce this legislation to change matrimonial property laws in this Province so as to bring it into line with the expectations of the majority of people that marriage is an economic as well as a social partnership and that property acquired during a marriage is owned jointly and shared equally. Thank you.

MR. SPEAKER: Hon. Member of Justice.

MR. HICKMAN: I compliment the hon. member for St. George's (Mrs. McIsaac) for a very succinct and excellent presentation and very understandable enquiries concerning progress with respect to matrimonial property law.

First, in answer to question number one:

The response, not so much in the form of briefs but to the questionnaires that appeared in the press and a second questionnaire that has been sent out by the Status of Women, has been excellent and they are coming in every day. There have been some briefs as well and, equally relevant, intimation from people that they are in the process of preparing briefs.

Now, Mr. Speaker, I cannot give an indication as to when Government's policy to bring in new legislation dealing with matrimonial property law will be ready for presentation.

To give hon. gentlemen an indication of some of the problems that have already surfaced, because we are making a major change in the common law, surfaced as a result of the three provinces who have already brought in the legislation. I think it is three: Ontario for certain, one of the Maritimes, and Manitoba. Manitoba brought in what they thought was the best piece of legislation because it was the latest and then discovered to their horror that they had overlooked one thing, that if you pass legislation saying that as of now property shall vest equally in both spouses that the one who had no ownership before might be subject to capital gains tax under the Income Tax Act. So they have not proclaimed the Manitoba legislation and have now entered into negotiations with the Federal Minister of Finance to see if this can be remedied. Ontario ran into problems with respect to those who are living in what is fondly known as common law marriage was really a common law union. They came in and said, "Do not pass legislation dealing with us because if we want contractual relationships we will get married. That is the reason why we are living as we are. We do not want to have that kind of obligation". But that raises the question as to what do you do

MR. HICKMAN: with the children of that union. They do have rights.

Apart altogether from that, Mr. Speaker, there are, as I have assessed it so far, three areas of major concern that must be covered in whatever legislation we bring into this House.

One is, should the courts be given the discretion to apportion the properties in the event of dissolution of marriage? And if the answer to that is 'yes', will it only be exercisable in the case of divorce, or will it be exercisable in the case that a husband and wife decide to separate voluntarily? Should the legislation we bring in spell out in detail, which is always a dangerous practice, the method in which it should be disposed of? Should the Court attach any - or what weight should be attached to need, the behaviour of the parties, their conduct, and the contribution made by every party in building up the estate? Should the Court have the power to restrain one party to a marriage if the other is suspicious that he or she is trying to dispose of the property? Should the Court have the discretion to say that this applied to properties before the enactment of the legislation? That is one big area of concern that has not been resolved satisfactorily by the three provinces who have brought in legislation.

The other area of concern, and it is a different approach, some people urge that there should be co-ownership of the home. They say that this is the most urgent criticism of existing matrimonial law in the British Commonwealth and in Canada.

MR. HICKMAN:

Now that again says, if you pass that law now will the wife be the legal co-owner. What happens if the property is to be disposed of, if it is essential to the family interests that there be disposition of the property? Should there be right of survivorship? What happens if the husband says, "I leave my half interest to my oldest child"? But the legislation says you cannot do that because it is the co-ownership theory that is in there and it automatically goes to the survivor of the spouses. Should the court have the power to terminate the wife's interests? Supposing that something occurred during the marriage that made it necessary in the interests of the children that this be done, what is it going to do to third parties dealing with one of the spouses?

What happens to the plumber who is in business on his own and he goes to the bank and he wants to borrow some money? The bank says, yes, we will give you some money but we must have a mortgage on your assets, the only asset being the house. And he says, "Well that is no problem. I will give you that. It is in the interests of my wife and family that I increase my earnings, I improve their standard of living." The bank manager says, "But oh no; the law has been changed. Your wife is now the co-owner." So he goes home and he says to his wife, "Sign here my dear. This is going to help us along." She says, "Not likely. Not on your life am I going to sign that. I am not going to be placed in a position where if business goes bad they can foreclose the house and take it." But he says, "What about the children? I want to earn more money for them in order to improve their standard of living." She says, "I will not go along with it." How do we cover that in legislation?

MR. SPEAKER: Order, please.

The hon. gentleman's five minutes is up.

The next matter for debate concerns the possibility of fee for service or deterrent fees under MCP.

The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, there is a very uneasy feeling throughout the Province these days that the present government is planning to

MR. NEARY:

slap a deterrent fee or a fee for service on health services covered under MCP. These rumors appear to be well-founded, Mr. Speaker, judging by some of the hints in the very vague Speech from the Throne read in this House of Assembly on Monday and the avoidance of the truth in reply to my question to the Minister of Health (Mr. H. Collins) during today's Oral Question Period. May I point out, Mr. Speaker, that before government take any action or any such step to implement a deterrent fee that they look at the alternatives which in my opinion are stricter enforcement of MCP regulations and to eliminate abuses of the programme by both some patients and some doctors.

Mr. Speaker, if government take the easy way out of this mess which it has created through its own incompetence and inefficiency, and bring in a fee for service for the first few visits to a doctor, then the group who most likely will be punished and penalized are the very people upon whom this Province depend for its tax base and who at the present time are suffering more than any other citizens of Canada from the failure of this administration to cope with inflation and unemployment.

Mr. Speaker, it would be cruel indeed to bear down any heavier on the wage earners in this Province, especially those in the lower income brackets, adding further to the extreme distress they are suffering from increases in the prices of commodities such as food and heating taxes and other government fees. Mr. Speaker, I feel I express the concern of all members on both sides of this hon. House who are in close touch with their constituents, as well as the feeling of the citizens of themselves in being violently opposed to the government's arbitrary decision to drastically alter the principle of MCP by authorizing doctors to charge for their first few visits,

Before these harsh government measures are implemented, Mr. Speaker, the Minister of Health (Mr. H. Collins) should be instructed by

MR. NEARY:

his bosses to clamp down on all abuses of MCP, whether it be by the patient or the doctor, and also eliminate all unnecessary procedures that are costing MCP a small fortune in fees, for example, Mr. Speaker, the compulsory and unnecessary and unwarranted referral procedure that a person is forced to go through now in order to make an appointment with an eye doctor or some other specialist in this Province.

MR. SPEAKER: The hon. Minister of Health.

MR. H. COLLINS: Mr. Speaker, as I indicated to the hon. member in answer to his question during the Question Period, the imposition of a Medicare fee is a budgetary measure and not one of the Minister of Health. However, the Minister of Health naturally has a collective responsibility. And as I said -

MR. NEARY: Do not wiggle you way out of that now.

MR. H. COLLINS: As I said then, Mr. Speaker, the hon. member would have to wait as will all of the other people in Newfoundland until the budget is brought down; only then will the measures of the budget be made known and that is the way that it should be.

I should point out to the hon. member and to the House that while Medicare costs are rising, and they are rising, rising considerably every year since 1972, and one of the main reasons, Mr. Speaker, for the every escalation in costs of Medicare is not because of abuses - granted there are some abuses; in any free system there are bound to be some abuses - but one of the main causes for the increase in the Medicare plan is the fact that more and more doctors are coming into practice. More and more doctors are establishing practices in some of the more rural parts of the Province and that is something which I am proud of and all of us here should be proud of, because more and more people naturally have increased accessibility and wherever more doctors establish and people have greater accessibility, naturally visits are going to be made to the doctors and naturally costs are going to escalate.

MR. H. COLLINS: they can prove that the system is being abused, permits the Medicare Commission to recover from the people who abuse the system the cost of the abuse.

The Medicare Commission during the past year in my opinion has done a good job. It is a very complex issue. I am not in a position and neither is the Medicare Commission in a position to be able to say that John Jones, if he made thirteen trips to a doctor, should have only made five. The very time that some deterrent is put in a person's way, that is the very time that the person should have had access to medicine or to his doctor. So it is all very well to stand up in this House and make accusations about abuses, but once you come to look into the matter and analyze it carefully one realizes then what a complex issue it is. As I said, Mr. Speaker, one of the main reasons for the escalation in cost is the greater accessibility on the part of the people to the medical profession, if I want to put it that way.

With regard to a fee, whether we pay the cost, Mr. Speaker, through a Medicare fee or whatever, the people in the Province pay the cost of Medicare. It comes from the Consolidated Revenue Fund, the general revenue fund of the Province of Newfoundland. And hon. members might stop and think for a moment that in the great, rich Province of Ontario, in their Budget which was brought down yesterday, one of the budgetary measures was a 30 per cent increase in the health insurance premium. And I believe that the health insurance premium now for a family is in the order of \$500 per annum. So, Mr. Speaker, even Ontario has to charge a fee, and as I said, whether the fee is a Medicare fee, a health premium, s.s.a. tax, income tax or whatever, wherever a system is free the people have to pay for it. In terms of being able to respond to the hon. member as to what will happen in the Budget Speech, that is more than my head is worth and I cannot be expected to even reflect on what it might or might not contain.

MR. SPEAKER: The final matter for debate pertains to the issuing of a processor's licence for the fish plant in Cape Broyle.

The hon. member for Trinity -
Bay de Verde.

MR. F. POWE: Mr. Speaker, a number of facts first. The plant is a salt fish plant in Cape Broyle and is already in existence. It is not a new plant to be added to that particular fishing area. The newly intended owners made their first application in August, 1977 and they were refused, and the reason given was that there was an overcapacity in the fishing area at that time. Now, a second application was made by the newly intended owners on November 21, 1977 and there were letters of support from a number of fishermen in the surrounding settlements that accompanied that second application. And the newly intended owners, Sir, were very, very optimistic on their second application about getting it as a result of conversations that they had with high officials of the Department of Fisheries. And in fact, one of the owners was in conversation with a member - he could not remember the name of the member - but a member of the new Action Committee, and that member of the Action Committee told one of the newly intended owners that a licence would be issued. And he told this newly intended owner that the licence would be issued following a conversation that that member of the Action Committee had with the Premier, himself, when the Premier said, 'Yes, I am fully in agreement with free enterprise,' because this newly intended owner was not asking for one cent of assistance from the government - not one cent of assistance. Now, in spite of the optimism that they had about getting their licence, on February 14th they were informed by a member of the Action Committee that the application was rejected once again.

Now, Sir, there are fifty to sixty people who can be employed in that particular fish plant, and fish is

MR. F. ROWE: dumped regularly in Cape Broyle during the glut season. Fish is being dumped regularly. Now, if the minister is shaking his head, I specify when - during the glut season. Now, Sir, I would like for the minister to try to rationalize and reconcile why he indicates a fish processing licence cannot be issued to this existing fish plant at the present time when over the last year or so the Fisheries Department allowed a new small fish plant to be built in Petty Harbour and he allowed existing freezing facilities to be installed in another fish plant in Tor's Cove. If there is an overcapacity in the area, why allow the additional extension and additional fish plant to be put in the particular area? And, Sir, with the great number of people who are unemployed in that particular area - and as the member for the district has already indicated, it is a great fishing district - why is it that a fish processing licence has not been issued to the gentlemen in question?

And, I might add, Sir, that these gentlemen have contacted the Salt Fish Corporation and they have been informed that there is a market for the salt fish. Now, Sir, there is a very strong feeling in the area - I have not mentioned any names yet - but one of the owners of this fish plant happens to be Walter Power, the Liberal candidate in that last election in Ferryland. And they feel very strongly, Sir, that they are being discriminated against in view of the facts that I have presented here with respect to overcapacity. We have had fish plant extension, we have had additional fish plants put in the area, but with respect to an existing fish plant they will not give these newly intended owners a processing licence to operate that fish plant. And the only conclusion they come to, Sir, is that this is political discrimination in this particular case.

SOME HON. MEMBERS: Shame! Shame!

MR. SPYAVFR: The hon. Minister of Fisheries.

AN HON. MEMBER: 'Walter' is for it but Martin is against it.

MR. W. CARTER: Mr. Speaker, the charge made by the member is hardly worthy of comment, but I should say, by the way, that the plant that we are protecting in a sense, I suppose, the Tor's Cove Fisheries, is owned by his former colleague, the Liberal member for Ferryland. So we could hardly be accused of using influence or political bias or prejudice to keep Mr. Power out of business.

AN HON. MEMBER: Shot down again!

MR. W. CARTER: Another point the hon. member has made - I am sure he did not deliberately intend to mislead the House, but he has, in that the plant is not now in existence; in fact, it has not operated since 1975, and even then without a processor's licence. That plant is a small plant owned and operated by the O'Brien interest in Cape Broyle. The O'Briens had two, or I believe three trap-skiffs prior to 1975 and they landed their fish in their own premises, as indeed do many thousands of Newfoundlanders, salted the fish and then sold it. At no time was there a processing licence issued to that plant.

DR. FARRELL: Hear! Hear!

MR. W. CARTER: That is one point I want to make clear right now.

DR. FARRELL: Ah, shot down again.

MR. W. CARTER: The matter of dumping fish in Cape Broyle, that is not so either and I have a letter here from the fish plant in Tors Cove to the effect that they were able in 1977 to purchase all of the fish landed in Cape Broyle and in fact did not require one pound of fish to be dumped.

MR. F.W. ROWE: I had a letter saying that it was dumped.

MR. W. CARTER: The important thing, Mr. Speaker, is that the matter of issuing licences for fish plants must be done in an orderly way. We cannot allow fish plants to be springing up in every community now that the times are good in the fish business. Certainly if it means establishing a plant in one community that will have the effect of abolishing, destroying a plant in a community five miles down the road, well then I see little purpose in issuing licences if that is what is going to happen. And is exactly what the situation is in Cape Broyle. There is a small plant operating in Tors Cove. In 1976 that plant spent something like \$200,000, I think, to install a number of plate freezers plus the installation of additional filleting machinery gearing up for the fish that was being landed in that area including the Cape Broyle fish. Forty-seven per cent of their production, forty-seven per cent of the production of that fish plant in Cape Broyle is dependent on the fish landing in Cape Broyle.

AN HON. MEMBER: The Tors Cove (Inaudible).

MR. W. CARTER: No, the Tors Cove plant is forty-seven per cent dependent on fish landed in Cape Broyle. The Tors Cove fish plant employs sixty people all of whom reside in Cape Broyle. We have nothing against the poorer people. If and when the stocks increase and the landings increase of course we will be very sympathetic to their application for a licence but we see little purpose in, like I said, allowing one plant to develop, to become established if it is going to

MR. W. CARTER: be at the expense of an already existing plant or in a plant already in existence and one that is already spending substantial sums of money to improve and increase their productivity. That is the basis for the rejection of their application, but again I want to make it quite clear that contrary to what the hon. member has said the plant is not now in existence and in fact never was in existence as a fresh fish processing plant. There was never a pound of fresh fish processed in that plant.

AN HON. MEMBER: That is not what I said. I said it was (Inaudible).

MR. W. CARTER: Well there was not even a processors licence to process salt fish. They were processing their own fish as a lot of Newfoundlanders do in their stages and so on. The new operators, or at least the proposed operators want to get involved in the filleting of fresh fish.

That, Mr. Speaker, pretty well sums up our position. I might say that in the matter of issuing licences to plants in future we now are establishing certain guide lines working with the Fishermen's Union, the Frozen Fish Trades Association and people from the Department of Fisheries. I am seriously looking at the possibility or at least the necessity that maybe in cases where people are endeavouring to establish fish plants to have maybe a public hearing or at least to give the people who have an interest in that area in an existing plant should be given the right to put forward a case maybe before another plant is allowed to become established if it means destroying their plant.

I believe my time is up, Mr. Speaker.

MR. SPEAKER: Before putting the motion to adjourn I understand that it has been agreed to meet at ten o'clock tomorrow. Agreed.

It is not deemed that a motion to adjourn is before the Chair, Is the House ready for the question? Those in favour, "aye" contrary "nay", carried.

This House stands adjourned until tomorrow, Friday, March 10, 1978, at 10:00 A.M.