

PRELIMINARY
UNEDITED
TRANSCRIPT

HOUSE OF ASSEMBLY
FOR THE PERIOD:
10:00 a.m. - 1:00 p.m.
FRIDAY, JUNE 5, 1981

The House met at 10:00 A.M.

Mr. Speaker in the Chair.

MR. SPEAKER (Simms): Order, please!

ORAL QUESTIONS

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

MR. STIRLING: Mr. Speaker, I had a question for the Minister of Mines and Energy (Mr. Barry) but it is obvious that the government has a tactic now, once a minister gets in trouble they keep him out of the House.

SOME HON. MEMBERS: Oh, oh!

MR. STIRLING: On that basis we will never see the Minister of Transportation (Mr. Dawe) back again. But in the absence of the Minister of Mines and Energy, I will ask the question to the Acting Premier, the Acting Minister of Mines and Energy, the Acting Minister of Transportation -

MR. FLIGHT: And the Acting member for St. John's East..

MR. STIRLING: - a question to the President of the Council (Mr. Marshall). Does he support the view expressed by his colleague yesterday? Was his colleague speaking on behalf of the government or was that another minister who was expressing personal views when the government has now changed the issue from a separate corridor for transportation of electricity, a separate corridor to be built by Newfoundland, have they now changed their position to using the Quebec system to transport power? Is that now the official position or was that just

MR. STIRLING: the Minister of Mines and Energy (Mr. Barry) expressing a personal view? Do they now admit that they are talking about using the Quebec Hydro system?

MR. SPEAKER (Simms): The hon. President of the Council.

MR. MARSHALL: Mr. Speaker, I may be acting but I am not as bad an actor as the hon. gentleman is, I can guarantee you that. The hon. gentleman, Mr. Speaker, obviously does not understand. What this government is doing and is demanding as its right as part of the Canadian community is the right to be able to transmit power through Quebec. And it is also the right, Mr. Speaker, which would involve, which may involve the construction of a power line. But we also, Mr. Speaker, feel that we have an equal right to wheel power through Quebec where they are not using their lines to the full capacity.

Mr. Speaker, what we do is we seek these rights, and when we get these rights that had been mysteriously withheld from us because we only have seven seats in Ottawa, when we do get those rights, Mr. Speaker, then we will be able to bring about the resource development in this Province which we seek to bring about for the people of Newfoundland.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: And anything that the hon. gentleman there opposite can do to assist us would be very much appreciated rather than attempting to confuse the issue by reason of their lack of - we have not got the capacity, Mr. Speaker, at the present time to transmit electrical power. Obviously the hon. gentlemen there opposite, particularly their leader, have not got the capacity to understand.

SOME HON. MEMBERS: Hear, hear!

MR. STIRLING: A supplementary, Mr. Speaker.

MR. SPEAKER(Simms): A supplementary, the hon.
Leader of the Opposition.

MR. L. STIRLING: Yes, Mr. Speaker, the
President of the Council (Mr. Marshall) has attempted
to get this debate off to the usual high plain. Another
one bites the dust. You see, Mr. Speaker, that is
the kind of glib, political -

MR. HODDER: Rhetoric.

MR. L. STIRLING: No, rhetoric is too good
a word for it. But it is not good enough anymore, you see.
You see, Mr. Speaker, it is not good enough anymore because
the people of Newfoundland and Labrador are beginning to
find out that this government makes a lot of sound and fury
but when you challenge them to document anything, it is not
documented.

Well, Mr. Speaker, the only
independent advice that I know that this government has is
from the Lower Churchill Development Corporation, part of
the -

MR. HODDER: \$15 million.

MR. L. STIRLING: -\$15 million that they spent
investigating this. They told the government-and that is why,
Mr. Speaker, there is a great inconsistency between the infor-
mation this House is being given and what the government has
been given by its own corporation, the Lower Churchill
Development Corporation - Mr. Speaker, in their report to
the government they state specifically these circuits have a
limitation of 700 megawatts. We talked yesterday - the Minister
of Mines and Energy (Mr. Barry) gave information which was
incorrect, incorrect because either he knew it was incorrect
or incorrect because he did not know and he was misunderstanding.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Simms):

Order, please!

MR. L. STIRLING:

The question is: does the minister, does the government accept the results of these studies which said, and this is their quote, 'Greater sales external to the Province would require strengthened delivery systems' - in other words, additional systems to be built, Mr. Speaker - does the President of the Council (Mr. Marshall) recognize the advice from the Lower Churchill Development Corporation as the independent advice that we have spent \$15 million for? Are they not taking that advice?

MR. SPEAKER:

The hon. the President of the Council.

MR. W. MARSHALL:

Mr. Speaker, we take all advice that is given to us and we assess it and hopefully we understand it. I do not really understand the hon. gentleman's line of questioning. The fact of the matter is that the hon. the Minister of Mines and Energy (Mr. Barry) also has a report from very reliable sources to the effect that there is capacity in those lines to enable us to carry on some of the development with respect to the Lower Churchill. Now when we get recall of our rights and the Water Rights Reversion Act has been determined by the court in our favour, as I have every confidence it will be, then, Mr. Speaker, we are going to have a great deal of power for which we are going to need more capacity than on the Quebec line at the present time. I am really afraid, and I really mean this sincerely, that the hon. gentleman on the attack - and I heard him on the radio this morning as well.

MR. MARSHALL: seems to get some particular piece of information and he thinks he has a germ of an idea and he tries to develop it and when he is developing it, Mr. Speaker, it just leads to utter confusion. The fact of the matter is, Mr. Speaker, the fact of the matter is that this Province is attempting to develop the Lower Churchill River, the hydro power on the Lower Churchill River. The fact is, Mr. Speaker, that this government has taken a dramatic act in order to regain and recapture and obtain our basic rights, inherent rights, on the Upper Churchill. The fact of the matter is, Mr. Speaker, that you cannot transmit power through the air. The fact of the matter is, Mr. Speaker, that power has to be transmitted over transmission lines. The fact of the matter is, Mr. Speaker, that there are transmission lines already going from Labrador through the Province of Quebec in which there is capacity that is available and should be available to us. And the fact of the matter is that our knowledgeable Minister of Mines and Energy (Mr. Barry), Mr. Speaker, is working very hard on this and has the information.

Now if this causes a great deal of concern to the Opposition and the Leader of the Opposition (Mr. Stirling), Mr. Speaker, it is rather unusual that he as a Newfoundlander would be rather concerned about this. The fact of the matter is, Mr. Speaker, that the hon. Leader of the Opposition just does not understand, I mean, these are the basic facts before us: Hydro power has to be transmitted; there is capacity on the existing line to transmit some of this power and we want the right to be able to wheel the power and we also want the right, Mr. Speaker, for that corridor.

In other words, Mr. Speaker, we want to be treated as Canadians in Confederation, and if the hon. gentleman there opposite, you know, if perhaps he could take the weekend and do a little bit of study and stop

MR. MARSHALL: attempting to - I do not think he does it deliberately. He does not do it deliberately, he does it congenially; he cannot help it, Mr. Speaker. What he is doing, Mr. Speaker, is really just -

MR. TULK: Question! Question!

MR. MARSHALL: I am not asking questions, I am answering them.

MR. STIRLING: You are not answering them.

MR. MARSHALL: What the hon. gentleman is doing, Mr. Speaker, is just confusing the issue and confusing it abysmally. The fact of the matter is that this government has these matters in hand, All we need, Mr. Speaker, is to gain the co-operation of the friends of the hon. gentleman up in Ottawa, and if he could turn his questions and his suggestions to his buddies in Ottawa, and he can do anything to gain us our basic rights up there, he will be doing a great service to this Province. Right now what he is doing is a disservice by trying to confuse the issues.

SOME HON. MEMBERS: Hear, hear!

MR. STIRLING: A supplementary, Mr. Speaker.

MR. SPEAKER (Simms): The hon. Leader of the Opposition.

MR. STIRLING: Unlike the infallible people on the other side, I do admit that I do not have all of the knowledge and information but I have the good sense to use the expert advice that is given to this Province and for which we spent \$15 million. Lower Churchill Development Corporation, Mr. Speaker, is our corporation which we own and that is the advice that I am quoting, Mr. Speaker. And I would challenge the government to table this mysterious independent advice that they have got, which they have not tabled and they have not even identified. Now dealing with the Lower Churchill Development Corporation, Mr. Speaker, it will be interesting to hear the minister's response to the comment in which they say, "The market in Quebec will be mainly dependent upon their ability and willingness to pursue and extend sales contracts with neighbouring provinces and states." Mr. Speaker, I would like to have the minister pay strict attention to this. "They will have large surpluses of electric energy in their own system." In other words, they have more in their own system that they can handle until 1988 and are actively promoting an expansion of their hydraulic potential in Northern Quebec to meet their own needs after that time. So by our own independent advice, there is no surplus in their system, there is no excess in their system to take our power.

Now, Mr. Speaker, the second question that the minister dealt with in an incorrect manner yesterday was when he attempted to give the people of this Province the impression that this was all going to be sold on almost instant recall. The question I would like to ask the President of the Council is whether or not he agrees with the \$15 million advice that says

MR. STIRLING: "it will be dependent upon significant strengthening of the transmission delivery system; therefore, energy sales contracts will have to be long-term"? Mr. Speaker, the Lower Churchill Development Corporation said that these contracts will have to be long-term. Would the President of the Council explain the difference between the rhetoric we heard yesterday and the \$15 million advice which says that the contract will have to be long-term? And the people who made that recommendation are our own Board of Directors headed up by Chairman Victor Young. Would the President of the Council explain that inconsistency?

MR. SPEAKER (Simms): The hon. President of the Council.

MR. MARSHALL: Mr. Speaker, I do wish really there was a giant mirror on the other side of this House so that the hon. Leader of the Opposition could see the embarrassed look of his colleagues when he is asking questions of this nature. The fact of the matter, Mr. Speaker, on this, that LCDC report as to long-term contracts - how long will long-term contracts be, he asked? - I can guarantee him, Mr. Speaker, they will not be sixty-five years, they will not be fifty-five, not forty-five, not thirty-five years, Mr. Speaker.

MR. STIRLING: Stop bluffing.

MR. MARSHALL: I am not bluffing, Mr. Speaker. The fact of the matter is that this government has already been in very serious negotiations with potential customers for the Lower Churchill.

MR. NEARY: And in Nova Scotia they want our power.

MR. MARSHALL: Mr. Speaker, if the hon. gentlemen want the answers I will give them to them, but I have no desire to talk over them.

MR. STIRLING: Let us have some proof.

MR. MARSHALL: That is fine, Mr. Speaker, if they want to ask questions, I will answer them.

MR. NEARY: Mr. Speaker.
MR. SPEAKER (Simms): The hon. the member for LaPoile.

MR. FLIGHT: Mr. Speaker.

MR. NEARY: Do you want to go ahead? I yield.

MR. SPEAKER: The hon. the member for LaPoile yields for a supplementary by the hon. the member for Windsor - Buchans.

MR. FLIGHT: My supplementary is to the Minister of Development, Mr. Speaker, on the same issue.

The Minister of Mines and Energy (Mr. Barry) yesterday indicated that our ability to get going quickly on the Lower Churchill depends on finalizing some of the - bringing some industry in. Now, the minister has been, we know from the press statements and everything else, pursuing agreements with aluminum companies to locate in Labrador or on the Island. Would the minister tell us to date what the success rate has been and how close we are to finalizing an agreement with any user of large scale electricity that would enable us to look seriously at an immediate start of the Lower Churchill or a start very quickly? Where are we in our negotiations with the aluminum companies?

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

MR. WINDSOR: Mr. Speaker, the answer to that is not a simple answer as the hon. gentleman might have indicated by his question.

MR. HODDER: No simple answers over there.

MR. WINDSOR: To answer that question properly one has to look at a whole scenario as it relates to, particularly, the development of Labrador since this is really what we are talking about. We are talking about developing the potential that is up there, not only for hydro development but also for high energy using industry such as aluminum, also for forestry potential and any other number of things and tourism not the least, Mr. Speaker.

What we attempted to do, as hon. gentlemen recall, last year we had the icebreaker Franklin and the M.V. Arctic in Lake Melville, which we have proven now almost conclusively that we can keep open with a transportation corridor through Lake Melville into Labrador. In order to make that attractive and to create an industry there or establish an industry in Labrador, we obviously need the hydro power under which to attract that industry. So the whole basis of Labrador development is two things, Mr. Speaker, it is the transportation corridor through Lake Melville and it is the development of Gull Island - not the Muskrat Falls, Gull Island.

MR. FLIGHT: Well, on Gull Island, tell us how close we are to an industry, boy, and stop bluffing like your colleagues have been doing. Tell us what you have accomplished.

MR. WINDSOR: Listen to the answer.
Be polite.

MR. DINN: Ask him is he the energy critic still.

MR. WINDSOR: I have all day, Mr. Speaker.
If the hon. gentlemen want the information fine. If they do not I will sit down.

SOME HON. MEMBERS: Oh, oh!

MR. HODDER: We know what you are saying,
but we want to know to know what you can do about it.

MR. DINN: Listen to words of wisdom!

MR. WINDSOR: Anything you tell the hon.
gentlemen, Mr. Speaker, is new for them.

What I am saying, Mr. Speaker, is very simply this, that we have been carrying on very fruitful discussions with the aluminum industry who are extremely interested in Labrador because it represents one of the most stable world supplies of hydro-electric power. In many countries of the world, the traditional aluminum producing countries such as Japan and Australia, they are having very serious problems, and in fact in Japan they are closing aluminum smelters because they do not have a dependable long-term supply of hydro-electric power. We can offer that in Labrador if we can develop it. If we can develop it means if we can get a corridor through Quebec to sell the surplus.

MR. FLIGHT: Wrong! You are going to use it, you say, in Labrador. You are going to use the power.

MR. WINDSOR: Yes, some of it.

MR. WINDSOR: If the hon. gentleman could stifle himself, Mr. Speaker -

MR. FLIGHT: Name the companies.

MR. SPEAKER (Simms): Order, please!

MR. WINDSOR: -then I will try to put a few things in perspective.

MR. FLIGHT: Name the companies you are dealing with

MR. WINDSOR: The fact is that Gull Island will generate 1,600 megawatts power.

MR. SPEAKER: Order, please!

MR. WINDSOR: The fact is that we need about 500 or 600 on the Island. The fact is that the aluminum smelter will use 540 -

MR. FLIGHT: Which aluminum smelter?

MR. WINDSOR: - and simple mathematics will indicate that there are about 600 megawatts left -

MR. FLIGHT: Is that all?

MR. WINDSOR: - which has to be marketed to the West in the short-term because it is not economical to generate -

SOME HON. MEMBERS: Oh, oh.

MR. WINDSOR: The hon. gentlemen now, Mr. Speaker, want a definition of 'short-term.' Alright. As the President of the Council (Mr. Marshall) indicated -

SOME HON. MEMBERS: Oh, oh.

MR. WINDSOR: - no way, it is not going to be sixty-five years of a contract with -

SOME HON. MEMBERS: Oh, oh.

MR. SPEAKER: Order, please!

MR. WINDSOR: - decreasing rate with no re-negotiation clause. It would be a long term contract, Mr. Mr. Speaker, that -

MR. SPEAKER(Simms): Order, please!

May I just make an observation

that frequently -

MR. FLIGHT: Stick to giving out meals.

MR. SPEAKER: - we will hear members complaining because answers are long, but I often hear questions being asked as well while a minister is answering. And perhaps it would be more appropriate to save subsequent questions for supplementary questions rather than while a minister is on his feet because he could be there all day.

The hon. minister.

MR. WINDSOR: I will try to carry on.

It will not be a long-term contract, as the hon. gentlemen would have, like a sixty-five year non-negotiable contract. It would be long enough to be attractive to our customers but yet it will have the re-call provisions so that as we can develop other industries, not just aluminum but perhaps the forest industry, perhaps further processing of the mineral resources of Labrador that we will have a re-call right firmly in that contract so that any time when it is desirable and applicable to Newfoundland we can use it in Newfoundland, we will be able to re-call it so that the resources of this Province are used in the first instance for Newfoundlanders and Labradorians.

SOME HON. MEMBERS: Hear, hear.

MR. SPEAKER: The hon. member for LaPoile.

MR. NEARY: In the absence of some of the ministers who I wanted to ask some very heavy questions to -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

I cannot hear.

MR. NEARY: In view of the fact that most of

MR. NEARY: the ministers are absent, and I had some pretty heavy questions for some of the ministers, I will just go and ask the Minister of Justice (Mr. Ottenheimer) if he has managed to remedy or rectify the gross error that was made in the construction of the new wing for Her Majesty's Penitentiary whereby if the fire alarm goes off all the doors automatically open up and all the prisoners could just pour out into the streets: Would the hon. gentleman tell the House if there was an error in the design of that system and if so has the hon. gentleman now taken steps to remedy that particular situation?

MR. SPEAKER (Simms): The hon. Minister of Justice.

MR. OTTENHEIMER: Mr. Speaker, I must point out that there was no error in the design when the building was completed. Obviously a number of adjustments in almost any building of this kind have to be made and what was necessary, obviously was to accomplish two things: Number one, the security of the public, and that means obviously that the prisoners, you know, were-

AN HON. MEMBER: In prison.

SOME HON. MEMBERS: Hear, hear!

MR. OTTENHEIMER: - in prison.

MR. OTTENHEIMER:

exactly, and not wandering around; and the other being that in case there was a fire then obviously the prisoners - there would be a means of getting out of the building in case of fire or danger, because it is necessary, as I pointed out in another context because there has been some criticism that we are spending too much money on jails, but as I pointed out in another context that with the right to deprive people of their freedom, which the state has, there is also obviously the obligation to provide for their basic safety. About a week or ten days ago the whole system was inspected by the senior personnel of the correctional system, the Fire Commissioner, and senior officials from the Department of Justice. I understand that when the building - and the building is not yet in use; there are certain furnishings that still have to go in - that no problem is anticipated in the security system or the fire alarm system.

MR. NEARY:

A supplementary.

MR. SPEAKER (Simms):

A supplementary, the hon. member for LaPoile.

MR. NEARY:

Mr. Speaker, I understand that this fire alarm system was built in to the design of the building and the problem seems to be that all a prisoner has to do is to be able to design a key for a lock. In the case of a fire, the security will go around and use their master key in a lock that will open up all the doors and windows in Her Majesty's Penitentiary. Now any prisoner or anybody with any ingenuity at all could make a key that could fit that lock. Has that situation been remedied? And what will it cost the taxpayers of this Province for that mistake

MR. NEARY: that was made in building in this fire alarm system where the moment the lock was turned every window and door in the place opened up and anybody who wanted to leave the premises could leave it? Has it been rectified? Has that matter of making a key that could fit that lock been cured yet?

MR. SPEAKER (Simms): The hon. Minister of Justice.

MR. OTTENHEIMER: Mr. Speaker, to my knowledge there was no error in design, it was a matter of adjustment of the system and the adjustment obviously taking place several months before the building was in regular use. So it is a matter of adjustment. And I understand from the Superintendent of the Penitentiary and other people knowledgeable in this matter that there is no problem, that is a matter of adjustment. The cost, I do not know, would be quite, quite minimal; it is not a redesign, it is an adjustment of a system.

And I understand from people whose profession is, you know, in the corrections field that they anticipate absolutely no problem in balancing those two important factors, that is, security of the people in the area outside of the prison, and also the rights that the prisoners have, and the obligation that we have, to see that in case, you know, there is an emergency or there is a fire that obviously that they are kept incarcerated while the fire is going on. And I understand that no problem is anticipated.

MR. NEARY: A final supplementary.

MR. SPEAKER (Simms): A final supplementary, the hon. member for LaPoile.

MR. NEARY: Mr. Speaker, I do not understand that term the hon. gentleman is using, an adjustment is being made. What is the adjustment now? Can they make their own keys for these locks or can they not make their own keys? What kind of an adjustment is the hon. gentleman talking about? Is the adjustment that you can now make a key to fit the lock? Well, I mean, what is it we are talking about here? Could the hon. gentleman be a little more specific and tell the House now whether or not the system has been changed? How it has been changed? What happens now in the case of a fire at Her Majesty's Penitentiary?

MR. SPEAKER: The hon. Minister of Justice.

MR. OTTENHEIMER: Mr. Speaker, I am not not a locksmith, nor a designer of penitentiaries and I can only inform the House that no problem is anticipated, and how these matters are adjusted - you know, I personally do not claim to have any expert knowledge in it. We have, you know, some highly qualified people as Superintendent of the Penitentiary, as Director of Corrections and Assistant Superintendent of the Penitentiary, a number of people who are extremely familiar with all of this and know what the practice is in other prisons of, you know, comparable size and comparable nature. I have not gone down to check every lock as indeed it would not be a very good idea if I did. But, you know, I am told that no problem is anticipated.

MR. SPEAKER: The hon. member for Torngat Mountains.

MR. WARREN: Yes, Mr. Speaker, my question is to the Minister of Culture, Recreation and Youth. In view of the fact that the organizing committee for the upcoming Winter Games has

MR. WARREN: resigned this morning en masse, has the minister made necessary arrangements to appoint a new organizing committee? And why did the committee resign?

MR. SPEAKER (Simms): The hon. Minister of Culture, Recreation and Youth.

MR. TULK: He did not know that.

MR. STIRLING: Thank John Crosbie.

MR. ANDREWS: I was informed very early this morning that it did occur last night; That is my understanding, Mr. Speaker. I am at the present time, well within the next hour, I will be communicating with the ex-committee. It is unfortunate they have resigned. I do not know the reasons for that but I will be communicating with them.

MR. WARREN: Mr. Speaker, a supplementary.

MR. SPEAKER: A supplementary, the hon. member for Torngat Mountains.

MR. WARREN: Mr. Speaker, I am surprised that the minister is not more aware of this serious turn of events. Could the minister advise - surely goodness the minister should know the reason for the resignation, why they resigned. Could the minister elaborate more on why the organizing committee resigned.

MR. TULK: What reason did they give?

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

MR. ANDREWS: Mr. Speaker, I just informed the hon. member that I heard of the event early this morning.

MR. STIRLING: You do not know when was early?

MR. ANDREWS: Quite early, about eight o'clock this morning.

MR. STIRLING: On the radio?

MR. ANDERWS: No, not by radio at all.

I am not aware of the reason. I will endeavour to find out the reason.

June 5, 1981

Tape No. 2189

NM - 3

MR. HODDER:

Are you telling the truth now?

MR. ANDREWS:

lie, Sir?

Are you accusing me of telling a

MR. TULK:

It is just a question.

MR. ANDREWS:

a lie?

Are you accusing me, Sir, of telling

MR. SPEAKER (Simms):

Order, please! Order, please!

MR. WARREN:

Sit down, boy. Sit down.

AN HON. MEMBER:

Do not be so foolish.

MR. MARSHALL:

A point of order, Mr. Speaker.

MR. SPEAKER:

the hon. President of the Council.

A point of order has been raised by

MR. MARSHALL:

clear, Mr. Speaker, and call for an immediate retraction.

The hon. gentleman's words were quite

MR. SPEAKER (Simms): To the point of order, I would ask the hon. member to withdraw those remarks.

MR. HODDER: I withdraw, Mr. Speaker.

MR. SPEAKER: The hon. member withdraws.

MR. G. WARREN: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary, the hon. member for Torngat Mountains.

MR. G. WARREN: Mr. Speaker, my supplementary to the minister is: would probably one of the reasons why the committee resigned be the lack of co-operation from the Minister of Culture, Recreation and Youth (Mr. Andrews), the lack of funding from this government and bombardment by John Crosbie about the \$150,000 that has gone in through the National Revenue office? Would these be some of the reasons why this government is not paying enough attention to the upcoming Winter games?

SOME HON. MEMBERS: Hear, hear!

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

MR. H. ANDREWS: Mr. Speaker, I cannot answer why the committee resigned. The motives that the hon. member suggests, I think, would be unfounded, that this government has provided considerable resources to the Labrador Winter Games Committee, much more than any Winter Games Committee - or any Summer or Winter Games that were ever held in this Province. If that is the reason, I do not think it is a valid reason.

MR. W. CALLAN: Mr. Speaker.

MR. SPEAKER: The hon. member for Bellevue.

MR. W. CALLAN: Mr. Speaker, I want to ask the Minister of Municipal Affairs (Mrs. Newhook) what date, how soon will she be in a position to announce the municipalities that will receive water and sewer projects for this year, this construction season?

MR. SPEAKER (Simms): The hon. Minister of Municipal Affairs.

MRS. NEWHOOK: Mr. Speaker, next week some time we will have it all put together and the announcements will be made.

MR. W. CALLAN: A supplementary, Mr. Speaker.

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

MR. W. CALLAN: Mr. Speaker, I want to ask the same minister will that list of approvals for the towns and villages throughout this Province be publicized or published in the same way that the roads programme was published a few days ago?

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

MRS. NEWHOOK: Mr. Speaker, I have not yet quite decided which way we will publish it but it certainly will be published.

MR. G. WARREN: Mr. Speaker.

MR. SPEAKER: The hon. member for Torngat Mountains.

MR. G. WARREN: Yes, Mr. Speaker, my question is to the Minister of Rural, Agricultural and Northern Development (Mr. Goudie). Could the minister advise the hon. House if funding for the day to day operations of the Indian community of Davis Inlet has been curtailed because of distance between officials in his department and the Indian Band Council in Davis Inlet?

June 5, 1981

Tape No. 2190

DW - 3

MR. SPEAKER (Simms): The hon. Minister of Rural,
Agricultural and Northern Development.

MR. GOUDIE: I can advise the House, Mr.
Speaker, that all of the funding requests which had been
submitted by the community of Davis Inlet to the Federal/
Provincial Committee over the last year have been provided.
There are a number of dollars left in the Happy Valley/
Goose Bay office of the department

MR. GOUDIE: awaiting the receipt of invoices from the Band Council of Davis Inlet and when these invoices are received they will be paid for. So all funds have been transmitted from this office down here to the Happy Valley-Goose Bay office and when invoices are received from the community the funds will be disbursed to them.

MR. WARREN: Mr. Speaker, a supplementary.

MR. SPEAKER (Simms): A final supplementary. The hon. member for Torngat-Mountains.

MR. WARREN: Yes, Mr. Speaker, in response to the minister's answer in saying that when receipts are received more funds will be issued. Could the minister advise or confirm that the receipts were brought into the office in Goose Bay and other officials cannot find the receipts and therefore the money is being held back because the officials cannot find the receipts which were delivered to his office in Goose Bay?

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

MR. GOUDIE: Mr. Speaker, I was not discussing receipts, I was discussing invoices. If the receipts had been there then obviously the money would have been expended. In any event, I have been told as recently as 9.30 this morning, that all funds have been extended for which invoices have been submitted. As I have indicated, there are a number of dollars remaining in the Happy Valley-Goose Bay office, or under the control of the Happy Valley-Goose Bay office, awaiting these invoices and when the invoices are received the funds will be disbursed.

MR. SPEAKER: The time for Oral Questions has expired.

June 5, 1981

Tape No. 2191

AH-2

ORDERS OF THE DAY:

MR. MARSHALL:

Order 7 Bill No. 88.

Motion, the hon. the Minister of Justice to introduce a bill, "An Act To Amend The Landlord And Tenant (Residential Tenancies) Act, 1973(No.2)," carried.

On motion, Bill No. 88 read a first time ordered read a second time tomorrow.

MR. MARSHALL:

Order 8 Bill No. 87

Motion, the hon. the Minister of Education to introduce a bill, "An Act To Amend The Education (Teachers' Pensions) Act , " carried.

(Bill No. 87)

On motion, Bill No. 87 read a first time ordered read a second time tomorrow.

Motion, second reading of a bill, "An Act To Repeal The Income Tax Discounters Act," (Bill No. 27).

MR. SPEAKER (Simms): The hon. the Minister of Justice.

MR. OTTENHEIMER: Mr. Speaker, there is very little to be said about this bill. What it will do is repeal a provincial statute now on the books called the Income Tax Discounters Act. Income tax discounters are people who give cash advances on refundable income tax and charge a percentage for it.

MR. OTTENHEIMER: It was necessary some years ago to introduce legislation in the Province to put a ceiling on the percentage they could charge and that ceiling was 10 per cent.

The reason the Province entered the field was that the federal government had not legislated there. The federal government subsequently did and their ceiling is 15 per cent, so we are now repealing the provincial act. Actually to the best of my knowledge there are no income tax discounters operating now because obviously the percentages are quite lower than other legitimate ways of loaning money which is close to what it comes to. So this repeals a bill that is no longer necessary.

On motion, a bill, "An Act To Repeal The Income Tax Discounters Act", read a second time, ordered referred to a Committee of the Whole House presently by leave. (Bill No. 27).

Motion, second reading of a bill, "An Act To Amend The Change Of Name Act, 1978". (Bill No. 26).

MR. SPEAKER (Simms): The hon. the Minister of Justice.

MR. OTTENHEIMER: Mr. Speaker, certainly the principle and concept here are quite simple and straightforward and it is a bill which I think will be of, you know, quite some benefit to a number of people. The fact that it is, you know, quite short and quite straightforward does not mean that it is not something of some importance and worth doing.

At present under the Change of Name Act for a person over the age of eleven, that person has to give consent, in other words, be informed about it, etc. This amendment will do away with that requirement and will leave it to the discretion of the court. In other words, a court may, it does not have to, but may dispense with the requirement of consent in the Change of Name Act for a person over eleven. It puts that discretion in the court because

MR. OTTENHEIMER: obviously there could be circumstances with people over eleven, of any age.

AN HON. MEMBER: Why the change?

MR. OTTENHEIMER: Well, the change being that - well, I mean, you know, if one could hypothecate circumstances I suppose, you know, a person who would have been considered all their lives that they were the natural son of A and B and in fact are not the natural son of A or of B or the natural daughter of either one, those kinds of circumstances, but the court will have the discretion whether to require it or not. The onus, obviously, would - it just gives the discretion to do away with that requirement.

On motion a bill, "An Act To Amend The Change of Name Act, 1978," read a second time, ordered referred to a Committee of the Whole House presently by leave. (Bill No. 26).

MR. MARSHALL: Motion 27, Bill No. 23.

Motion, second reading of a bill,
"An Act To Amend The Newfoundland Human Rights Code". (Bill
No. 23).

MR. SPEAKER (Simms): The hon. Minister of Justice.

MR. OTTENHEIMER: Mr. Speaker, I am very pleased, and I know hon. members will be very pleased, with this legislation. This is, as everybody knows, the International Year of the Handicapped and the legislation we are now introducing is an amendment to The Newfoundland Human Rights Code, legislation governing human rights, which will have the effect of making it illegal to discriminate against physically handicapped for purposes of employment or accommodation. So what it does, it adds a category; there are obviously already categories - political belief, religion, ethnic background, race, sex, etc. - and this will add a category of disabled persons, persons suffering a physical disability, and after the enactment of this it will be illegal to discriminate against the physically disabled for employment or accommodation. And there was a definition of physical disability in the bill which is quite, quite far-ranging. There does exist and, I think, indeed for the disabled themselves, for their own protection, and, you know, the protection of other people working with them, there does exist the provision that if there is a bona fide qualification as determined by the Human Rights Commission in terms of employment, then obviously that will be taken into consideration. The idea is to establish the principle that physical disability is no longer or will be no longer a valid ground for discrimination in employment or accommodation.

Obviously there can be situations where there is by the very nature of the disability, you know, certain qualifications could be necessary. Obviously, I mean,

MR. OTTENHEIMER: the examples would be self-evident, a blind person obviously could not be a school bus driver and things like that. But it establishes the legal principle that physically disability is no longer a ground or may be a ground for discrimination in employment or accommodation.

MR. SPEAKER (Simms): The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, I think it is a good thing to have physical disability included in the Newfoundland Human Rights Act, make it the law of this Province. But I do hope that the disabled will have more luck at getting any grievances that they might wish to process through the Newfoundland Rights Commission, they will have better luck getting them processed than a lot of the people whom I have met in the last couple of years who have laid grievances

MR. NEARY: with the minister's department in connection with human rights in this Province.

I would say, Mr. Speaker, that the government's actions, by the way - just to comment on what the hon. gentleman said when he introduced this bill, this being the Year of the Disabled in this Province - I would say that so far all we have seen in Newfoundland is window dressing. The government really have not done too much for the disabled of this Province in this Year of the Handicapped and the Disabled, all they have done is provided window dressing. The Minister of Social Services (Mr. Hickey) went down in the lobby of Confederation Building, had a news conference, made a great fuss about this being the Year of the Disabled and hung up a banner down there, and I believe that is all they have done. Up to now, bringing in this amendment to the Newfoundland Human Rights Code, they have not done too much. They should be ashamed of the lack of attention that they have paid to the handicapped in this the Year of the Disabled. So I hope they will have more luck in getting their grievances processed than other citizens of this Province have had in the last few years.

Mr. Speaker, for instance, I had a case of a gentleman who bid on a planer in Central Newfoundland. The Department of Rural Development advertised for the sale of a planer. And we see more of these sales and auctions, sheriffs' sales and the like, going on more and more all the time in connection with loans and grants given out by the Rural Development Authority. And this involved items that were repossessed, where the government was trying to salvage a few dollars on some bad loans that they had made. So they seized some equipment that was given to a sawmill operator, and included in that equipment was a planer.

MR. NEARY: And this gentleman bid on the planer, but before he bid he went to the Highways depot in Clarendville where he was told the planer was down in the back yard. So the gentleman went down and looked at the planer and proceeded to submit his tender on the planer. And the

MR. NEARY:

planer. And the minister who is standing in the door, is well aware of this case. If you talk about human rights, if you talk about trampling on people's rights - well, he bid on the planer and he was the successful bidder. And when he came back to get his planer he was told to pick it up at the Highways Depot in Clarendville. And he went down, and when he went to the gentleman in charge of the depot and said, "I came for my planer that I bid on," they said to him, "Well, go down, it is down in the yard, go down and take it." So he went down and he took his planer, as he thought, and he brought it home. Well, the next thing he got an ultimatum from the minister's department telling him to return the planer, that he had taken the wrong planer. There apparently were one or two other planers in the yard at the same time. Well, the gentleman who purchased the planer bought it in good faith. Nobody went down to show him which planer was his. Nobody bothered to show him. And he assumed that he had taken the planer that he had bid on. And the next thing he knew he had an ultimatum from the minister's department. And then they sent up and took the planer and brought it back and then withheld the payment that that gentleman had made on his planer for the cost of sending the low-bed or the tractor-trailer or whatever it was they sent to get the planer, they then charged that up to him, and refused to refund him his money.

That is the kind of human rights we have in this Province. And I could go on and give the House dozens and dozens of examples of how people's rights are trampled on in this Province. It is all window dressing. The Ombudsmen and the Department of Human Rights may not exist at all for what good they do in this Province. I do not know of anybody who has been successful yet, and I am talking about real hard human rights problems, I do not know of anybody who has

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MR. NEARY: won their case. Trivial matters, yes, dealt with by officials in the Labour Department, labour standards and so forth, never handled by the Human Rights Commissioner, or by the Director of Human Rights, handled by the staff of the department, but real hard cases of human rights, I have never seen one rectified yet. I have never seen one dealt with in a satisfactory manner,

MR. S. NEARY: especially if it is a grievance against the government. And there have been numerous occasions over the last couple of years when I have dealt with grievances filling positions, political appointments. Political appointments, Mr. Speaker! Patronage, political patronage and political appointments! And you say to the individuals, 'Well, why do you not take it up with the Director of Human Rights!', and they shrug their shoulders in disgust. And they are so discouraged because they know they are not going to get to first base. The Ombudsman and the Human Rights machinery in this Province are just a farce. It is a farce, especially when it comes, as I say, to contesting grievances of appointments in the Public Services. This government is being blatant in their violation of people's human rights Blatant! The poor old fellow with the planer, not only did he lose his planer but was out of pocket - you know, I wrote the minister about it and he wrote me back and said, 'It is not our fault he took the wrong planer'. Well, how did he know he was taking the wrong planer? Nobody in that depot had the decency or the courtesy to take the man down and say, 'There is the planer there that you bid on. Or there is the one you have to bid on'. And then after he was a successful bidder, 'There is the one you won the tender on'. The minister knows that.

MR. G. WARREN: They just ripped him off, that is all.

MR. S. NEARY: They just ripped the poor fellow off, punished him, penalized him. The iron heel of this government, again, came down on that man. It is wrong and the hon. minister knows it is wrong and there is no excuse for it. The hon. gentleman wrote me back and said, 'We cannot help it if he took the wrong planer'. How did he know? Would the hon. gentleman tell us how he knew which planer he had to take? Was there anybody there to point it out to him and show it to him? Just for the sake of storage they put this planer down

MR. S. NEARY: in the Highways depot in Clarendville, threw it in the yard. And that man bid in good faith on that planer and he thought that he was the successful bidder on that planer.

MR. J. CARTER: That has nothing to do with the disabled.

MR. S. NEARY: It does have to do with human rights. And I am just making comparisons here, Mr. Speaker. I hope the disabled, the physically handicapped and the disabled, will have better luck in getting their grievances sorted out with this government than some of the people that I just referred to. Appointments, government appointments, political patronage!

MR. J. CARTER: This is nonsense. Do we have to put up with this?

MR. S. NEARY: Yes, you have to put up with it. If you do not like it, it is a fine day out - perhaps it is too cold in the savoury patch today.

Another case that was brought to my attention in recent days was the matter of government purchasing of data processing equipment.

MR. J. CARTER: Now, this is relevant?

MR. S. NEARY: Yes, it is relevant. The supply of data processing equipment to this government, equipment valued at \$10,000 - no public tenders called! No public tenders, Mr. Speaker, called on data processing

MR. NEARY:

equipment, all the tenders go to the government's buddies. And so I hope, Mr. Speaker, that by including this, what may appear to be a simple routine amendment to a bill, well, I hope that the government will pay more attention to human rights than they have in the past. And I hope that the physically handicapped will have better luck at settling their grievances, as far as employment is concerned and equal pay and the like. I hope they will have better luck in getting their grievances settled than the people in this Province who have had experience with the Human Rights Commission and the Ombudsman in the last several years in this Province.

MR. SPEAKER (Simms): The hon. Minister of Social Services.

MR. HICKEY: I am not going to delay the House, I just want to make a correction and offer some information to my hon. friend opposite. I am sure that he would not want the public and especially the disabled community, to believe or go away with the notion that this government has done nothing or is doing nothing for the Year of the Disabled.

We have done a number of things, Mr. Speaker. We have not gone out and given great publicity to it, we have not done a great PR job on it, maybe we should have, but certainly I believe that the important thing is that the effort is being felt in the area where it is needed and where it is going to do some good. He talks about window dressing. I guess if we went out and did a massive PR job on all the things we were doing this year, then maybe his argument might well have some meaning, that we were using the year as a programme, and the disabled people, to improve our image or to bolster our image, whatever the case may be.

We have increased approximately in the order of \$300,000, Mr. Speaker, to help disabled people be rehabilitated, to put them into employment and to subsidize

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MR. HICKEY: their wages for the first time,
Surely that is not window dressing. We have provided \$71,000,
Mr. Speaker, the same as we did for the Year of the Child,
to the disabled community so that they could come along with

MR. HICKEY: a number of projects of their own choice and of their own making; set up an advisory committee to handle those projects and to approve those projects, taking them out of the realm of politics and government and everything else to make sure that the most deserving projects got approved.

We have done a number of things. And we are seeing one today, Mr. Speaker, in terms of changing of legislation. I do not know how anybody can classify that as window dressing. It might be window dressing to those of us who are not disabled. It certainly is not window dressing to the disabled people. Taking action on the Accessibility Act may not mean very much to those of us who can go in and out of buildings, but it sure means a great deal to people who cannot get into buildings and cannot get to their work places and their jobs, all this kind of thing.

I am surprised, Mr. Speaker, that the hon. gentleman, if he wanted to find something in the Year of the Disabled to criticize - and to justifiably criticize - he did not include his colleagues in the federal government, the Prime Minister of this country, who goes around to be a very compassionate individual.

MR. HANCOCK: What about the (inaudible) projects?

MR. HICKEY: Let the hon. gentleman listen now and he might learn something.

Mr. Speaker, \$1 million, a paltry, measly \$1 million for this whole vast country and all the disabled people who are in it, \$1 million is what the federal government put forward - a shame, Mr. Speaker, a disgrace, an insult, while the Province of British Columbia, one province, one part of this country, could spend \$3 million in projects, \$14.5 million in line departments for a total of \$17.5 million, purely and solely

MR. HICKEY: and absolutely geared to the improvement of the lot of the disabled; just one province alone, and the federal government, Mr. Speaker, who talk about equality and who talk about regional disparities and who talk about target populations that are at risk in this society and, of course, we should not forget who talks about a 'just society' on which the Prime Minister came into his leadership and came into being Prime Minister, his famous cliché, 'just society', and here he is spending \$1 million for a group of people who have been neglected by the federal government - and I might say, some provincial governments, but especially the federal government - for years and years and years. It is too bad the hon. gentleman does not research his subject a little more, Mr. Speaker.

On motion, a bill, "An Act To Amend The Newfoundland Human Rights Code," read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill No. 23).

Motion, second reading of a bill, "An Act Respecting Private Investigation And Security Services," (Bill No. 22).

MR. SPEAKER (Simms): The hon. the Minister of Justice.

MR. OTTENHEIMER: Mr. Speaker, the Province has had for a number of years a piece of legislation entitled "The Private Investigators and Security Guards Act". That has been in operation for any number of years.

The purpose of this bill is to repeal the old one. This is a new and more contemporary legislation.

Hon. members know that there is an increasing use of commercial security services. A number of these plazas, malls and various commercial enterprises do use commercial security services.

MR. OTTENHEIMER: And what we have endeavoured to do here, obviously, is to tighten up the regulations so that there will be adequate protection for the users of the security industry. In Newfoundland there has been a considerable growth in that area.

We have looked at legislation in other provinces and we have had consultation with the security industry in the Province. What we are hoping is to eventually make training a necessary prerequisite, there have been some preliminary discussions with the College of Trades in that respect, and to encourage the security industry to establish an association with approved standards of membership. We also want to expand the existing act to include controls over - or regulation over - you know, the use of dogs, burglar alarm agencies, that type of thing and to provide for bonding requirements, you know, for the private security industry.

It will come into effect on proclamation, it will not come into effect immediately, and when it comes into effect, the present act regarding security services will be repealed. I would envision between a four, five, six month period before it would come into operation. But the basic intention of it is to set up guidelines whereby we can work in co-operation with the industry, not to impose it overnight, and there have been consultations in this, you know, for proper training programmes, in all likelihood conducted at the College of Trades and Technology, for security guards to provide - make sure there is the necessary bonding and liability insurance and professional standards for security guards.

As I say, there is legislation to this effect which has been on the books for quite some time, but with the increase in use of this type of facility, then it

MR. OTTENHEIMER: became apparent that it was necessary to review the legislation and to introduce a more contemporary approach, I suppose.

MR. SPEAKER (Simms): The hon. Leader of the Opposition.

MR. STIRLING: Mr. Speaker, there are a number of questions that arise as a result of the explanation given by the minister. When he says - and maybe by agreement we can have a series of questions and answers out of my speaking time, if you like, so that we do not have to wait until after the debate is over.

MR. SPEAKER: Agreed.

MR. STIRLING: What effect would this have on, for example, the corps of commissionaires? Have they been consulted in this discussion? Are they involved in it in any way?

MR. OTTENHEIMER: They are exempt because they have their own identity and their own governing body. They are exempt.

MR. STIRLING: They are exempt from the act?

MR. OTTENHEIMER: Yes.

MR. STIRLING: When you say there has been consultation with the industry, what do you refer to as the industry when there is consultation?

MR. OTTENHEIMER: Well there have been discussions with companies providing security services, and also with users of the services.

MR. STIRLING: And they are aware of this legislation and they are -

MR. OTTENHEIMER: Yes.

MR. STIRLING: - and they are in agreement with it?

MR. OTTENHEIMER: To the best of my knowledge they all are. Yes.

MR. STIRLING: Has the minister had any serious objections? Has the bill been circulated at all? Has he had any serious objections to the bill?

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MR. OTTENHEIMER: No. It has been circulated for some time. No, I have had no objections from members, either side.

MR. STIRLING: And presumably the minister would agree, when we get to

MR. STIRLING:

the Committee stage, if there are any amendments or suggested changes that come in, they would be considered.

MR. OTTENHEIMER:

I would certainly give them their due consideration, yes.

MR. STIRLING:

Mr. Speaker, I think it is important in this whole area that there be people who have their positions protected, that they are properly trained, and that this kind of legislation, if there is agreement, appears to be a progressive piece of legislation that we would have no problem supporting.

On motion, a bill, "An Act Respecting Private Investigations And Security Services", read a second time, ordered referred to a Committee of the Whole House presently, by leave. (Bill No.22).

MR. MARSHALL:

Order 30, (Bill No. 39).

Motion, second reading of a bill, "An Act To Amend The Assessment Act". (Bill No. 39).

MR. SPEAKER (Simms):

The hon. Minister of Municipal Affairs.

MRS. NEWHOOK:

Yes, Mr. Speaker, Bill 39 contains some necessary amendments to the Assessment Act. It redefines the definition of assessor and director, it enables the Lieutenant-Governor in Council to appoint, in addition to a Director of Assessments, an Assistant Director. It extends the jurisdiction of the assessor to include the assessment of property in school tax areas. It rescinds the power of council to appoint its own assessor and this is consistent with the decision of government to vest the sole responsibility for the assessment function to our department assessors.

It extends the period for the completion of their assessment role in a municipality. It provides extended time for Court of Revision to deal with appeals.

MRS. NEWHOOK: It requires that a property owner must advise the town clerk when his or her property changes ownership. And it requires the municipality, upon written authority of the minister, to provide the Department of National Revenue with access to the municipal property assessment records.

These, Mr. Speaker, are very necessary amendments to make our job a little easier.

MR. SPEAKER (Simms): The hon. Leader of the Opposition.

MR. STIRLING: Yes, Mr. Speaker, this whole question of assessments and taking the authority away from councils, is one on which I have a fundamental difference of opinion with the government on their whole philosophy and approach. We, Mr. Speaker, have three levels of government. We heard very much in the last few days

MR. L. STIRLING:

about two levels of government, the provincial and federal.

Mr. Speaker, one of the most neglected forms of government is the municipal level of government. And this government has put municipalities almost in the situation that caused the hon. John Crosbie to get so upset when he himself was a councillor, when a minister said, 'Well, of course, councils are only creatures of the government'. Things have come a long way down since then, Mr. Speaker. The approach of this government is that councils cannot be trusted with any authority. For example, this government decided that regardless of the wishes of local people, and regardless of the ability of a council to handle the problem, that property tax would be imposed on all councils in Newfoundland regardless of size, regardless of community and regardless of the inherent problems.

Mr. Speaker, in many other areas - for example, in dealing with the City of St. John's Act and dealing with property tax in the City of St. John's, a period of two or three years was used in order to allow something to take place and allow people to get used to an idea and to adjust to it.

Now, Mr. Speaker, in the case of rural Newfoundland, when the new Municipalities Act was brought in, it was brought in a most cruel manner. And I am sure that any of the people who served on councils will recognize that when the gun was put to the heads of the councils and said, 'You must put in property tax. There is no question, you must put in property tax'. There were then two categories - actually three categories, Mr. Speaker, of councils. The first category was the council that already had property tax and that council - the City of St. John's, Grand Falls, Corner Brook - largely the larger municipalities - these councils could bring in

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MR. L. STIRLING: extra income by doing nothing because the government in the new Municipalities Act gave a grant, a substantial grant - 50 per cent of the property tax - so that these municipalities who already had property tax had no problem with the new Act because they were benefiting from a grant under the new Act. So there were no problems, no complaints! That is one category of council.

MR. STIRLING: Then there were two other categories of council, Mr. Speaker, one was a council that agreed with the concept of property tax and would have implemented it immediately and had prepared their constituencies for it. That council, Mr. Speaker, was treated in the most unfair manner because they were treated in a manner that they had no control over, and it deals with this whole question of assessment, because the government has taken over the responsibility for assessments. These councils were in agreement to put in property tax, they were in agreement to put in property tax, but the Province could not do the assessments for another year, two or three years. Mr. Speaker, I am sure this bothers the Minister of Municipal Affairs (Mrs Newhook) because you have councils that are now cut back in their grants, cut back twenty per cent from the 1979 grant. They are cut back, they have less money to operate on than they had under the old system and they have no control over the implementation of the new system. They would gladly put in the property tax but the assessments cannot be made, Mr. Speaker. So these councils find themselves in a position where this year the government have cut back on their grants and they cannot put in the property tax, although they are willing, which means that they have to increase service fees. And at the same time, for a one year period only, senior citizens are exempt so that - not under property tax, Senior citizens are exempt under the poll tax - so that they have lost the income from the senior citizens for one year and the government did not increase the grants to take that into consideration. So, Mr. Speaker, for many municipalities in the Province, which are in the second category of municipality, they agreed to put in property tax but because of this bill that we are discussing, the Assessment Bill, they could not get the assessment done and they are being penalized in two ways, Mr. Speaker.

MR. STIRLING: All of the other taxes that they could levy had been cut out in favour of property tax. Their grants were cut back and a municipality found itself not having sufficient income, having to jack up the prices and, Mr. Speaker, it was most unfair to those municipalities. I am sure the Minister of Municipal Affairs (Mrs Newhook), being a former councillor, can sympathize with those municipalities. That is the second category, Mr. Speaker.

And the third category of municipality is the municipality like the town of Bonavista in the district of Bonavista South, as represented by the Minister of Fisheries (Mr Morgan). That category of municipality, Mr. Speaker, was not ready for property tax. The people in the communities were not ready for property tax. They are in communities that are an entirely different set of circumstances from established municipalities that are built on little fifty foot lots. In those municipalities, Mr. Speaker, there is a real fear, it is a genuine fear, as expressed by these 500 people that showed up in Bonavista, a genuine fear that they are attempting to use an assessment system, Mr. Speaker, that does not fit. They are frightened of the property tax, they are against the property tax and they are concerned about two or three things, Mr. Speaker, two or three things that I would now mention to the minister and I hope that she will deal with them and that she will bring in amendments to deal with these questions because they are real fears, Mr. Speaker, all over this Province in the third category of municipality,

MR. STIRLING: and that is where they have gardens, where they actually grow their year's supply of vegetables.

Mr. Speaker, that should be taken out, made exempt, from any property tax assessment. The other area, Mr. Speaker, is in the area where people have vast stage properties, fishing stages and a lot of property dedicated -all of the things that go with it, flakes and stages and all that sort of thing.

There has been a suggestion - and I am not sure if Madam Minister is aware of it - that those fishing stages be considered for a business assessment. Now, Mr. Speaker -

MR. TULK: That is not true, is it?

MR. STIRLING: That is the understanding that we have, that this was a suggestion made, that the department would suggest that that be used for a business assessment. And the minister may not be aware of it. It was made by her officials in a part of Newfoundland, and it may have just been that personal official. And that is why I am bringing this out now, because I think this is where the minister can do something about it.

Just let me review the fears in this - I do not know how much time we have in this debate, Mr. Speaker?

MR. SPEAKER (Baird): You have an hour. The Leader of the Opposition has one hour.

SOME HON. MEMBERS: By leave.

MR. STIRLING: By leave? okay.

Let us deal with that in a little more detail, Mr. Speaker. And for the benefit of those who are now interested in listening to the debate, let me just review quickly. I said there are three categories of municipalities affected by the new Municipalities Act. The first category is the one like St. John's, Grand Falls, Corner Brook, all of these bigger municipalities that already

MR. STIRLING: have property tax in effect. And for them there is no problem because the property tax incentive was immediately a grant to those municipalities so that they got a 50 per cent grant and I doubt if there was a municipality .. that already had property tax that did not benefit from that incentive. And the incentive is such that they now have a surplus. And this is the first category, Mr. Speaker, The first category are the ones that already had property tax in effect. That is the first category.

There are two other categories of municipalities, Mr. Speaker. The second category is the one in which the municipalities were quite happy to put in property tax, now do not have property tax, but the new Municipalities Act did not take them into consideration, the new Municipalities Act put it into effect immediately and, as we are dealing with this on assessment, the government could not keep up with the assessments. Badger's Quay, for example, in my own district, Trinity, another district, are prepared to put in property tax but they cannot get the assessment done because the Province controls the assessment. Now what about those municipalities, Mr. Speaker, rural Newfoundland? Many of those municipalities were municipalities in which there is no great tax base, a lot of senior citizens there. So the government for this one year only, before property tax comes in, makes senior citizens exempt. And that is not a bad idea from the point of view of the senior citizen, or from the point of view of the government, but from the point of view of the municipality, they had no income to offset that. The government did not give them a grant to offset the senior citizens' loss of revenue, so that they were faced then with this most unfair situation. And these were the councils willing to put in property tax, willing! They had the 1979 grants programme cut back,

MR. STIRLING:

Mr Speaker, by twenty per cent. They were not allowed to collect the fuel tax. They were not allowed. This was taken away from them. They were not allowed to collect the vehicle tax. So that these councils found themselves in the same position that the provincial government would have found itself in if the federal government cut out a programme and said, "We are going to implement a new programme," and it was under the control of the federal people, and it could not be implemented for three years, but in the meantime they cut back your grants. There would be an uproar!

Mr. Speaker, that is what happened to these councils. And they are trying the best - it is the best money that this Province gets, the best value this Province gets is the volunteer municipal councillor, who volunteers his time. But he is now faced with just an unacceptable situation. He has had the grants programme cut back, he cannot implement the property tax, and therefore has got to double the poll tax, the service fees. And the minister is aware of a number of these councils that have come in.

So in that category, Mr. Speaker, in that category of council they are helpless, and they are being penalized and they are being blamed for an action which this government took, and an action which this government could correct very quickly. And I would like to propose how you can correct it. I would propose that for any council that cannot implement property tax, through no fault of their own, assessments and that sort of thing, that they revert to the old act as you have done with the City of St. John's, and other cases, revert to the old act, and the old grants programme until they reach the point where at their request, and with your concurrence, they can implement a property tax. That is a positive recommendation

MR. STIRLING: which will help councils in this situation. And it is simply up to the government to do it. It is not a question of a great political change of heart or mind, it just means a practical implementation of the new act; phase it in over whatever period it takes to do the assessment. Now, that is in the second category of council, a council that is prepared to implement a property tax.

Now, Mr. Speaker, in the third category of council, and that is the one that is going to cause us a lot of problems, the third category is the Bonavista category, Bonavista in Bonavista South, and that is where I have made some recommendations which I will repeat to the minister.

First of all, these kinds of councils should be given, and this is a major change, Mr. Speaker, these kinds of councils should be given the authority under the act - change the act from making it mandatory to giving them the choice, Mr. Speaker, under the act about the kind of tax that they wish to implement. As the minister knows, there are some municipalities where people have become conditioned to the idea of paying a service fee. Now I know the argument that

MR. STIRLING: can be used against a service fee is that everybody pays the same service fee, either the richest or the poorest. But in many municipalities that has been accepted, that if you want water you pay a service fee. In many municipalities that has been accepted and it really does not make any difference what I think or what you think in the provincial government, what is important is what the local people think, what the people in a rural council area think, what is important to those people. And if they are quite prepared to raise, say - let us assume a municipality, in total, can raise, say, \$50,000 in property tax; if they want to raise the same \$50,000 by a service fee and a poll tax or anything else they want to carry it, which is important in that area - we talk about preserving -

MR. TULK: Newfoundland.

MR. STIRLING: - our way of life, preserving the right of Newfoundlanders to live in the way they want to live, well Mr. Speaker, in many parts of rural Newfoundland there is a community that understands each other and what they want and the way they want to live and they understand and accept the fact that they have to pay a service fee, a poll tax. They do not understand or accept the imposition of a property tax from St. John's.

MR. TULK: Do not need it, either.

MR. STIRLING: So, Madam Speaker - or Madam Minister, Mr. Speaker. No inference, Mr. Speaker.

MR. SPEAKER (Baird): I hope not.

MR. STIRLING: Mr. Speaker, what they need is to feel safe and content in their own communities, that in a community, for example, like Bonavista, and I use that as an example, where the people are engaged in fishery, very industrious people, but they do not have a year-round income and they have gardens where they grow their own vegetables

MR. STIRLING: and they have fish stages, they have a lot of property that has been left to them by their generations -

MR. TULK: Some of it very good property.

MR. STIRLING: - they do not want to get caught up in whatever it is that is happening in other municipalities where you live on a postage-stamp-sized building lot. They do not want to live on that kind of building lot. They do not want to live cheek by jowl next to their neighbours in an urban community. They have, by their own decision, decided to live in these rural communities.

So, Mr. Speaker, what they want is - they elect people to their councils who reflect the needs and wants of the people in the area -

MR. TULK: Exactly.

MR. STIRLING: - and what they want is to have the authority to say, okay, we know we have to collect \$50,000 but our local people want to collect it in this manner or that manner or a poll tax or service fees. And it is up to the government then to say, okay here is the amount you will have to collect and we will match it. We will match it,

MR. TULK:

MR. TULK: I know you understand Newfoundland.

MR. STIRLING: We will match it, Mr. Speaker. Because -

DR. COLLINS: Do you see the inconsistency of what you are saying?

MR. TULK: Not at all.

MR. STIRLING: Well, Mr. Speaker, I hope that the Minister of Finance (Dr. Collins) will enter into this debate and point it out because, let us take the politics out of it -

DR. COLLINS: If you do not see it, I certainly will enter to point it out.

MR. STIRLING:

Okay. Very serious. Okay very serious. Let us keep politics out of this debate because it is too important. Mr. Speaker, it affects the lives of people throughout this whole Province, and it affects the lives of the people who cannot look after themselves and defend themselves because they do not have a continuing annual income.

MR. TULK:

Could I interupt you?

The difference between you and the minister is that you understand rural Newfoundland and he does not.

MR. STIRLING:

Well, we will see. Let the minister - I will not judge the minister. I will let him enter the debate.

Now, Mr. Speaker, just let me sum up what I am suggesting to the Minister of Municipal Affairs (Mrs. Newhook),

MR. STIRLING:

that in this third category of municipality - now, on the first category, the ones that already had property tax, their people have settled down and they are getting a grant, no argument; the second category, I think they are not being treated fairly; the third category - what I am suggesting to her is that we change our act, instead of making it mandatory we say, 'You must collect, municipality.' Let us say you are talking about \$50,000 worth of tax. Whether they collect the \$50,000 in property tax or they collect the \$50,000 by a tollgate, what difference does it really make to the government? The government should be prepared to contribute the 50 per cent they are contributing on property tax because the council has the responsibility of collecting that money by whatever means. The responsibility of the government is to say, 'Okay, you collect your share of the money, we will contribute our share of the money.' That is the responsibility of the government. It is not the responsibility of the government to impose and dictate to people in a community as to how they should collect their taxes because that is a municipal responsibility.

So in that third category of council, I am suggesting, Mr. Speaker, that the property tax not be mandatory, that the type of tax used be the type of tax that the councils and the people they are elected by decide. That would give flexibility, Mr. Speaker, that would give respect to the individual, a concern for the individual, a concern for the Newfoundlander and Labradorian living in remote parts of this Province and, as is said, 'let the person do his own thing', let the person live in contentment and security. Hard work, Mr. Speaker, he wants to work hard,

MR. STIRLING: he is not looking for a handout. There is no fisherman looking for a handout in Bonavista. He is prepared to pay his fair share, but he wants to be able to do it in a way that he can cope with.

So that is the recommendation to the minister on the third category.

Now, Mr. Speaker, in the overall - and let me repeat, Mr. Speaker, what it is that should be done by this House of Assembly in this time of very high costs and high interest costs and the fear that people have of losing their homes. Let there be a unanimous agreement in this House that under either category that I mentioned, the three categories of councils and in property tax, let there be a unanimous resolution of this House, a unanimous agreement, that one assurance that we can give to people who are living in Newfoundland and Labrador, 'Yes, you have to pay your fair share of the taxes.' And we should resort to the court to collect them, use whatever the normal process is, but if you have tried everything else. Now, let us take the example of somebody who is in Bonavista or somebody who is in St. John's or somebody who is in Humber West, Mr. Speaker -

MR. WOODROW:

Not Humber West.

MR. TULK:

Bay of Islands?

MR. STIRLING:

- or somebody in Bay of Islands,

a situation in which somebody - and let us look at the categories, let us look at the type of person that we must resort to taking his home from him. Now, I am talking about an owner-occupied home. I am not talking about a landlord, a landlord I am not concerned about. A landlord can fend for himself. This is a free

MR. STIRLING: enterprise system and he can fend for himself. What I am talking about is an owner/occupier where the legislation at the present time will enable a council to sell that home to recover the taxes. Now what kind of a person are we talking about?

MR. BARRETT: A fellow who did not pay his taxes, obviously.

MR. STIRLING: Okay, a person who did not pay his taxes - first marks for the member for St. John's West (Mr. Barrett.

MR. TULK: Go outside the overpass, boy.

MR. STIRLING: Agreed. That is the primary concern, that is the first thing that a fellow has got to do to be eligible to have his home taken away from him, is he did not pay his taxes. So the member for St. John's West and I are in agreement. If he paid his taxes there would be no problem. That is the first and fundamental thing.

Now, why did he not pay his taxes? Well, let us look at two or three reasons. Let us assume it was the member for St. John's West who did not pay his taxes. It may be because he had a dispute with the council or he had a dispute with somebody who was occupying his home or for some other reason -

MR. BARRETT: (Inaudible) handle all disputes through courts.

MR. STIRLING: - and so they can handle disputes through the courts - we are moving right along. So there is no problem with the member for St. John's West. Because he has the income and we take it through the courts, no problem, the court gives a judgment and the municipality collects the tax. No problem with the man from St. John's West because he has the money.

MR. TULK: Steady income, and steady job.

MR. STIRLING: But let us take the member for Bay of Islands (Mr. Woodrow) who is not a wealthy man, let us

MR. STIRLING: take the member for Bay of Islands (Mr. Woodrow) who is a man who has had a number of occupations. Let us suppose during the change in occupations - a period in change of occupations - when they do the same thing as they did for the member for St. John's West (Mr. Barrett), they take him to court and they find that the man does not have any income.

AN HON. MEMBER: (Inaudible) pension.

MR. STIRLING: That is right. No income, he does not have any income. Now what happens? So the courts cannot take that, he has no income. Let us give him three or four children, he is now an unemployed former clergyman with three or four children living in a house that he owns in Bay of Islands.

MR. TULK: He owns his house, his father willed it to him.

MR. STIRLING: Yes. A house that he has acquired, been handed down to him, a house that is worth a lot of money if he had to build it today. Let us suppose he were disabled, sick, let us suppose he had to go on welfare - all of those things, okay?

SOME HON. MEMBERS: Oh, oh.

MR. STIRLING: Okay, Mr. Speaker, let us deal with that situation. So they take him to court -

AN HON. MEMBER: (Inaudible) deal with a situation.

MR. STIRLING: - and he has no money. He has no money, Mr. Speaker, so then they come back and say, 'The only asset that the man has is his home'. So what advantage can there be, Mr. Speaker, in taking that man's home and forcing his family out on the street? He has now lost his home and they have collected their taxes, he has lost his home and he is now left with his family on the street, no place to put them.

MR. TULK: They will have to be looked after by Government.

MR. STIRLING: You are ahead of me.

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MR. STIRLING: He has no other choice, he has got to go to the Department of Social Services and you could have the silly situation that they will have to go and try to find or build or buy a home, with all the indignity involved, because this man had a temporary problem before he then got elected, and he could have paid his taxes.

MR. HODDER: But this government, you see, (inaudible) in both to get federal funds.

MR. STIRLING: Now, Mr. Speaker, let us take the situation that happens in many cases where you have a fisherman, a fisherman who has worked all his life, given everything that he has to give. He has given his children everything, every chance.

MR. BARRETT: Never pay it back.

MR. STIRLING: Now, Mr. Speaker, that is part of the looking-down-your-nose attitude that causes us problems, that will enable this kind of legislation to be brought in. Take a fisherman, Mr. Speaker, who has raised his children, who has never taken a nickle of welfare, who has worked at every kind of job and has gone into construction work and he is back home and cannot get a fishing license, cannot get into fishing and he has now got no income and he cannot pay his taxes. What is the advantage of taking that man's house from him? Because, Mr. Speaker, that is one thing that Newfoundlanders still consider sacred. And I tell you that there will be some people shot if they try to go in over a boundary and take a man's home. In many parts of rural Newfoundland many people who have had to go away to work all their lives felt that they could come home to rural Newfoundland to live, could grow a few vegetables, catch a few fish and they could exist until the next opportunity came. Mr. Speaker, they do not understand the cruelty of government. A government is supposed to work for people, a government is supposed to be concerned. They expect that a government is elected to help those who are unfortunate, those who are disabled, those who are without an income. So, Mr. Speaker, they have a situation in which they expect the government to help them then and that is the very precise time, under the present legislation, when they are going to deal him the final blow, they are going to take

MR. STIRLING: his house. Now, Mr. Speaker, there should be no doubt.

MR. HODDER: Tory thinking.

MR. TULK: Very Tory yes. Tory thinking.

MR. STIRLING: Now, I want to give a chance to the other side. I want to get them to recognize that this kind of a reform, this kind of a change is just a decent change, just a change that is brought about by a concern for human beings. It may be Liberal.

MR. TULK: It is.

MR. STIRLING: I mean, it may be the kind of thing that Liberalism stands for, but surely God there is no political party that is against that kind of thinking. And now that it has been brought to your attention, surely you can agree that there can never be a set of circumstances, there is never a set of circumstances, anytime, when you should be able to take somebody's house. And I can understand, I can understand -

MR. BARRETT: A cap in hand approach.

MR. STIRLING: A cap in hand approach.

MR. BARRETT: That is exactly what it is.

SOME HON. MEMBERS: Oh, oh!

MR. TULK: Why do you not get up and speak yourself, boy? Get up and express yourself.

MR. STIRLING: There is no excuse for why people should not pay taxes. You do not realize how you are insulting people. In the first example that we went through where somebody has the money to pay the taxes, as you said, "Take it through the courts." And that is what he should do.

Now, Mr. Speaker, I am starting off with the assumption -

MR. BARRETT: (Inaudible) pay taxes obviously, is that right?

MR. TULK: Go away, boy. Do not be stupid. I pay more than half of them in here now.

MR. STIRLING: No, but you see, Mr. Speaker -

MR. TULK: The only new dollars in St. John's come from fishermen.

MR. STIRLING: Mr. Speaker, that is why I attempted to give them the situation. Mr. Speaker, I would challenge the member for St. John's West (Mr. Barrett), or the Minister of Finance (Dr. Collins) to tell me any set of circumstances, any set of circumstances in which, after going through all of the processes, it ever makes sense - give me any set of circumstances, any time under any circumstances in any district where, having tried everything else, you reach the point where you want to take somebody's house when it is their only asset, the owner occupied house.

Mr. Speaker, there is not a set of circumstances where that makes sense. I am not talking about landlords, I am not talking about paying taxes. Of course people have to pay taxes.

MR. ANDREWS: Owner occupied houses now.

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MR. STIRLING: I am talking about owner occupied houses.

MR. ANDREWS: I will take that under consideration.

MR. STIRLING: Very good. Thank you very much, Mr. Minister.

MR. TULK: Four on our side.

MR. STIRLING: He may get flicked out of the Cabinet very quickly now because he has now departed -

MR. TULK: Short stay.

MR. STIRLING: - with the position. I do appreciate it. I am talking about -

AN HON. MEMBER: Property tax.

MR. STIRLING: Very good. Okay? We are talking about owner occupied houses and I issue the challenge to anyone -

MR. ANDREWS: Not slum landlords.

MR. STIRLING: Not slum landlords, no problem with slum landlords. As a matter of fact, I would be very specific, owner occupied. Okay? If the person who occupies the home owns the home, whether that is a widow who inherited it and she has now got a large -

MR. ANDREWS: I will have a chat with the minister right now.

MR. STIRLING: Very good. Well, we have the minister moving along. That is excellent.

MR. HODDER: Let us get down to the gardens again, the gardens, the vegetables. I want to know about that.

MR. STIRLING: No, I think we have made some progress. Mr. Speaker, I think we have made some progress. We have a minister - now, we have been bringing this up, we have been bringing this up in this House of Assembly for the two years that I have been elected to this House of Assembly. It is our position. It is the first promise that I have made to people; 'once we are elected as the government'. Now, if the minister, who has just

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MR. STIRLING: said that he is committed - the
minister has committed himself to going and having a word
with the Minister of Municipal Affairs (Mrs. Newhook) - to
bring

MR. L. STIRLING: in legislation that supports the position that we have been making time after time after time, I would welcome it. I would give them full credit for it. It is maybe an argument the Premier will be able to use and say, 'Yes, I know that 'Stirling' said that as soon as he becomes Premier the first piece of legislation that he will bring in will be to take away the threat of losing your home, if you have no other asset, if it is an owner occupied home.' The Premier will be able to say, 'Well, do not elect 'Stirling' Premier for that reason because we are going to correct that reason. We are going to give you a change in the Act'. And I am sure that the minister who is probably - he certainly was the most influential of all of the backbenchers, he was certainly closest to the Premier. I do not know what the relationship was but he is certainly, probably the strongest minister in the government today and now that he made that personal commitment to get that legislation changed, I have no doubt, Mr. Speaker, I have no doubt, I am very pleased to announce that that will be done because there is no one closer to the Premier. There is no one closer to the government than the minister. And I have no doubt that the strongest of the ministers will bring it in.

MR. TULK: He will fight for it.

MR. L. STIRLING: He will fight for it.

MR. H. ANDREWS: I will fight for it.

MR. L. STIRLING: He will fight for it and, Mr. Speaker, there is no question in my mind - I will give that minister full credit - I would say now -

MR. H. ANDREWS: It will not be a hard fight though because what you are talking now is common sense.

MR. L. STIRLING: Very good. Did you hear that, Mr. Speaker? The minister said what the Leader of the Opposition (Mr. Stirling) is saying, it is such common sense that he will go to great lengths. He will guarantee it. He will fight for it.

So, Mr. Speaker, I am very pleased that we have been effective in this House of Assembly, that it does show that if you get a good principle -

MR. TULK: The minister just said he was going to bring it in.

MR. L. STIRLING: Excellent! Excellent, let us give them a round of applause on the other side.

SOME HON. MEMBERS: Hear, hear!

MR. L. STIRLING: Boy, oh, boy, this is a great day. This is a great day in this House when a newly appointed minister, obviously a man who is concerned about the people, took this Liberal policy which we brought in and he is now going to steal it. I am glad. He can have it. This is the kind of thing we will continue to do. I would expect, now that the minister has committed himself, that we can consider that legislation will be brought in and I hope it will be brought in this session -

AN HON. MEMBER:

How about Monday?

MR. STIRLING:

No. Look this minister does

not fool around. If he says -

SOME HON. MEMBERS: By leave, by leave!

MR. H. ANDREWS: Sooner than you think.

MR. L. STIRLING: Okay, Mr. Speaker.

By leave today.

You see, Mr. Speaker this proves one thing. This proves that a principle -

MR. H. ANDREWS: An effective Opposition can get action.

SOME HON. MEMBERS: Hear, hear!

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MR. L. STIRLING: Excellent! And I hope that
the minister - I do not even object to the fact that he is
not sitting in his seat making those comments. No objection!
It proves, Mr. Speaker, cer-
tain principles, once you develop

MR. STIRLING: a policy that comes out of philosophy, you see - our philosophy is a concern for people.

MR. TULK: That is right.

MR. STIRLING: And when we developed this policy and we said, 'This is the first piece of action that will be taken by this Liberal Party,' you then have a minister from the other side with a social conscience who said, 'That makes sense.' Now, I wonder, Mr. Speaker, why it is that that minister was the one who put his money where his mouth is sort of thing, stood up and said, 'I will fight for it.'

MR. TULK: That is right.

MR. STIRLING: Is it any wonder that that minister did it? Which district does he represent? As our former Premier would have said, Does he represent St. John's? Is it possible that he represents one of the eleven seats in St. John's?

SOME HON. MEMBERS: No.

MR. STIRLING: St. John's East maybe?

SOME HON. MEMBERS: No.

MR. STIRLING: St. John's Centre maybe?

SOME HON. MEMBERS: No.

MR. STIRLING: St. John's West?

SOME HON. MEMBERS: No.

MR. STIRLING: What does he represent?

SOME HON. MEMBERS: Oh, oh!

AN HON. MEMBER: Burgeo - Bay d'Espoir.

MR. STIRLING: Corner Brook - maybe Corner Brook.

Is it possible it is Corner Brook? Grand Falls maybe?

AN HON. MEMBER: South.

MR. STIRLING: South. In all of the South Coast, what kind -

MR. HODDER: A Liberal seat.

MR. STIRLING: Give me a hint. Give me a hint.

MR. HODDER: It is a Liberal seat.

MR. STIRLING: Big communities, large urban centre? Is it possible that that agent represents a rural district?

MR. HODDER: Yes.

MR. STIRLING: No. A rural district -

MR. HODDER: Yes.

MR. STIRLING: - where people are concerned?

MR. HODDER: Yes.

MR. TULK: (Inaudible) Liberal district.

MR. STIRLING: How long has it been Tory?

It must have been Tory for fifty years. Fifty years? Twenty-five?

MR. TULK: One year.

MR. STIRLING: One year. It must have been a massive Tory vote.

AN HON. MEMBER: (Inaudible) hundred days.

MR. STIRLING: A massive Tory vote?

AN HON. MEMBER: No. Thirty votes.

MR. ANDREWS: You remember the day.

MR. STIRLING: Only thirty votes.

MR. HODDER: In other words landslide (inaudible).

MR. LUSH: It is what you would call a political historical poof.

MR. STIRLING: Is it possible that it is Burgeo-Bay d'Espoir? And is it possible that he is representing the view expressed by those people -

MR. TULK: Exactly.

MR. STIRLING: - the people in that Liberal district? Mr. Speaker, now that we have agreement from the minister on that great Liberal principle that he is committed to - and I think him for it and I have no doubt we will have the legislation that says, 'an owner occupied house can never be taken for tax purposes', period.

MR. BARRETT: That is the Liberals.

MR. STIRLING: Now let us go back - no, well, I know that, that is the thinking of the member for St. John's West (Mr. Barrett).

MR. HODDER: The member for Portugal Cove.

MR. STIRLING: I do not know how long he will be around once the DAC proposal is approved, but we will see.

SOME HON. MEMBERS: Oh, oh!

MR. STIRLING: Mr. Speaker, now I wonder is it possible - since we got that concession from the minister, I wonder can we move a little further - is it possible -

MR. BARRETT: Come on with your wish list.

MR. STIRLING: Okay. Is it possible - let us

MR. STIRLING: try one more - is it possible that he will exclude gardens?

MR. HOLLETT: Vegetable gardens.

MR. STIRLING: Vegetable gardens from the assessment? Is it possible we can do that?

AN HON. MEMBER: And motor cars.

MR. STIRLING: Is it possible that we will not have the fishing properties, the stages and the flakes, is it possible that that will not be included for business tax? Can we get that?

AN HON. MEMBER: I have to go back to my chair.

MR. STIRLING: Come back to the chair because he is now going to make another speech.

MR. TULK: We might have the vegetable gardens too, we are not sure.

MR. STIRLING: Mr. Speaker, as long as the minister is there,

MR. STIRLING: there may be some hope that there is going to be a dent, there may be a dent. Mr. Speaker, let me - would you like for me to yield so that you can comment on those other two or three places?

AN HON. MEMBER: (Inaudible) crossword puzzle

MR. STIRLING: What is that?

MR. ANDREWS: I have to finish my puzzle.

MR. STIRLING: Oh, I see. I hope that somebody does not pinch him and wake him up.

Mr. Speaker, let me just sum up then the position of the Liberal Party on those areas.

MR. TULK: Do not forget the fishing problems, we have to have that.

MR. STIRLING: We already talked about the fishing problems.

MR. TULK: Has he agreed?

MR. STIRLING: He is not quite sure, he is finishing his crossword puzzle first, as soon as he finishes his crossword puzzle.

Mr. Speaker, we have established one thing, that when we take a firm position on this side representing the views of the people, that there must be somewhere over there under the backbench, a fearless minister who will take a position as he has taken.

Now let us just sum up the other things that need to be done, Mr. Speaker. If we could only get the kind of concern -

MR. TULK: We are not getting to the good ministers.

MR. STIRLING: - one, Mr. Speaker -

AN HON. MEMBER: Former backbenchers.

MR. LUSH: Mostly courage.

MR. STIRLING: - we should take out of that act the automatic imposition of property tax. We should transfer that question -

MR. BARRETT: You are against property tax?

MR. STIRLING: No, no, we are not saying that we are against property tax, that is up to the municipality. What we are saying is that the municipality should be prepared to decide how they collect the tax. The concern of the provincial government should be the amount of money they are prepared to contribute and they should contribute that amount of money.

MR. ANDREWS: Could the hon. Leader answer a question?

MR. STIRLING: I will be glad to.

MR. ANDREWS: Do you think that in principle a property tax is a fairer tax than a poll tax? It is a very serious question. If I live in, let us say, the town of Bonavista, which is a current example, and I am the owner of a large business establishment and I have a \$200,000 house on the hill and you are a worker in the fish plant, do you think that I should pay the same tax as you pay in the form of a poll or should I not have to pay more tax as a property tax?

MR. STIRLING: Yes, Mr. Speaker, I served a term with the Federation of Mayors and Municipalities, the Minister of Health (Mr. House) was on that great executive and at the time -

MR. ANDREWS: Answer the question.

MR. STIRLING: Oh, I thought you asked me a question you wanted answered? Would you tell me the answer you would like for me to give and maybe that will solve all the problems?

MR. BARRETT: That is why he ask you the question.

MR. STIRLING: Mr. Speaker, while we were involved

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MR. STIRLING:
there was a study

with the Federation of Municipalities,

MR. STIRLING:

done, there was a study done, Mr. Speaker, and the study indicated that people should be paying on the basis of ability to pay. And what the minister has gotten in his question is that we have given up in that area instead of being advanced in our thinking and saying, okay, that the only fair judge is on the basis of income tax. There was a Royal Commission which recommended income tax. So the only problem that you have in that situation you are talking about, is there may be one of those in a community. But there may be many people who have inherited an old family home which has got just as much value in it. And you use either downtown or any part of rural Newfoundland where you have houses that are worth an awful lot of money but the people do not have an income, and that is where the property tax gets to be a problem. The name of the game, Mr. Speaker, is not what my personal view is.

MR. ANDREWS: The (inaudible) looks after that with their estate tax.

MR. STIRLING: Yes, but we do not have that here in Canada any more. We do not have that in the Province - getting rid of the succession duties. We have capital gains and capital gains taxes those who actually make a gain. It does not tax somebody who has inherited something but who has other income.

So, Mr. Speaker, that is an ongoing debate and the essence of what I am trying to say to the member is you should transfer that question, that question which is a good question and which every person has to answer, you have to transfer that question to a municipality. Because the answer to this question is that in some municipalities everybody would prefer to pay

MR. STIRLING: an equal rate. Whether it is fair or not, that is what they prefer and if somebody would prefer to do that, then that is the way it should be done. In another community - I am suggesting, and this is a basic question of philosophy, that if you trust people to elect - we trust people to elect their councils, we trust people to elect their provincial member and we trust people to elect their federal member so that on those areas that relate to municipal taxes, that problem should be transferred to the municipality and the people in that municipality so that they would answer the question. I am suggesting to you that that is not a question that you and I have to answer. When I was a city councillor or when

MR. STIRLING:

I was on the Federation of Municipalities, I was quite happy to answer it. See there is the difference in philosophy.

MR. ANDREWS: But did you also have the responsibility to ask and answer the question?

AN HON. MEMBER: Agreed.

MR. STIRLING: Mr. Speaker, I just told you that that answer should be transferred to the local municipality because the answer is different in different municipalities and you know know that in Burgeo - Bay d'Espoir, you know better than they do in some of the other districts. And that is why you are supporting this business of not taking somebody's home.

AN HON MEMBER: I am all for that.

MR. STIRLING: So, Mr. Speaker, to allow some other people to get into this discussion and to allow the minister to introduce some of these amendments, let me just sum up then two or three things that I believe that we have accomplished here today.

One, I believe that the government has accepted the principle as proposed by us over the last two or three years that when all else fails you should never be allowed to take somebody's house because of taxes. You should not be allowed to take it and sell the house for taxes. That I think we now have agreement on.

Secondly, the area we do not have agreement on is that our policy is the question of whether property tax should be used or some other form of tax should be left to the municipality.

Thirdly, that those municipalities in the second category that I talked about before, those municipalities that are prepared to implement a property tax, should be given back the same grant system and this should be

MR. STIRLING: implemented over a two or three year period. And in those areas, the third category, a community, a community that does not want property tax, that the decision as to the type of tax to be collected should be left with that municipality. And that the government's responsibility is to say, "You collect this gross amount and we will match it. And it is up to you whether it is property tax, poll tax, fuel tax, or some other tax." And I will guarantee you, Mr. Speaker, that the people's desires in those communities will be best reflected by the people that they elect.

If we are going to get back to the question of assessment, Mr. Speaker, I do believe, and the minister may answer this when she speaks, that where a municipality is large enough to employ its own assessors, I believe the municipality should have the right to do that, to use its own assessors, trained assessors as they are doing, say, in the City of St. John's. And when you are doing assessments, and we are talking about property assessment for the purposes of a residential property tax, gardens should be excluded, all fishing property should be excluded, and a look taken at rural Newfoundland to make sure that what people want in rural Newfoundland - they want to pay their fair share. They have no argument about paying their fair share. But they want to define the type of tax that they are prepared to pay and the responsibility of the government is to match the contribution, by whatever formula they are going to, without trying to force municipalities into a common mold. Because the

MR. STIRLING: essence of our way of life in Newfoundland and Labrador, Mr. Speaker, is to give every opportunity to the individual to develop, to live where he wants to live, to live in the kind of community he wants to live in, to take the kinds of employment opportunities that he wants out to let him have the freedom and to let his family have the freedom to live and respond in the way that they want to live and respond.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Butt): The hon. the Minister of Finance.

DR. COLLINS: Mr. Speaker, the hon. the Minister of Municipal Affairs (Mrs. Newhook) is quite able to respond to all these and I am sure she will when she rises to close the debate. But, you know, I really could not resist having a little go at all this.

Just the first point. The hon. the Leader of the Opposition brings forward a heart-rending scenario of a person who changes his job and therefore has no qualifications for a new job, therefore he does not have a job, and then he has no income, and then he has a big load of children, and then he has a health problem - and I have just forgotten the rest of the scenario. Anyway, it was a most heart-rending scenario of this citizen. And he then says that this citizen is living in an outport area and that, therefore, this means that property tax cannot work.

Now, you know, this is a reflection, in my view, of how little insight the hon. the Leader of the Opposition has in the matter. The hon. the Leader of the Opposition was on a municipal council. He, himself says he was part - he was on the executive of a national council, the Federation of Municipalities and so on. Now, from that you would certainly think that he would

DR. COLLINS: have the insight to know that in urban areas you have very similar social circumstances to that. You have poor people in my part of St. John's. You have people down there who are without income of any substantial nature. You have people down there with large families. You have people down there with handicaps and health problems and so on. So by the very fact that they are in urban areas, does that mean that no urban area can have a property tax? It is such a specious and such a peculiar argument for someone who has had some contact with the municipal government, that I am amazed that this would be brought up in this forum. I mean, we are supposed to take our responsibilities seriously here. We are supposed to bring up arguments that really have content and have some sense. We are not here just in a little debating society in a high school or something, just to score a few points. We are supposed to bring up substantive matters here, matters that mean something to the people. And for someone who has had some contact with municipal government to bring up that sort of argument is enough to make you wonder what his view of this House of Assembly is all about.

Now, the other thing: He brings in three categories of

DR. J. COLLINS:

municipalities and he goes through them.

Mr. Speaker, I do not claim to be any sort of expert on the Municipalities Act, but I am not aware that that Act lays out three categories such as he spoke of. I hope that he will in actual fact point them out to me, these particular categories such as he has described them. It seems to me what he was describing were totally artificial categories. They might be called the 'Stirling categories of municipalities', the definition of which were drawn up on the spur of the moment here in the House! And we are supposed to take this all seriously, Mr. Speaker! Mr. Speaker!

Anyway, the main point I wanted to get up on was that the Leader of the Opposition (Mr. Stirling) made a great point saying, 'Look, the government is at fault here. It did not supply the means whereby these municipalities out there could make assessments so that property tax could be properly assessed'. He said, you know, this was a hold up on those municipalities that are out there, the government is at fault, they put them in an impossible situation because they could not get their assessments done. But then their grants were withdrawn and, therefore, those municipalities were faced with the issue of having to double the poll tax or the service tax, and this was a terrible, terrible imposition.

Now, Mr. Speaker, he then turns around and says, 'Why does the government not allow certain municipalities, if they do not want to have their properties taxed, why does it not allow them just to carry on with their poll tax or their service tax?' So in one instance the government is at fault for

DR. J. COLLINS: not allowing property tax to go in and therefore, this is a terrible dastardly thing to do to those communities and on the other hand he says, 'Oh, the answer to that is to make them just double their poll tax or their service tax'. I mean, the inconsistency of the thought is enough to really make you wonder whether the hon. Leader of the Opposition (Mr. Stirling) knows anything about the processes of government. I think that it is quite clear that he has a long way to go before, in actual fact, he is going to be in any sort of position not to lead a government, not to lead an Opposition but to really have any concept of what an M.H.A. is supposed to be thinking about when he is sitting in this House and when he is speaking in this House.

The final remark I just want to make, Mr. Speaker, is that clearly the Leader of the Opposition never hopes to form a government. He says that people who live in urban areas and therefore elect people from urban areas, these are a strange sort of people, these are an odd type of people. Only the people in rural areas - he was getting at my hon. colleague, the hon. Minister of Culture, Recreation and Youth (Mr. Andrews), say that he could not possibly be from an urban area because he is too sensible a fellow. Only the people in urban areas are a strange, wierd type of citizens who elect peculiar types of people to this House of Assembly. He is saying that he does not want and does not expect to be elected by people from St. John's, from Grand Falls, from Gander, from Corner Brook and from the other urban areas.

DR. COLLINS: So, I mean, it is quite clear that he never has any hope of forming a government. As a matter of fact, I do not think he really has much hope of forming a government even if we had two governments here. If we just had an urban citizen government and a rural citizen government, I doubt very much whether he would have much of a shot at the rural citizen government.

So I just bring in those few points there, that the hon. Leader of the Opposition (Mr. Stirling) is really supposed, when he brings up points in this House, to bring up points that he has thought through, not superficial, debating club, or debating society points. He is supposed to bring up points here that are of value in assessing the measures that government puts before the people in this House. He is supposed to bring up weighty matters, not superficialities. And secondly, he really is supposed to get down to it and learn a little bit about how governments work.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Butt): The hon. member for Terra Nova.

MR. LUSH: Mr. Speaker, this amendment brings into question, really, the whole concept, practically, of the act recently passed by the government, the Municipalities Act. This is not the only amendment, I would suggest, that we are going to have related thereto because that whole entire act is just a nightmare. It is just a total mess, Mr. Speaker, and I am sure that the officials who have to deal with and interpret the complex rules and regulations that accompany that municipalities act would agree that it is a nightmare and that it is very difficult to apply in the Province generally.

That is the problem with the property tax. That is the problem with any measure that is applied in a blanket form to apply to every area in Newfoundland equally, and that makes the problem. Because it does not take into account,

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MR. LUSH: it does not take into account the
local needs and, Mr. Speaker, that is the problem with property
tax in this Province.

 We have stated that we are not against
property tax per se. What we are against is the blanket, if you
will,

MR. LUSH:

the blanket and total application of that principle to all areas of the Province. And we think that the rules and regulations governing property tax should be a little more flexible. I suppose the key words would be flexibility and fluidity with respect to this particular amendment and with respect to the whole concept of property tax.

But it seems as though the government, in laying out this plan, in bringing in this concept of property tax, did not pay sufficient attention to the local needs, the local structures within communities, the economic base of each area. But as I have said before, the thing was meant to be a blanket application, and by doing this we have placed many communities in a very unfavourable condition with respect to being able to cope with the requirements of the act as they relate to property tax.

So, Mr. Speaker, along the lines suggested by the Leader of the Opposition, we are suggesting that instead of this raw, total application for all of Newfoundland, an application, if you will, that allows for no flexibility, an application that allows for no consideration of the local needs of an area, that does not take into account the local economic base and does not take into account at all the economics of an area, we are suggesting that there be more flexibility, that the rules be not so stringent, that they be not so regiment, that there be some flexibility and fluidity attached to those particular rules and regulations.

So, Mr. Speaker, I think the Leader of the Opposition has come up with a really good suggestion and some good ideas to the minister in this particular instance.

MR. LUSH:

And the other thing that this property tax is doing - of course, I do not know whether the government is aware of this, whether they are doing it unwittingly, because the government on occasion, on many occasions, have committed themselves, or at least they have enunciated, or at least they have articulated, they promulgated the policy of keeping intact, if you will, the Newfoundland culture, the Newfoundland tradition, keeping intact the culture and the tradition and the customs of rural Newfoundland. Well, I want to suggest to the minister, through the Speaker, that this property tax, really, will have the effect of disrupting that culture and that custom in many of the areas of rural Newfoundland. And again, that is not to suggest that we, any of us as politicians, should be trying to convince people that they can get services in their communities without having to pay for them.

I think, number one, that that day is gone and I believe that that attitude does not exist anymore among Newfoundlanders, be it rural Newfoundlanders or urban Newfoundlanders or whatever. I think everybody today, every sound-thinking, rational Newfoundlander believes that if we are to get services then we have to pay for these services, be they water and sewer or local transportation within the community or whatever people - street lights or whatever it is, garbage collection, snow clearing, all of these public services, that the people of Newfoundland certainly realize that they have to pay for these particular services. But, Mr. Speaker, there has to be some understanding, there has to be some consideration given to, as I have said before, the ability, if you will, of people to pay for the services and the ability to pay, in this particular case, the property tax. I believe that with all of the taxes that are being levied on people now, that there seems to be a lack of understanding for the needs of people and for the ability to pay all of the taxes that are levied upon the

MR. LUSH: people of the Province. So, Mr. Speaker, I believe that the Leader of the Opposition (Mr. Stirling) certainly came through with great suggestions and, if acted upon, would allow the minister and the government to get out of this tremendous dilemma that they are in, to get the people of rural Newfoundland off their backs, particularly people living in the areas of Bonavista and Glovertown and Musgravetown -

MR. TULK: (Inaudible)

MR. LUSH: Right. This is where the Leader of the Opposition came through with several suggestions, I believe, that would assist. And, Mr. Speaker, again the idea or the concept that a person can lose his home, Mr. Speaker, for not having paid property tax, I think is a rather stiff rule, a rather stiff regulation, a regulation, again, as I have said before, that does not take into account the culture of Newfoundland. Mr. Speaker, I suppose one of the treasured things in Newfoundland, one of the most treasured

MR. LUSH: of all possessions is to own our own home. And I believe that in Newfoundland, in this Province, that we have the highest proportion of homeownership right throughout Canada. Now, Mr. Speaker, that has been a tradition of ours. Indeed, yesterday when my friend and colleague, the member for LaPoile (Mr. Neary) talked about the curse of credit, you know, I was then reminded of that aspect of our lives where we want to own our own homes and it is offensive to Newfoundlanders to mortgage a home. That is offensive to them. They do not want to do that. They want to be able to build their home and move right into it. And, you know, there are so many young couples in rural Newfoundland today, even with the high cost of living, even with expenses the way they are, that it would surprise hon. members and I am sure Mr. Speaker would find it surprising, the numbers of Newfoundlanders today in rural Newfoundland, young couples who get married today and after their honeymoon move into a house that is all finished, that they own outright.

MR. TULK: A lot of them move in before the honeymoon.

MR. LUSH: Oh, yes, they do that too, Mr. Speaker. And, of course, the laws and regulations permit that, of course, of the land.

AN HON. MEMBER: New methods.

MR. LUSH: But, anyway, I am surprised at the number of people I see in my own district, young couples today who move into their own homes immediately upon getting married and own them outright. And they are proud of it. and that is a tradition of ours. And to think, Mr. Speaker, because we could run into unfortunate economic financial circumstances and not be able to meet the requirements of a property tax, and to have to lose a home because of that,

MR. LUSH: is offensive to every instinct that is possessed by Newfoundlanders, it is abhorrent to our instincts.

So, Mr. Speaker, I am sure that the government understand this, and I am sure that they will change this aspect of this regulation of the property tax to allay the fears of Newfoundlanders, indeed to make the concept more acceptable, to make it more acceptable and more tolerable that this is necessary.

So it would seem, Mr. Speaker, to me, that this particular act, this particular concept of property tax was drafted without any great degree of consideration, without any great degree of attempting to understand what it was that they were indeed drafting, that it showed a lack of understanding for rural Newfoundland, that it showed a lack of understanding relating to the way people live,

MR. LUSH: it showed a lack of understanding relating to our traditions and to our culture. But, Mr. Speaker, we have now advanced some ideas that would take into consideration all of the negative factors associated with this bill, with this Act as it is presently put before us.

AN HON. MEMBER: Are you going (Inaudible) affairs of the government?

MR. LUSH: So the Leader of the Opposition has, no doubt, come up with some very good suggestions and brought up some concerns and fears that people have about this property tax. You see, I am surprised, I am totally surprised that the government knowing, knowing the attitude that Newfoundlanders have respecting property tax, I am astounded that hon. members on the other side, backbenchers, because they too no doubt, would have known that this was coming up, I am surprised that hon. members on the other side allowed this concept of property tax to be introduced in the way it was. It was introduced without being flexible. This stringent, Mr. Speaker, this stringent and uniform application of property tax right throughout the Province, I am indeed surprised that hon. members opposite allowed that concept to go through in its present form. Because knowing, as I have said before, knowing the needs of Newfoundland, the local needs, knowing the economic base, knowing the traditions of our people, knowing the customs of our people, knowing and being familiar with the fact that we have been traditionally against any form of taxes, that we have not been trained in it or have not had a long period of training with municipal government, it has not been a feature of rural Newfoundland, to bring in this concept, to thrust this on the people in this inflexible manner, I think, was a tremendous error in judgement and it showed a total misunderstanding

MR. LUSH: of this Province. So, Mr. Speaker, it should have been brought in in a more moderated form, as I have said, that it should have been flexible, that there should have been allowed councils and local improvement districts or local service districts, whatever the form of municipal government that is intact in a particular area, it should have given them some options, if you will, that it should have given them some leeway. But not in the way that it is where it is obligatory, the councillors are compelled to enforce the property tax, they have no choice in the matter. If they want to participate or if they want to receive government assistance, they have no choice regardless of whether they are from the smallest rural community in this Province or from a large community, whether regardless of the economic base, regardless of the industry in the area, regardless of the availability and the job opportunity in the area they have to apply this concept of property tax in the same manner as they would, as I have said before, in a large town where there are all kinds of industry, where there is a large economic base, where individuals would not find it difficult to meet this sort of financial commitment. So, Mr. Speaker, in view of these circumstances, in view of the attitudes of the people of this Province with respect to taxes of any nature, in view of the concept of Newfoundlanders with respect to

MR. LUSH: having any form of municipal government, and in view of the local circumstances of rural Newfoundland with the many cultural and economic factors; I believe that we must change this property tax from its present form and come up with something, come up with an idea of property tax, submit an idea or a proposition, a proposal, to the Federation of Mayors and Municipalities, that would lend more flexibility, that would give more leeway to the various forms of councils throughout this Province. And I believe if that were the approach, I believe if we took a more moderate approach, I believe if we took this kind of approach considering, as I have said before, the local needs of Newfoundland and Labrador, that we would find that the idea, the concept of property tax would be universally accepted, would be universally accepted if we came in with the kinds of proposals and the kinds of suggestions that the Leader of the Opposition and I, myself, have advanced here today.

So, Mr. Speaker, I suppose the way that this entire bill, this whole bill, the Municipalities Act, the way that all of that was brought in, is again indicative, I suppose, of the attitude of this provincial government, the way they treat the people of this Province - arrogant and dictatorial and without, as I have said, giving the people of this Province any feeling at all that they are living in a democracy, that there is some freedom of choice. I mean, I have heard people say, 'Do I have to pay this property tax without having a say in it? Where do I live? Do I live in Nazi Germany or Soviet Russia or in darkest Africa? Where am I living? I mean, I thought we lived in a democracy.' And people cannot

MR. LUSH: understand that this kind of an act, that this kind of a bill is forced upon them without any apparent choice in the matter. And that, again, the people find offensive. The people believe, of course, since they live in a democracy that there should be some choice in these matters, that the people at large should be able to have some say. But that, again, the government should have been able to see, was another very important, major and salient reason why they should have brought this bill in with a little more moderation, with a little more understanding of Newfoundland and Labrador and particularly rural Newfoundland and rural Labrador.

Again, without laboriously, Mr. Speaker, dwelling on the points, on the issues made, I believe that this particular act, the Property Act, should have shown a little more sensitivity, that it should have demonstrated a little more concern for humanity. It should have been a little bit more sensitive, a little bit more humane in its application and not the general, total, uniform application right throughout

MR. LUSH: this Province. And so, Mr. Speaker, I do believe that we can change this bill, without changing the concept. We can change this bill in a way that will not change the concept, that will keep intact the idea that property tax is there for people to use, for councils and councillors to use if they believe that this will not cause any undue hardship with the people in their areas and if they think that they can carry out this particular type of taxation.

There are areas, Mr. Speaker, where this will never become enacted in the next fifty years. There are areas in my district, Mr. Speaker, where this will never become enacted because the people will rebel against it in its present form. They will rebel against it in its present form. And certainly that is not what the government want. They do not want that to happen. They want this to be accepted. They want this to be accepted. They want the notion, they want the concept, the very concept of this accepted. And if we can do that, then we have won a major battle in Newfoundland. If this concept of property tax can be introduced in a way where it is not offensive, where people at least give it reluctant acceptance, then we have won a battle, then we have won a major battle. And so this particular bill, this particular aspect of the total bill of the Municipalities Act can be toned down, can be watered down, can be ameliorated in some way that will make it, as I have said, more acceptable to the people of this Province. And that, after all, is what we want to do. And if the government would have taken that sort of approach in the beginning, I would suggest that they would not have the problems today that they are having in Bonavista and will experience in several Bonavistas throughout Newfoundland, as councils move towards bringing in property tax. Because believe you me what has happened in Bonavista is just the beginning,

MR. LUSH: is just the beginning -

MR. TULK: The tip of the iceberg.

MR. LUSH: - just the tip of the iceberg, once councils start bringing in this property tax throughout their communities.

So, Mr. Speaker, it is going to to cause a lot of turmoil. I would not be surprised but there will be, as I say, the same kind of demonstration, the same kind of emotions, and the same kinds of concerns expressed right throughout rural Newfoundland as were done in Bonavista. That is just a start.

Well, the government have a chance to - the government have a chance, Mr. Speaker, to prevent that kind of turmoil. The government have a chance to prevent that kind of unrest in Newfoundland. They have a chance to allay the fears of all Newfoundlanders by moderating and by toning down this particular Bill today, this particular act with respect to the imposition of a property tax. And, Mr. Speaker, again that is what it is. That is just what it is, Mr. Speaker, the imposition of a property tax, imposing, forcing upon the people of this Province the notion of property tax without any expression of free will. And no wonder, Mr. Speaker, no wonder the people are offended by that very notion that it seemed to be foisted upon them, that it was forced upon them without any choice in the matter, without any expression of free will. That in itself, Mr. Speaker,

MR. T. LUSH:

I think would have caused the people to think negatively about a property tax. If it were the most acceptable notion, if it were most acceptable idea, if it were the most acceptable concept right throughout Newfoundland, if it were done in this manner, I am sure that people would have objected to it just because it seemed to be imposed upon them, that it was a matter of being forced upon them. There was no choice in the matter.

So, Mr. Speaker, I believe that we somewhere today have to, if you will, include within the Municipalities Act and within the property tax regulations, requirements, clauses, whatever, we must include in that, if you will, some flexibility which at least has the semblance of creating choice in the matter, of creating choice! Now, this is very important, very important, Mr. Speaker. Rather than to give the people of this Province the impression - not give them the impression, not give them the impression but indeed the situation is real - that in this Province we can have major rules and regulations imposed upon us without any freedom of choice, without the expression of free will, and giving us the impression that we are living in a totalitarian state, that we do not any longer have a democratic form of government as we know it, Mr. Speaker, but a dictatorial and totalitarian system of government, this notion, Mr. Speaker, we must get rid of and we must certainly include this freedom of will, this freedom of choice, if you will.

And the key words again, Mr. Speaker, I believe, in drafting any kind of a bill related to property tax, any kind of a bill, Mr. Speaker, that is related to a tax in any form at the municipal level, it must have flexibility and fluidity, that there must be some choice in the matter and that we must be able to change it to meet changing conditions and to meet the local conditions, to take into account our culture, our heritage, all of these things so treasured by Newfoundlanders.

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MR. T. LUSH:

And, Mr. Speaker, that offensive and abhorrent idea of the possibility of having your home taken from you, of losing your home because of being in default of taxes, that idea must also be removed to make this concept of property taxes a little more palatable to the people of this Province.

I believe, Mr. Speaker, that if only a portion of the suggestions advanced by the Leader of the Opposition (Mr. Stirling) today, and from myself, I believe if

MR. LUSH: only a proportion, a very small proportion of these ideas and concepts are taken into consideration and acted upon by the government and using a bit of common sense, a bit of logic, Mr. Speaker, and a bit of concern, and a bit of sensitivity, and a bit of empathy for and with the people of this Province, I believe that we will come up with - I think we will come up with a regulation, or with some legislation respecting property tax that will be acceptable, albeit reluctantly possibly, but will be acceptable to the large majority of people in this Province. But, Mr. Speaker, in its present form, as I have said, it is offensive, it is abhorrent, it demonstrates arrogance on the part of government and I would hope that the government would take heed and listen to the words of wisdom and the words of caution, and the ideas and suggestions advanced from this side of the House today.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Butt): Before recognizing the hon. minister I would like to welcome to the House today, on behalf of all hon. members, 100 students from Jamieson Academy in Salt Pond, Burin, from the district of Burin - Placentia West, accompanied by their teachers, Mr. Bob Wells, Mr. Gary O'Driscoll, Mr. Bert Cluett, and their parent chaperones, Mrs. Thomas Farrell, Mrs. Larry Brewer and Miss Sandra King, welcome.

SOME HON. MEMBERS: Hear, hear!

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

MR. DINN: Mr. Speaker, as is normal in this House, when the hon. the member for Terra Nova (Mr. Lush) gets up to speak, it invites me into the debate. That is what it does.

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Tape No. 2226

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AN HON. MEMBER:

Be nice to him 'Jerry'.

MR. DINN:

Now, Mr. Speaker, one would think that what we are discussing in this House is the imposition of property tax, the crucifying of our people, a dictatorial, totalitarian approach to government. Mr. Speaker, what we are discussing here are a few very simple and minor amendments to the Assessment Act, very simple and minor amendments. It does not have to do with the imposition of the property tax, forcing people to collect property tax. People in this Province,

MR. DINN: the Federation of Municipalities have had input to the Municipalities Act and this House decided that it was indeed a good act, that it would further the causes of our municipalities, municipalities would become more viable and municipalities would be able to run their own affairs. Indeed, many of the slogans of the Federation of Municipalities over the past few years have been, 'Let us run our own affairs', 'Allow us to do the job for which we were elected'. It has nothing to do with a dictatorial or totalitarian approach to government. It is not a matter of imposition -

MR. TULK: You look tired.

MR. DINN: - of property tax. The hon. member for Fogo (Mr. Tulk) is interrupting in the debate, Mr. Speaker -

MR. SPEAKER (Butt): Order, please!

MR. DINN: - it is totally against the rules of the House. But I do look tired. Last night I received hundreds of calls from people throughout this Province, leaders of this Province encouraging me to stand up for the people of Newfoundland with respect to the discussions that have been going on in this House over the past two weeks.

AN HON. MEMBER: (Inaudible)

MR. SPEAKER: Order, please!

MR. DINN: Hundreds of calls, telegrams, letters I received in my office and at my house to stand up for the approach that I have taken in the protection of the public interest of the people of this Province.

MR. TULK: (Inaudible)

MR. DINN: The hon. member for Fogo last week shouted across the House again which is totally against the rules of this House -

MR. LUSH: (Inaudible) phase two.

MR. DINN: - Mr. Speaker, last week he shouted out a challenge across the House about he would bet me \$1,000

MR. DINN: that I would not be here next week.
Well, it is here, it is next week and I am here and confident -

SOME HON. MEMBERS: Oh, oh.

MR. DINN: - and neither has he lived up
to his challenge.

MR. WINDSOR: He is not a gentleman.

MR. DINN: The hon. the Leader of the Opposition
(Mr. Stirling) stood up in Question Period here, Mr. Speaker,
and the hon. Leader of the Opposition said if we circulated
a petition -

MR. ANDREWS: You would make enough playing poker
in one night -

MR. DINN: - in the district of Pleasantville -

MR. ANDREWS: with those guys.

MR. DINN: - and the people of Pleasantville
wanted the minister to resign would he resign? And I said
simply to the Leader of the Opposition that I would resign
tomorrow -

MR. TULK: And go down to Bonavista.

MR. DINN: - I would resign tomorrow if
the Leader of the Opposition is convinced that my constituents
do not support me.

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

MR. SPEAKER (Butt): A point of order raised by the
hon. the member for Bellevue.

MR. CALLAN: I fail to see the relevancy,
what this has to do with this amendment which is under
discussion here.

MR. DINN: I am relating it to the support
(inaudible).

MR. SPEAKER: To the point of order, during
discussions on second reading, you know, the realm of debate
is fairly broad but I was about to call the hon. the Minister
to the debate which is on the Assessment Act.

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Tape No. 2227

SD - 3

MR. DINN:

Mr. Speaker, as always, I abide
by any ruling that the Chair makes.

SOME HON. MEMBERS:

Hear, hear.

MR. DINN:

I have every confidence in the
Chair. Mr. Speaker, all I can say to this is if the hon.
members opposite would observe the

MR. DINN:

rules of the House as I always do, then, Mr. Speaker, we would have no problem with me veering from the bill before us -

SOME HON. MEMBERS:

Hear, hear!

MR. DINN:

- which is a bill entitled, "An Act To Amend The Assessment Act", not about property tax as the hon. member for Terra Nova (Mr. Lush) brought up, not about totalitarianism or crucifying our people, not about enforcing or bringing about the enforcement of property tax to municipalities. What is this all about, this assessment bill? What is the Municipalities Act all about?

Well, for example, in a municipality where you do not have services such as water and sewer, is the government saying you have to bring in property tax? No. The government is not saying that. The government in that situation says, there is a general municipal assistance grant given to that municipality on the basis of three basic criteria, the criteria being population, the population of the municipality, road mileage in the municipality. If a municipality is extra large boundary-wise, it does not have a large population but does have a lot of road mileage, they should get more. The government in its effort to be fair to that municipality want to give that municipality more money so that they can maintain their services. And, of course, the third criteria is the incidence of social assistance. Obviously if a person is on social assistance he cannot afford the taxation.

So, Mr. Speaker, what we are talking about -

MR. CALLAN:

A quorum call, Mr. Speaker. Could we have a quorum call?

MR. SPEAKER:

A quorum call.

June 5, 1981

Tape No. 2229

AH-1

MR. SPEAKER (Simms): Could the clerk count the House please?

We have a quorum.

The hon. Minister of Labour and Manpower.

MR. DINN: Mr. Speaker, that is the kind of unfortunate thing that happens in this House when we are discussing the people's business. Hon. members opposite get up and call quorums so that they delay debate, they delay bills passing through this House, very important pieces of legislation. At twenty to one on a Friday in this House, all the hon. member can do is get up in this House and call quorums. He should be participating in this debate and giving us his views of what is going on, Mr. Speaker.

MR. BARRETT: He does not have any.

MR. DINN: And, Mr. Speaker, if he does not have any better views than the Leader of the Opposition today - he wants voluntary taxation. In other words, if you volunteer to pay your tax, you pay it and if you do not volunteer to pay your tax, you do not pay it. The hon. member for Terra Nova (Mr. Lush) wants to be wishy-washy, he wants the Municipalities Act watered down so that, you know, people do not have to pay for their services. He wants it brought in in a wishy-washy fashion. He does not want legislation, he does not want the government to stand up for the people of this Province, he does not want the government of this Province to be fair, he wants to fight for the ordinary Newfoundlander and this is how he fights for ordinary Newfoundlanders. Do not bring in the property tax, he says, leave it go to poll tax. Now, what is a poll tax? A poll tax in a municipality is this: A gentleman who is lucky enough to be successful in Newfoundland and Labrador and lives in a municipality and has a two or three hundred thousand dollar mansion on the

MR. DINN: hill, with fifteen or twenty acres of land, with all kinds of assets, he should pay fifty dollars and the poor old person who is an inshore fisherman, who has his little shack that he built up over the years, that he scrawbed out of his hard toil and labour, he should pay exactly the same as the gentleman on the hill. I have nothing against the gentleman on the hill but this government feels that there is a more appropriate way to access and to tax people. When a municipality requests services, as in the case of Bonavista, where this government has provided something of the order of \$8 million -

MR. WARREN: : Six hundred. Six hundred.

MR. DINN: - something of the order of \$8 million - and the hon. member for Torngat (Mr. Warren) who does not want to listen to this debate about the assessment of property and about the Assessment Bill before the House, he would rather stand up - he agrees with the new member that just got elected, he agrees that what he should do is call quorums

MR. J. DINN:

and not get our arguments, get our contributions in this debate before the people of this Province, he agrees with calling quorums and not approving very important legislation that we have before the House and interrupting in debate and causing disorder in the House, he who agrees with that sort of approach, Mr. Speaker, should get up and give us his views. Are his views the same sort of thing that the member for Terra Nova (Mr. Lush) said or the hon. Leader of the Opposition (Mr. Stirling) has said? Is his approach to water down the Municipalities Act and the Assessment Act? Is his approach to be wishy-washy about things? 'Let the municipalities do their own thing. Let them do their own thing.'

MR. WARREN:

(Inaudible).

MR. J. DINN:

If they ask for \$8 million to do a water and sewer system they should not have property tax, they should have a poll tax so that everybody in the municipality pays the same, the businessman in the \$300,000 mansion on the hill pays the \$100 the same as the widow, the same as the poor old fishermen, the inshore fishermen.

SOME HON. MEMBERS:

Oh, oh!

MR. J. DINN:

Liberal economics, be wishy-washy. Do not get that guy on the hill to pay. The people - I mean, Mr. Speaker, they have tried everything in this Province. They have tried to divide the people of this Province on the grounds of religion.

SOME HON. MEMBERS:

Oh, oh!

MR. J. DINN:

They have tried to do it on the basis of urban versus rural. We heard it in the House today, the Leader of the Opposition dividing the people of this Province. Urban versus rural. Everybody should be the same general.

MR. J. DINN:

General.

MR. BARRETT:

Sure, we should all contribute.

MR. J. DINN:

These are the words of the hon. member for Terra Nova (Mr. Lush) in the debate on the Assessment Bill, that there should be a general, uniform application of taxes throughout the Province. The rich should pay the same as the poor. That is exactly what he is saying.

MR. TULK:

No, you misunderstood him.

MR. J. DINN:

No, I did not misunderstand him. These are the words, these are a direct quote. The hon. member should go up and get Hansard. He does not listen to what goes on in this House. We are speaking here about a few-- what we are speaking here about today are a few minor amendments to the Assessment Act. I mean, look at number ten, 'This Amendment would provide that a municipality must provide accredited officials of the Department of National Revenue with access to property assessment records where the Minister of Municipal Affairs (Mrs. Newhook) so directs.' What is so earth-shattering about that sort of an amendment? It allows people to do their jobs, it allows certain activities to take place. It is not an infringement on the dignity of Newfoundlanders. It is not an infringement upon their human rights. It is not bludgeoning, it is not enforcing, it is not attacking the poor people of this Province. The Assessment Bill and the amendments before

MR. DINN:

the House today are amendments that were considered by government, that were shown to be necessary and, Mr. Speaker, were brought into this House. And we need more, Mr. Speaker. There is no bill brought before this House or act that is in place that I know of that is infallible. There will be amendments that will come, there will be improvements that will be made.

The hon. the Minister of Municipal Affairs (Mrs. Newhook) today is moving an amendment to the Assessment Act that will improve the situation in Newfoundland. The hon. the minister should be complimented for what she is attempting to do. And, Mr. Speaker, there was one small suggestion made by the Leader of the Opposition in all of what he had to say, and the member for Terra Nova (Mr. Lush), and the Minister of Municipal Affairs, when she stands to close this debate in second reading, will outline to the hon. members opposite how far behind they really are, that this has been gone through and that amendments will be brought forward. It takes a little time. We cannot just bring in an amendment to an act here in the House - I mean, it is folly. Any parliamentarian will tell you that to make amendments in the House just back and forth as the discussion goes on is not a good way to draft legislation. Many things have been done wrong when that approach has been taken. And, Mr. Speaker -

AN HON. MEMBER: Resign.

MR. DINN: There is the hon. member down there talking about resigning for standing up for the rites of the people of this Province. The hon. member is breaking the rules of this House, Mr. Speaker, again. The hon. the member for Bellevue (Mr. Callan) is breaking the rules. He has very big shoes to follow. The former Leader of the Opposition who sat in this seat in this House brought up the level of debate in this House,

MR. DINN: there is no question about that. I think all hon. members will say, whether they agreed with his positions or not, that he brought up the level of debate in this House, and the hon. member has big shoes to follow. The hon. member should not break the rules of this House, should not shout across the floor.

MR. SPEAKER (Simms): Order, please!
The hon. the minister should be a little more relevant perhaps to the Assessment Act.

MR. DINN: Yes, Mr. Speaker. I am being provoked by the hon. the member for Bellevue (Mr. Callan).

Now, I want to get to the Assessment Act, the very minor amendments to the Assessment Act that we should have gone through a long time ago. We should not be wasting time by calling quorums, we should not be wasting time by getting on with the wishy-washy statements of the member for Terra Nova (Mr. Lush) and the Leader of the Opposition, and allow the Minister of Municipal Affairs (Mrs. Newhook) to get up and in closing the debate answer the one question that was brought up by the hon. the Leader of the Opposition this morning and the member for Terra Nova and tell us what action she has taken with respect to the points that were brought up.

Thank you, Mr. Speaker.

MR. WARREN: Mr. Speaker.

MR. SPEAKER: The hon. the member for Torngat Mountains.

MR. WARREN: Mr. Speaker, I wish to speak with respect to the amendment that is brought in to this bill, No. 39. After just listening to the former Minister of Municipal Affairs and Housing, one wonders where his priorities lie. I am sure, Mr. Speaker, the minister's conscience for the last eight or ten days must be having

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Tape 2231

EC - 3

MR. WARREN: a heavy effect on him because
I am sure that he did not bring out much sense in his
last few remarks.

Now, Mr. Speaker, I believe
this Province, as the minister just said - we are accusing
him of dividing the Province. Yes, this Province is
divided by this

MR. WARREN:

government. This Province is divided by this government.

SOME HON. MEMBERS: Hear, hear!

MR. WARREN: Because this Province is manipulated -

AN HON. MEMBER: One with astute observation.

MR. WARREN: - this Province is manipulated by seven or eight Cabinet ministers who live inside the overpass, Mr. Speaker. This is what is happening, Mr. Speaker.

SOME HON. MEMBERS: Oh, oh!

MR. WARREN: Mr. Speaker, seven or eight Cabinet ministers in this Province, living in the urban area of this Province, Mr. Speaker -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Simms): Order, please! Order, please!

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

MR. SPEAKER: A point of order, the hon. President of the Council.

MR. MARSHALL: Mr. Speaker, I do not know what relevancy this has to the particular bill under question.

MR. SPEAKER: Perhaps there is a legitimate point of order. As I pointed out a few moments ago to the hon. Minister of Labour and Manpower (Mr. Dinn), comments should be directed more towards the act which we are now debating which is, "An Act To Amend The Assessment Act." Perhaps the hon. member for Torngat Mountains (Mr. Warren) would like to -

MR. WARREN: Yes, Mr. Speaker, every act that is brought into this hon. House is passed by Cabinet. Mr. Speaker, all acts are passed by Cabinet and I will say that seven or eight hon. Cabinet ministers who live inside the overpass do have some bearing on the passing of the -

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

MR. SPEAKER (Butt): A point of order, the hon. Minister of Social Services.

MR. HICKEY: Is the hon. gentleman allowed to be contemptible in the House? Is he allowed to court the truth like he is courting it when he knows himself he is saying something other than the truth to the House? He is trying to put St. John's against rural Newfoundland, rural Newfoundland against St. John's. You know, he denied it a few moments ago when my colleague pointed that out. Now he is getting up and doing the same thing, Mr. Speaker. It is contemptible.

MR. BARRETT: Ask him where he lives now.

MR. STIRLING: To the point of order, Mr. Speaker.

MR. SPEAKER (Butt): To the point of order, the hon. Leader of the Opposition.

MR. STIRLING: To the point of order -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. STIRLING: To that point of order, Mr. Speaker, the minister is just being super-sensitive and reading things into the comments that were not meant. What the member is simply doing is to sort of try to put this bill in its proper context and he sort of - in trying to put it in the proper context, Mr. Speaker, what he is doing in putting it in its proper context is to say any -

MR. HICKEY: (Inaudible).

MR. WARREN: He is upset.

MR. STIRLING: Yes, Mr. Speaker, he is being super-sensitive to the facts that have been stated by my colleague. All he stated was the fact of the matter that the seven or eight ministers who are resident inside the overpass, including the minister who was so upset, have a great deal of influence, and what he is pointing out, Mr. Speaker, is the influence

MR. STIRLING: minister had in the drafting of the act and he is about to get around to talking about where that influence is showing up in the act. And that is completely in order, Mr. Speaker. There is no imputation there. There is no point of order. It is just that the minister who is so sensitive, he knows that what he is thinking in his mind is that he is so concerned that that message might get out that he jumped up and he is very unsure of himself, and very, very upset, nothing meant by it, Mr. Speaker.

MR. SPEAKER (Butt): Order, please!

To the point of order. I must admit that I just relieved the Speaker in the Chair and I did not hear all of the comments made by the hon. member for Torngat Mountains (Mr. Warren). So in that case I will have to take the point of order under advisement and rule on it later. But I will ask the hon. member if he would confine his remarks to the bill before the House for second reading.

MR. WARREN: Yes, Mr. Speaker, I suppose as the old saying goes,-

MR. HICKEY: A point of privilege, Mr. Speaker.

MR. SPEAKER: A point of privilege.

MR. HICKEY: Seeing the hon. gentlemen opposite are so sensitive about my raising a point of order, I will stand on a point of privilege. I am not going to sit here- the hon. Leader of the Opposition is absolutely correct, I am sensitive to being falsely accused, I am sensitive to being included in a group which are supposedly manipulating this government, St. John's against rural Newfoundland. I am not going to sit here, Mr. Speaker, and listen to that tripe.

Let me tell the Leader of the Opposition a couple of things, I am so unsure of myself. I have been around the House, Mr. Speaker, before he came, If he does not change his ways, I am going to be around when he

MR. HICKEY: leaves.

MR. BARRETT: No question about that.

MR. HICKEY: I am not unsure of myself. I know the rules of the House, Mr. Speaker, and there is such a thing as abusing the rules of this House, mouthing out on both sides of one's mouth, saying things you know are wrong, you know you cannot say straight but you are going through the backdoor. And I, for one, Mr. Speaker, am standing on my rights and I am standing on a point of personal privilege, I for one am not going to sit here and be accused of manipulating the government against rural Newfoundland. This government, Mr. Speaker, has done more for rural Newfoundland than the hon. gentleman's party could ever imagine or they ever will do,

AN HON. MEMBER: It is shameful! Shameful!

MR. HICKEY: Because it is going to be a few decades before they get in to do anything or to right the wrongs that they have done so many years ago.

AN HON. MEMBER: Shameful! Shameful!

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Butt): To the point of privilege, the hon. Leader of the Opposition.

MR. STIRLING: To the point of privilege, Mr. Speaker. Quoting such authorities that will be recognized in this House as the President of the Council (Mr. Marshall), who has many times gotten up on a point of privilege, to say that that kind of a comment is in itself an abuse of the privileges of this House, for a member to get up to express an opinion,

SOME HON. MEMBERS: Oh, oh !

MR. STIRLING: Mr. Speaker, as I have no doubt the Speaker will rule, that if the minister is so upset he should enter into the

MR. STIRLING:

debate. The proper place for those kinds of comments in which he defends his record in rural Newfoundland, is in this debate. But to use a point of privilege—because as the Speaker knows and as everybody in this House knows, a point of privilege by definition, the most important thing in the first section page 11, 'A question of privilege ought rarely to come to parliament'. It is an abuse of the privileges of this House for the minister to essentially make a debate under the pretext of privilege, because he knows it is so important that it takes precedence over everything else. There is no way that you can interrupt a point of privilege, Mr. Speaker. It has to be taken seriously and the Speaker has to sit and listen through a point of privilege all the way through to the end, like the kind of abuse that was used the other day by the Minister of Labour and Manpower (Mr. Dinn) when he took fifteen minutes before the Speaker could finally hear him to the end.

Mr. Speaker, there is no point of privilege. This is a matter in which the minister is over-sensitive. And one of the reasons that he is over-sensitive is because of the kind of cosmetic treatment that he and his colleagues give to people like that poor young boy on welfare who they would pay for dental treatment only for the front of his teeth and not for the whole mouth.

SOME HON. MEMBERS: Oh, oh!

MR. STIRLING: Mr. Speaker, that is why he is so sensitive as to abuse the rules of this House by bringing up a point of privilege. Mr. Speaker, I think he should be chastised. He is a senior member of the House, he has been here much longer than any of us on this side. When he gets very upset he should not abuse the privileges of this House by standing up on a point of privilege, Mr. Speaker, it is in itself an abuse of the privileges of this House.

MR. HICKEY: (Inaudible) speak again

MR. SPEAKER (Butt): Order, please!

SOME HON. MEMBERS: Oh, oh.

MR. SPEAKER: Order, please!

Well, to that point of privilege of course it refers to remarks that were made earlier. And once again I would certainly have to take it under advisement right now because I did not hear the comments made by the hon. member for Torngat Mountains (Mr. Warren). So I will reserve my ruling, look at Hansard and read Hansard and see what was said and will give my ruling at another time.

The hon. member has about two minutes left to conclude his remarks.

MR. WARREN: Mr. Speaker, as the old saying goes, if it is too hot in the kitchen get out. So Mr. Speaker -

SOME HON. MEMBERS: Oh, oh.

MR. WARREN: - that was the same minister who made a reference to the Toronto Globe and Mail -

MR. SPEAKER: Order, please!

MR. WARREN: - of the students in my district being stark raving mad. That is the same minister, Mr. Speaker, and how he is concerned about the people outside of St. John's.

SOME HON. MEMBERS: Oh, oh.

MR. HICKEY: A point of privilege this time, Mr. Speaker.

MR. SPEAKER: A point of privilege raised by the hon. the Minister of Social Services.

MR. HICKEY: Mr. Speaker, you know I did not think the hon. gentleman would stoop so low as to raise that issue. The hon. gentleman is clearly aware of what I said with regard to the native people of Labrador. He is also clearly aware -

MR. WARREN: (Inaudible).

MR. HICKEY:

Oh, he believes everything he reads now. He is also clearly aware of what he said himself. And he is also clearly aware, Mr. Speaker, of the fact that the person quoted in the Daily News talks about the well-intentioned motives and the well-intentioned words of the member for Torngat Mountains (Mr. Warren). I suspect the hon. gentleman also knows, Mr. Speaker, that somebody who makes a statement like that, and makes a statement misquoting what I said, is motivated by something other than his concern for alcoholism. I did not say anything which is racial, and I will tell my hon. friend that if he lives long enough to bring about as many things for the native people of this Province as I have had the honour and privilege to do as a member of this government and the former, since 1972, he will be okay.

SOME HON. MEMBERS: Hear, hear!

MR. STIRLING: To the point of privilege,
Mr. Speaker.

MR. SPEAKER (Butt): To the point of privilege, the
hon. the Leader of the Opposition.

MR. TULK: We only have one minute.

MR. STIRLING: Well, if you would like to call
it 1:00 P.M., Mr. Speaker, I will comment on the point of
privilege. I do not know what happened in Cabinet this
morning. Somebody obviously has rapped his knuckles.

MR. SPEAKER: Excuse me. Is it agreed to stop
the clock so we could deal with this point of privilege.

SOME HON. MEMBERS: Agreed.

MR. STIRLING: Dealing with the point of privilege,
Mr. Speaker, I do not know what happened to the minister.
It is the first outburst that we have heard from him in
the whole -

MR. WARREN: For two years.

MR. HICKEY: Do you want me to tell you?

MR. STIRLING:

Yes.

MR. WARREN:

For two years.

MR. HICKEY:

I will tell the hon. gentlemen why I have stood up three times, Mr. Speaker. Because I have sat here and I have listened to all kinds of points of order from the other side, all kinds of points of privilege, abuse of the rules, delaying tactics, filibustering, everything else, and I am showing the hon. gentlemen that if every hon. gentleman on this side and every lady on this side were to do the same thing, this House would grind to a halt.

Well, let the hon. gentlemen not think that the rules are only made for one side, they are made for both, and if one can use the rules to get a point across, then that is there for the other side as well. That is all I am doing, Your Honour, correcting a few things through the rules of the House, namely, a point of privilege.

MR. STIRLING:

Mission accomplished, Mr. Speaker.

MR. SPEAKER (Butt):

The hon. the Leader of the Opposition, to the point of privilege.

MR. STIRLING:

I think we now have an admission, Mr. Speaker, which on a question of privilege is much more serious because you now have a minister who admits that he is abusing the rules of the House to make a point. On two points of privilege he has now admitted, Mr. Speaker. And I would suggest that you take a look at Hansard to confirm that this is a minister who, for some reason this morning, has lost control. He knows the situation much better than anybody else, a most senior man who now admits, by his definition, that he is abusing the rules of the House for his own personal purposes.

MR. HICKEY:

To the point of order, Mr. Speaker
(inaudible) my rights.

MR. SPEAKER (Butt): Order, please!

I have heard enough to rule on this point of privilege, the second point of privilege that was raised by the hon. the Minister of Social Services (Mr. Hickey). Certainly I do not think it is a point of privilege, but rather the minister took the opportunity to clarify remarks that were attributed to him.

I must now tell the hon. the member for Torngat Mountains (Mr. Warren) that his time has expired.

SOME HON. MEMBERS: No.

MR. MARSHALL: No, his time has not expired, Mr. Speaker, but he will adjourn the debate, I guess.

MR. SPEAKER: Yes.

MR. STIRLING: What are we going to do on Monday?

MR. MARSHALL: The concurrence debates. We are going to finish the Concurrence Debates and we might do the Residential (Tenancies) Act.

On motion, the House at its rising adjourned until tomorrow, Monday, June 5, 1981, at 3:00 p.m.