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(Hansard)

Speaker: Honourable Patrick McNicholas

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The House met at 10:00 a.m.

MR. SPEAKER (McNicholas):
Order, please!

At this time I would like to rule on the points of privilege raised on Wednesday and yesterday by the hon. the Leader of the Opposition (Mr. Barry). In that connection, I would first like to refer all hon. members to Beauchesne, Fifth Edition, page 11, paragraph 17, which states, "A question of privilege ought rarely to come up in Parliament." That is a statement that has been quoted frequently in this House by Speakers over the years and, yet, in light of the hon. the Leader of the Opposition's rising on a number of points of privilege on two consecutive days, it seems appropriate to quote it again. I do not believe that any of the points raised by the hon. the Leader of the Opposition established a prima facie case of breach of privilege. Taking each point of privilege as it was raised, with respect to the first and that raised yesterday, the Leader of the Opposition stated that certain statements made by the Minister of Public Works and Services (Mr. Young) in answering questions put to him by members of the Opposition were untrue. In that connection, I would like to refer hon. members to Beauchesne, Fifth Edition, page 12, paragraph 19, subsection (1), and I quote, "A dispute arising between two Members, as to allegations of facts, does not fulfill the conditions of parliamentary privilege." I do not know whether the statements made by the hon. the Minister of Public Works and Services were in fact untrue. However, it is not the role of the Speaker to determine the truth or falsity of a member's statement to

this House. It is incumbent upon a member making allegations of that nature to proceed not by way of point of privilege but, rather, by way of a substantive motion of which notice must first be given. In that connection, I would like to remind all hon. members of my ruling of May 8, 1986.

The second point of privilege raised by the hon. the Leader of the Opposition, on Wednesday, involves a question of statutory interpretation rather than the privileges of this House.

In rising on his third point of privilege, on Wednesday, the hon. the Leader of the Opposition (Mr. Barry) was, in my opinion, merely repeating his first point, and my ruling with respect to the first point applies equally to the third point of privilege.

Also, on Wednesday, the hon. the Leader of the Opposition questioned the use by the member for St. John's North (Mr. J. Carter) of the word 'hypocrisy'. I have checked Hansard and do not regard the word as used on that occasion unparliamentary.

Statements by Ministers

MR. BLANCHARD:
Mr. Speaker.

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

MR. BLANCHARD:
Thank you, Mr. Speaker.

Mr. Speaker, I am pleased to inform hon. members of the House that the Labour Standards Board under its recently appointed Chairman, Mr. Emerson G. Barbour,

and members Ms. Elizabeth Moores and Reginald Anstey, will continue its 1986 review of conditions of employment within the Province commencing August 11, 1986, in Clarenville.

The Board intends to hold further hearings in Bonavista, Grand Falls, Gander and Marystown in August, with additional hearings to be held in Port aux Basques, Stephenville, Corner Brook, St. Anthony, Baie Verte and St. John's in September, 1986.

Mr. Speaker, in keeping with its broad mandate, the Board will hear and report to me on virtually any matter concerning conditions of employment over which any individual or group expresses concern. I am especially pleased, Mr. Speaker, to note that the Board intends to hold public hearings at which disabled persons are invited to express their concerns, both in Corner Brook and St. John's and any other location where there is sufficient support for such a hearing.

I expect to receive the report and recommendations of the Labour Standards Board in December of 1986.

Mr. Speaker, there is appended to the statement a schedule of dates and times where these hearings will be held.

Thank you, Mr. Speaker.

MR. BARRY:

Mr. Speaker, despite the fact that the Chairman is an individual who ran for, I think, the nomination for the minister's party, we still think that this committee could do good work. We would expect that it would not be partisan in its approach nor has it been, as far

as we can see up to now. It seems to be the type of hearing, or set of hearings, that is not going to get a lot of presentations delivered to it unless the minister stirs it up a bit. Is there any way, without having a quarter of a page filled with the minister's picture, we might be able to make sure that there is proper -

MR. BLANCHARD:

I have never had my picture in with the ad.

MR. BARRY:

You have never had your picture in with the ad? Well, I must commend the minister, and I suggest he speak to some of his colleagues. Would the minister consider asking the Labour Standards Board, if that is appropriate, to consider if they would raise it in the course of the exercise of their mandate, and that is the problem which arises more and more often, in light of the calls that I get anyhow, of individuals not being able to get employment because of - I wonder if the minister is listening?

MR. BLANCHARD:

I can hear every word you are saying.

MR. BARRY:

- union seniority lists and difficulty in obtaining membership to trade unions in the Province? This has been raised in the House on a number of occasions. Last year we raised it with the minister and he said he would look into it. I am still getting presentations from individuals saying that they have opportunities for employment but, because they are unable to get a union card, they are not able to get the job. We can sympathize

with the fact that a union must try and seek employment for its members and many of the unions, because of the high unemployment level in the Province, have a lot of their membership on layoff or termination status, but can the minister look into the situation as to whether there is free and open accessibility to membership in trade unions, whether individuals are able to obtain union cards, or whether we have a lot of people now caught in the bind of where the only jobs available are those requiring a union card and, on the other hand, the unions are saying, 'No, we are not going to take any more people into the union because we have enough members now'?

MR. PEACH:

His time is up, Mr. Speaker.

MR. SPEAKER:

Order, please!

MR. BARRY:

No, no. This is a serious matter and the member for Carbonear should be aware of that, and the member for Carbonear should stand up and start fighting for his constituents who are caught in that bind.

MR. SPEAKER:

Order, please!

The hon. member's time has elapsed.

MR. BARRY:

Yes. If I could, by leave?

MR. MARSHALL:

The minister is going to get up and explain it.

MR. BARRY:

Well, I would be glad to let the minister explain if he would, but if I could, by leave, just finish

my statement, just briefly.

MR. SPEAKER:

The hon. member's time has elapsed.

MR. BARRY:

Could I make a point to the minister and let the minister respond?

SOME HON. MEMBERS:

No.

MR. SPEAKER:

Order, please!

I do not think we should establish the custom of questions and answers at this particular time.

MR. BARRY:

By leave, Mr. Speaker.

MR. MATTHEWS:

You do not have leave.

MR. SPEAKER:

Order, please!

I would ask the hon. the Leader of the Opposition to please keep quiet when I am standing.

I do not think we should establish the custom of having questions and answers at this particular time, because the next item of business is the Question and Answer Period.

MR. BARRY:

A point of order, Mr. Speaker.

MR. SPEAKER:

A point of order, the hon. the Leader of the Opposition.

MR. BARRY:

Mr. Speaker, I do believe that the custom in this House is that by leave the members can decide the order of business. I would assume Your Honour is not deciding that that tradition would no longer

apply.

MR. MARSHALL:

To that point of order, Mr. Speaker.

MR. SPEAKER:

To that point of order, the hon. the President of the Council.

MR. MARSHALL:

Mr. Speaker, the petulant and immature Leader of the Opposition continues to get up and question Your Honour's rulings. Your Honour's ruling is quite right with respect to that proceeding. There are Statements by Ministers given, there is half time given for the purpose of response, then that is followed by the Question Period. If the gentleman has any questions arising, he can utilize this.

MR. BARRY:

I think we will be able to find one or two.

MR. SPEAKER:

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

MR. BLANCHARD:

On a point of order, Mr. Speaker.

MR. SPEAKER:

A point of order, the hon. the Minister of Labour.

MR. BLANCHARD:

Mr. Speaker, with due respect, I think the hon. the Leader of the Opposition is making some incorrect statements.

MR. SPEAKER:

Order, please!

MR. BLANCHARD:

He is mixing up, I think, some matters that would normally come up under The Labour Relations Act

with the Labour Standards statement.

MR. SPEAKER:

Order, please! That is no point of order.

MR. BARRY:

Does the minister wish to have leave?

SOME HON. MEMBERS:

No.

MR. SPEAKER:

Order, please! Are there any further Statements by Ministers?

Before calling Oral Questions, I would like to welcome Mrs. May, representative of the Canadian Paraplegic Association, to the gallery.

SOME HON. MEMBERS:

Hear, hear!

Oral Questions

MR. BARRY:

Mr. Speaker.

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. BARRY:

I would like to ask the Government House Leader (Mr. Marshall), in his thorough, I am sure, and complete examination of the facts surrounding the recent Public Works and Services' scandal - public patronage scandal it should be called - did the minister check for correspondence, documents, and, is the minister able to confirm this morning that there was, in fact, an intention of passing this matter on to the Public Service Commission after

the competition was cancelled?

MR. SPEAKER:

The hon. the President of the Council.

MR. MARSHALL:

Mr. Speaker, the only scandal and the only scam in this Province that I am aware of is the Leader of the Opposition sitting in Opposition and the way in which he has conducted his office while he is over there.

I have already responded to that, Mr. Speaker, and I have responded, I think, quite fully in the past two Question Periods. First of all, I would emphasize once again there is no scandal. Instead of the Minister of Public Works and Services receiving condemnations he should receive commendation for the actions which he took in order to preserve the principle of merit in the public service.

MR. BARRY:

Mr. Speaker.

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. BARRY:

Mr. Speaker, I wonder if the minister would go and check the files of the Department of Public Works and Services and look for copies of the letters which went out to the - I said fifty or sixty, I am told now it is closer to eighty or ninety - men and women who applied for those jobs? If the minister would do that and check the letters that went to those applicants, the minister is going to find that they were told that it was no longer the intention to continue with the competition or to fill those positions permanently. I wonder

if the minister would check that correspondence and commit himself to bringing that into this House on Monday?

MR. SPEAKER:

The hon. the President of the Council.

MR. MARSHALL:

I do not see an immediate necessity to check any correspondence. Obviously the hon. gentleman has access to the files and he has obviously checked the correspondence himself, which is a matter of some real concern, particularly to this political party and government which restored freedom in this Province in 1971, because up to that time appointments were not made on the basis of merit but on whether somebody was a follower of a certain this party, which we concede to be everybody's right in the public service. At the same time I say to the informants of the hon. gentleman - I say informants because there is no reason, Mr. Speaker, at all for this type of thing and the attempt to try to assail the reputation of the Minister of Public Works and Services when all he was doing was trying to preserve the principle of merit in the public service - that while we have embraced and will continue to embrace and protect the rights of public servants to follow whatever political party they want to, at the same time public servants, when they are in the employ of this government, have a duty as well to comply with the normal requirements of any public service and that does not involve communications with the Opposition in the base manner in which it is obviously being done in this particular case.

MR. BARRY:
Mr. Speaker.

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

MR. BARRY:
Now let that message go out to the
public service of this Province,
that they are not allowed to speak
to the Opposition -

MR. PATTERSON:
Who would want to speak to you?

MR. BARRY:
-even to uncover the corruption
that the member for Placentia (Mr.
Patterson) has decided to
associate himself with.

MR. PATTERSON:
Come down and run against me.

MR. SPEAKER:
Order, please!

MR. BARRY:
Is the minister aware that these
applicants for these positions
were non-public employees? And is
the minister saying that there is
something wrong with a taxpayer of
this Province who has lost the
opportunity for a job because of
the minister's attempt at
political patronage, is the
minister calling those individuals
informants when they reveal to the
Opposition the letters that they
have received in response to their
application for a job with
government? Is that what the
minister is saying? And will the
minister table, as he indicated
yesterday he would consider doing,
that memorandum that was issued by
the minister?

MR. SPEAKER:
The hon. the President of the
Council.

MR. MARSHALL:
No, Mr. Speaker, first of all with
respect to informants, I should
advise the hon. gentleman as well
that this government has fully and
completely kept the proceedings of
government open to the public by
enacting The Freedom Of
Information Act in this Province.
It has done everything to keep the
operations of government
completely aboveboard. And the
Minister of Public Works and
Services has taken a leading part
in this, if the hon. gentleman
would consult his record and his
stewardship, particularly when it
comes to public bidding, The
Public Tendering Act, and
contracts, and equally when it
comes to the matter of hiring on
the basis of merit in the public
service. I think it is very, very
unfortunate that the hon.
gentleman wants to slander people,
and what he has done is he has
slandered the Minister of Public
Works and Services. Because all
the Minister of Public Works and
Services was doing, which is quite
clear -

MR. BARRY:
Tell him to sue me.

MR. MARSHALL:
- was preserving the principle of
merit by referring these
appointments and declaring that
these appointments should be
referred to the Public Service
Commission.

With respect to the other matter,
I can tell the hon. gentleman
there does not appear to be any
need at all to table any
memorandum.

MR. BARRY:
You did not read it all out, did
you?

MR. SPEAKER:
Order, please!

MR. MARSHALL:
The hon. gentleman, in the distorted and jealous and tormented ways in which the hon. gentleman operates, can make all sorts of insinuations. Mr. Speaker, I gave on Wednesday the complete and absolute text, in its entirety, of that memorandum by the Minister of Public Works.

MR. BARRY:
Let me see it.

MR. MARSHALL:
If the hon. member does not want to take my word for it, that is his problem. I could not care less what he takes or he does not take. On Wednesday of this week I gave the complete text of that memorandum.

MR. FUREY:
Mr. Speaker.

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

MR. FUREY:
I have a question for the Minister of Social Services (Mr. Brett). I would like to ask the minister is his department complying with the amendment to The Conflict of Interest which deals with the standards to be observed by public employees and the conduct of their official functions insofar as it relates to their private duties? Particularly I am looking at section 11, sub-section 1, part (a). I want to ask the minister is his department complying with this which deals with a public employee being in receipt of any benefit from the Province, from any agency of the Province or from any source outside his official entitlement? Is the minister's

department complying with these regulations as laid down by the administration?

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

MR. BRETT:
Mr. Speaker, I am afraid the hon. member is going to have to be a little bit more specific. I do not really know what he is talking about.

MR. FUREY:
Mr. Speaker.

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

MR. FUREY:
I am just simply asking the minister does he enforce in his department the conflict of interest guidelines dealing with his public employees. That is all I am asking.

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

MR. BRETT:
The obvious answer is yes, Mr. Speaker. But if the hon. member is referring to a specific employee in the department, then he should name him, either here or outside the House. Obviously he is being very vague. The answer is yes, of course, all employees of the department would have to comply with the act. But after all there are 800 employees in the Department of Social Services and if he is suggesting that some employee is not living up to the guidelines of the act, then he would have to be specific about it because I am really not aware of what he is talking about.

MR. EFFORD:
Mr. Speaker.

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

MR. EFFORD:
Now, Mr. Speaker.

SOME HON. MEMBERS:
Oh, oh!

MR. SPEAKER:
Order, please!

The hon. the member for Port de Grave.

MR. EFFORD:
My question, Mr. Speaker, is to the Minister of Social Services.

SOME HON. MEMBERS:
Oh, oh!

MR. SPEAKER:
Order, please!

MR. MORGAN:
Talk about slime! He has cast innuendo on all the employees of the Department of Social Services.

MR. SPEAKER:
Order, please!

MR. EFFORD:
Mr. Speaker, my question -

MR. MORGAN:
I am not going to be a party to that.

MR. SPEAKER:
Order, please!

MR. EFFORD:
My question to the Minister of Social Services is in connection with the question asked by my colleague. Apparently he is quite aware of the guidelines when it

comes to conflict of interest of people working for the provincial government, being paid a salary. I would like to ask the minister, will he tell this House if he is aware of favours being shown -

SOME HON. MEMBERS:
Shavers?

MR. EFFORD:
Favours being shown.

MR. PEACH:
You are all mixed up, boy.

MR. SPEAKER:
Order, please!

MR. EFFORD:
Mr. Speaker, this is a very serious question. This is not an empty accusation.

SOME HON. MEMBERS:
Oh, oh!

MR. SPEAKER:
Order, please!

MR. EFFORD:
Mr. Speaker, I will stand here the whole day if I need to, but I am going to have silence in order to ask this question.

I would like to again ask the Minister of Social Services is he aware of favours being shown to one Everett Osmond of Woody Point by his department?

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

MR. BRETT:
No, Mr. Speaker. I have no knowledge of what the hon. gentleman is talking about, absolutely none.

MR. EFFORD:

Mr. Speaker, a supplementary.

MR. SPEAKER:

The hon. the member for Port de Grave.

MR. EFFORD:

Let me inform the Minister of Social Services exactly what is going on. Mr. Speaker, this gentleman has a club -

MR. SPEAKER:

Order, please!

Would the hon. member ask his question?

MR. EFFORD:

I would like to ask the minister, is the minister aware that this gentleman has a club at Woody Point and the Department of Social Services has been instructed to put people to work at government expense to clean and paint these premises.

MR. SPEAKER:

The hon. the Minister of Social Services.

MR. BRETT:

Mr. Speaker, I do not know what the hon. gentleman is getting at. There is \$25 million or \$27 million in the Community Development Programme this year. Now I can only assume this is the case again of somebody saying, "I have something in my pocket and if I take it out show it to you it will hurt." I am just guessing and surmising that it is a Community Development project.

The hon. member can imagine that there will be literally thousands of projects around the Province during this fiscal year. The projects do not come from the minister. They originate at the district office, and from there

they go to the regional office where they are analyzed and pretty well approved or rejected, and then they come into the department where the appropriate person authorizes it and it goes back. I, as the minister, do not see the projects. I see only the ones from my own district.

Now, if there is somebody in that district who has a club, and if people who are on social assistance are there working, then I see nothing wrong with it, because I think that would be the kind of project where we place people with private enterprise and they pay a percentage of the wages. I am not sure what the percentage is, if it is 60/40 -

MR. BARRETT:

It is 65/35.

MR. BRETT:

I think it can vary. I do not know if there is a fixed figure. It could be 50/50 or 75/25. I am assuming all this because I do not know anything about it. I assume that that type of project has been given to one Everett Osmond, who happened to be at one time a member on this side of the House.

Now, if, having sat on this side of the House means that you should never be able to partake in any programme that the government has, that you should never be allowed to get a job, then I say we are living in a funny country, are we not? Assuming that that is what the hon. member is talking about, really, I see absolutely nothing wrong with it, as long as the project was approved up through the bureaucrat system and that it has been done according to guidelines. You know, it is happening every day. The fact that this gentleman sat on this

side of the House, I do not suppose that means that he should be discriminated against, at least, I hope not. Because some day the hon. member is going to be outside of this House -

SOME HON. MEMBERS:
Oh, oh!

MR. BRETT:
- and some day this hon. member is going to be outside of the House.

SOME HON. MEMBERS:
Oh, oh!

MR. SPEAKER:
Order, please!

MR. BRETT:
And I hope that when I am outside of this House, I will not be discriminated against because I happened to spend fifteen or twenty years here.

SOME HON. MEMBERS:
Hear, hear!

MR. EFFORD:
A supplementary, Mr. Speaker.

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

MR. EFFORD:
Mr. Speaker, let me tell the Minister of Social Services before I get to my question that I agree with what he is saying. Nobody should be discriminated against. At the same time I agree that nobody should be shown political favours because they are either former government members or working with the government.

SOME HON. MEMBERS:
Oh, oh!

MR. SPEAKER:

Order, please!

SOME HON. MEMBERS:
Oh, oh!

MR. EFFORD:
Could I have silence, Mr. Speaker?

MR. SPEAKER:
Order, please!

I ask hon. members on the left, who are persistently interrupting today, to please give silence to the members on the right who are asking questions. I know it is not completely on one side or the other, but it seems to be far more on the left today, so I would ask you to give members, when they are asking questions, silence when they ask for it.

MR. MITCHELL:
Let them ask intelligent questions!

SOME HON. MEMBERS:
Name him! Name him!

MR. SPEAKER:
I have just asked for silence and the hon member immediately interrupts so maybe naming might be an idea.

MR. EFFORD:
Would the minister explain this? The gentleman from Woody Point, Mr. Everett Osmond, if he was receiving a 75/25 or 60/40 cost shared programme there would be no problem. Let me ask the minister why is his department paying 100 per cent the total cost of labour and is that not political patronage being shown by his department?

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

MR. BRETT:

Mr. Speaker, I have already indicated there is going to be something like \$27 million and several thousand projects in my department this year. I do not think anybody in this House expects me to know every single, solitary project that is going on. The only thing I can do is take it as notice and I promise the hon. gentleman that I will try to get the information for him.

MR. EFFORD:

A supplementary, Mr. Speaker.

MR. SPEAKER:

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

MR. EFFORD:

Well, what the minister is saying in this case is that he is agreeing with that conflict of interest.

MR. MORGAN:

Do not be so foolish.

MR. EFFORD:

Well, he is getting 100 per cent.

MR. SPEAKER:

Order, please!

MR. EFFORD:

I would like to ask the minister is he aware that the average rent paid by anybody renting an apartment at Woody Point is approximately \$150 to \$200 a month? Would he explain to this House why Mr. Osmond is receiving the maximum allowed by the department in that particular area, \$325 a month, when the average rent being paid to anybody else out there is \$150 to \$200 a month?

MR. SPEAKER:

The hon. the Minister of Social Services.

MR. BRETT:

Mr. Speaker, that is pure, unadulterated nonsense! That is pure tripe! Trash! The maximum amount paid for rent now is, I think, around \$325. There is no discrimination. We will pay that whether it is in the city of St. John's, the city of Corner Brook or up in Labrador. It makes no difference.

MR. BARRY:

But is it necessary, Charlie?

MR. BRETT:

Well, whether it is necessary or not is beside the point.

That is the maximum rate that we pay for rent. I stand to be corrected on that, but I think it is around \$325. Now, if I or anybody has a home to rent in any part of this Province and it is available to the Department of Social Services, then, this being a free country, free enterprise and all the rest of it, any individual has the right to say I want \$325 a month for my house, and if they ask it we must pay it, especially - I would like to stress this - where housing is so scarce in the Province and more-so for people who are on social assistance, because most people who have houses for rent do not want to rent them, in many cases, to people who are on social assistance. That has always been a problem for our department and it has always been a problem for people who find themselves in the unfortunate position of having to accept welfare. But Mr. Osmond or Mr. Anybody, whether it is in Woody Point or Timbuktu or anywhere in this Province, has the right to ask whatever they want. It does not have to be \$325. Everett Osmond can say, 'I have a house for rent and the rent is \$500 a month. Take it or leave

it'. In that case the department would pay \$325 and the client would make up the difference.

MR. BARRY:

Mr. Speaker, a supplementary to that.

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. BARRY:

Would the minister agree that regardless of what the maximum rent is it is the policy of the Department of Social Services not to pay the maximum if they feel rental premises are available in the area for less than the maximum? If the minister checks he will find, as the member indicated, that the average rental for an apartment or premises in that area is something in the area of \$200 a month, so is there not something that requires investigation if anybody, particularly a government employee, is receiving over \$300 a month for rent?

MR. SPEAKER:

The hon. the Minister of Social Services.

MR. BRETT:

Mr. Speaker, not necessarily so. Now again all this is on assumption. I do not know what houses are available in Woody Point nor do I know this specific case. I never heard of the case before. There are 20,000 or 30,000 people out there who are on any given day getting assistance from this department by way of food and rent and so on. But, again, if Mr. Osmond, or whatever his name is, has a house for rent, he has the right to charge it and, of course, as an entrepreneur or a businessman, he has the right to

get it.

MR. W. CARTER:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Twillingate.

MR. W. CARTER:

My question is to the Minister of Fisheries (Mr. Rideout). Is the minister aware of the fact that prices paid to Nova Scotian fishermen for salt bulk fish, and for fresh fish that is going into salt, is much, much higher than that paid to Newfoundland fishermen as prescribed by the Canadian Salfish Corporation? In fact, Mr. Speaker, I can quote some figures. In Newfoundland, for example, salt bulk fish brings eighty cents a pound to fishermen. In Nova Scotia it is \$1.25 a pound. The price prescribed by the Canadian Salfish Corporation in Newfoundland for extra large fish is twenty six cents a pound. I am told in Nova Scotia the price is fifty-two cents a pound. That is quite a difference. I wonder can the minister explain?

MR. SPEAKER:

The hon. the Minister of Fisheries.

MR. RIDEOUT:

Mr. Speaker, first of all let me say to the hon. gentleman, as I am sure he is aware, that prices paid for salt fish in Nova Scotia, or fresh fish going into salt basically changes from week to week and month to month. It is a very volatile price situation in Nova Scotia.

Secondly, let me say to him as well, as he knows, it is a very different situation altogether in Nova Scotia. In Newfoundland,

fishermen who put their fish into salt or sell fresh fish to the Saltfish Corporation or agents of the Saltfish Corporation have a guaranteed price. No matter whether they catch their fish off the entrance of St. John's sell, or catch it off the entrance to Nain and sell it, they get a guaranteed price no matter where the fish is caught and sold or produced in Newfoundland. Nova Scotia fishermen do not have that guarantee, Mr. Speaker. Secondly, fishermen in Newfoundland are guaranteed that they can sell to the Saltfish Corporation every fish they bring in. Whether they bring in one fish or 10,000 tons of fish or 1 million tons of fish, the Saltfish Corporation has to take the fish. That, Mr. Speaker, is not the case in Nova Scotia where the Saltfish Corporation does not operate.

Thirdly, I would like to say to the hon. gentleman, as he is aware, in Newfoundland the location of where the fish is caught and processed makes no difference, a fisherman gets the same price where it is done.

The last thing I would like to say to him, Mr. Speaker, is that this has been consistently and historically the case in Newfoundland since the Saltfish Corporation has been in existence. I am not saying it is right, I am not saying it is wrong, but the advantages to the Newfoundland fishermen of having guaranteed price, guaranteed income and a guarantee to take every fish they can catch, perhaps in some way balances the vagaries of the marketplace that the Nova Scotia fishermen has to work under. The last thing, as he will know, is that there is no trap fish at all in Nova Scotia, but a

lot of our fish that goes to the Saltfish Corporation is small cod that is caught at the time of the glut during the trap fishery.

MR. W. CARTER:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A supplementary, the hon. the member for Twillingate.

MR. W. CARTER:

My question to the minister is would the minister not agree that maybe Newfoundlander fishermen are being required to make too big a sacrifice for the guarantees the minister has outlined? While Nova Scotian fishermen do not have the same guarantee from the Saltfish Corporation, the private sector gives them the same guarantee, and for that, of course, they get as high as 50 per cent more for their product.

MR. SPEAKER:

The hon. the Minister of Fisheries.

MR. RIDEOUT:

Mr. Speaker, I can say to the hon. gentleman, as I have said to him many times before in Question Period and in Committee and so on, that there are a lot of advantages for the fishermen of this Province wrapped up in the vehicle called the Canadian Saltfish Corporation. He knows that, and I am sure he appreciates that. But we are not married or wed to the Canadian Saltfish Corporation. The fishermen are represented on the Board of Directors of that Corporation at the present time by the President of their Union, who helped set the prices. But any day the fishermen of this Province signal, in numbers that warrant it, that they would like to have another vehicle or be rid of the Saltfish Corporation, then I have

always said that I have an open mind on that and I am prepared to review the mandate and the working operations of the Saltfish Corporation in this Province at any time. But historically, since the Corporation was put in place, and I rub shoulders with as many fishermen in as many parts of the Province as anybody in this House, I believe that generally the fishermen are pleased with the activities of the Corporation. Now that does not mean to say that they are always satisfied, but generally, by and large, they are pleased.

MR. W. CARTER:

Mr. Speaker.

MR. SPEAKER:

A final supplementary.

MR. W. CARTER:

Mr. Speaker, my final supplementary is to the minister. I am not against the Saltfish Corporation. It might well be that its presence is needed here in the Province, and it certainly was when it was started, but these differences are too much, Mr. Speaker. Would the minister not agree that maybe the time has come for him or his officials to have a look at the Canadian Saltfish Corporation? Are they allowing their overhead to become top heavy because their money comes from the pockets of the fishermen? Would he not undertake to have an investigation carried out into the operations of the Saltfish Corporation? Maybe there is an answer, but certainly let us try and find it. Would he not undertake to do that?

MR. SPEAKER:

The hon. the Minister of Fisheries.

MR. RIDEOUT:

Mr. Speaker, we try to keep on top of the activities of the Saltfish Corporation on practically a daily basis. There is always a senior official from the Provincial Department of Fisheries on the Board of Directors. We have access to any information we want and we have no hesitation whatsoever in requesting it. In fact I have gone and met with them myself on four or five occasions in the year that I have been in the department and asked them questions about their overheads and their projected losses, which did not turn into losses after all, and things of that nature. But we are always questioning the viability of the activity of the Canadian Saltfish Corporation and we will continue to do so. And if we see or detect a need for any larger investigation than that, then, Mr. Speaker, this minister will have no hesitation in calling for it.

MR. EFFORD:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Port de Grave.

MR. EFFORD:

Mr. Speaker, I would like to ask the Minister of Fisheries a question. Since the Federal Minister of Fisheries (Mr. Siddon) is presently in Newfoundland, and because of the situation with the sixty-five foot longliners, since I am not aware of anything being released on quotas for them in the 3NO division, could the Minister of Fisheries tell us, since the Federal minister has come down here, is there anything new to report on quotas being allocated on the Grand Banks for those boats sixty-five feet and under?

MR. SPEAKER:

The hon. the Minister of Fisheries.

MR. RIDEOUT:

No, Mr. Speaker, there is nothing new to report, but there might be before the weekend is over.

MR. EFFORD:

A supplementary, Mr. Speaker.

MR. SPEAKER:

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

MR. EFFORD:

I would like to ask would the Minister of Fisheries indicate if any delay in that quota being released to those sixty-five foot boats and under has anything to do with the fact that he is trying to get a portion of that quota for the 106 foot boat he recently purchased for the middle-distance fleet, because that boat is not allowed to fish in the 3N0 division?

MR. SPEAKER:

The hon. the Minister of Fisheries.

MR. RIDEOUT:

An absolute pile of nonsense, Mr. Speaker! It has no more to do with it than I have to do with the Man in the Moon.

MR. EFFORD:

A supplementary, Mr. Speaker.

MR. SPEAKER:

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

MR. EFFORD:

Mr. Speaker, I would like to ask the minister if he will confirm this: It has been indicated by the Federal Minister of Fisheries, Mr. Siddon, I presume that is who it was, who made the comment to one Basil Blaze in Nova Scotia,

and this came from the Federal Minister of Fisheries himself, that it is because he requested a 300 ton quota for this particular boat, because the last three trips out this boat has not made any money, that quotas have not been set for these 65-foot and under boats on the Grand Banks. Would he confirm that Mr. Siddon did say that because the Minister of Fisheries is after a 300 ton allocation out of the portion that came back from the Russians is the reason why the quota has not been allocated to the Newfoundland boats that want to go out there and fish on the Grand Banks?

MR. SPEAKER:

The hon. the Minister of Fisheries.

MR. RIDEOUT:

Mr. Speaker, first of all, when I stand in this House and make a statement or reply to a question I have to stand behind the validity of it. I would not make any comment on the validity of any statement attributed to Mr. Basil Blaze, Mr. Speaker, absolutely none. I know all about the gentleman and his dealing in the fishery in Atlantic Canada and so on.

Secondly, let me tell the hon. gentleman that his comment on the new vessel losing money in the last three trips is completely unfounded. The first trip, when the shakedowns were taking place, was not as successful at the other two, but there have been two good landings by the vessel. Thirdly, Mr. Speaker, let me tell the hon. gentleman that at no time in negotiations with the federal government and the industry and the union on the allocations of the repatriated cod from the Soviet Union in 3N0 did we put a figure - any figure, let alone the

figure of 300 tons - on the table specifically directed to our second middle distance vessel. The answer, Mr. Speaker, is no, no, no, never.

MR. BAKER:
Mr. Speaker.

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

MR. BAKER:
Thank you, Mr. Speaker. I have a question for the Minister of Fisheries. The situation with the river guardians in the Province is that the river guardians are not being hired for a few days and will only work for ten weeks this year. The river guardians have been told that there is no overtime this Summer. The amount of money for the protection of the rivers has been cut back from \$380,000 to \$320,000.

In light of the fact that there is an early salmon run, and in light of the fact that the salmon runs long after these guardians will actually be on the rivers now, what guarantee has the minister gotten from the federal Fisheries Minister that this mess is going to be straightened out?

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

MR. RIDEOUT:
Mr. Speaker, salmon runs, from time to time, year to year, river to river, vary a great deal. One of the reasons the then federal government used two or three years in hauling back the opening date was to let the runs take place before the commercial season opened. This year that has not worked. Down my way last week they were getting salmon of the biggest kind that normally should

have been gone to the river. Mr. Speaker, I am very well aware of what the question is but there are all kinds of implications in the question. We have had discussions from our fisheries management perspective with the federal people on that whole matter in terms of managing the inland rivers and the salmon enhancement programmes. My colleague, the Minister of Culture, Recreation and Youth (Mr. Matthews), carries the ball for that in federal/provincial relations. But from a fisheries perspective we have had discussions with the federal government in terms of the hiring dates and the number of weeks that the people will be working and so on, and we are hoping to make some progress in that regard, Mr. Speaker.

MR. SPEAKER:
Order, please!

The time for Oral Questions has elapsed.

At this stages I would like to welcome to the gallery representatives of the Newfoundland and Labrador Building Construction Trades Council, with their President, George Fewer.

SOME HON. MEMBERS:
Hear, hear!

Answers to Questions
for which Notice has been Given

MR. DOYLE:
Mr. Speaker.

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

MR. DOYLE:

Mr. Speaker, I would like to table the answer to a question that was placed on the Order Paper June 11 from the member for Stephenville (Mr. K. Alyward). He was asking how much money had been allocated to Stephenville under the 60/40 agreement in each of the last five years. The answer to it is \$1.8 million ever since 1981.

SOME HON. MEMBERS:

Hear, hear!

MR. MATTHEWS:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Culture, Recreation and Youth.

MR. MATTHEWS:

Thank you, Mr. Speaker. I would like to table an answer to a question asked by the hon. the member for Stephenville in relation to the draw for camping lots in the parks.

Petitions

MR. FENWICK:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Menihek.

MR. FENWICK:

Mr. Speaker, it would not be appropriate to have what maybe the last day of the session without at least one more petition. I am only introducing one petition. The petition, Mr. Speaker, is from my district and that is why I would like to present it today, the last day.

I would also like to read into the record a letter I have also received as well, but I will first

read the petition. It is to the hon. House of Assembly of Newfoundland and Labrador, "We, the undersigned, petition the Provincial Government to put in place the necessary funding to complete The Encyclopaedia of Newfoundland and Labrador."

It is signed by individuals who are at the Secretarial Science Programme at Bruneau Plaza in Labrador City. The individuals are in an excellent course set up by the District Vocational School in the Labrador area, in Goose Bay, and it is for that reason that I would like to present the petition on their behalf.

At the same time, I would like to read a letter which I received yesterday. The letter is from Roger Grimes, President of the Newfoundland Teachers' Association. It goes as follows: "June 11, 1986, Mr. Peter Fenwick, Leader of the New Democratic Party, Fifth Floor, Confederation Building.

"Dear Mr. Fenwick: In your letter of May 15, 1986, you refer to your efforts in attempting to have The Encyclopaedia of Newfoundland and Labrador completed and request the official support from the Newfoundland Teachers' Association in doing so.

"Rest assured that this Association feels that the completion of the encyclopaedia is an issue of some concern and will support fully the efforts of yourself and others in seeing that funds are made available for its completion.

"As you are already aware, many hundreds and thousands of students and teachers have already signed petitions locally and have

forwarded them for use in supporting this cause. Any time this matter is raised in the future you can be rest assured that the Association does indeed support it. Kindest regards." It is signed on behalf of Roger Grimes.

Mr. Speaker, I just enter it now because this is the Association that represents one of the largest groups of people who are the users of this particular encyclopaedia. It is obvious from what is now about fifty or sixty petitions that we have received, which will be entered in due course, that there is a considerable amount of support for it. We now have the official endorsement of the Association that represents the 8,000 or 9,000 teachers in the Province. I think that is also an indication of the value of this particular work and, again, I recommend to the Provincial Government, the Cabinet, that they seriously look at the proposal to see if there is anything that they can do to endorse the encyclopaedia and to endorse some sort of provincial funding so that we can complete the last three volumes of it. Mr. Speaker, that is my petition and my argument for it.

MR. SIMMS:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Forest Resources and Lands.

MR. SIMMS:

Mr. Speaker, I just want to speak very briefly to this petition. It is one of a thousand, I suppose, that the hon. member has solicited. It is certainly not a legitimate petition in the sense of the real word that we know,

petitions that have been sent in from the grass roots, of their volition and their own effort. It is a response to a letter that the hon. member sent out to all kinds of schools, trying to get people to send in separate little petitions so the hon. member could get a bit of publicity at every opportunity he can.

On the other side, there is a political motive involved here, I suggest, in that he is trying to take some of the Liberal support by cozying up to the former Premier's encyclopedia project.

Now, I said the other day in the House, Mr. Speaker, that if all of these petitioners were aware that what he was asking for was \$1.5 million to undertake this particular project and, if they had a choice of supporting a request for \$1.5 million for this particular project, or \$1.5 million for some other kind of a project that could create jobs, like in forestry and silviculture, I am afraid my own priorities would have to lie in the other area. I said that the other day.

I also said the hon. member said that he started this whole thing because of his interest and because of his involvement as a Newfoundland history teacher in the Bay St. George Community College and he found it to be a great asset. I indicated on that day, Mr. Speaker, that I make no wonder that is a fact because the hon. member is from Ontario, he is from Toronto or somewhere.

MR. FENWICK:

A point of order, Mr. Speaker.

MR. SPEAKER:

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

MR. FENWICK:

Mr. Speaker, I usually have great patience but I am pretty sure that in Beauchesne imputing motives to individual members in the House is clearly against the rules. The member has already indicated that it is being done for partisan, political motives in order to undercut Liberal strength and so on, which is imputing my motive, but when he goes and starts saying that the place in which I was born is obviously a factor in this particular thing, I would suggest that that is even more than impugning motives. I do not know what it is but it seems to me that it is certainly unparliamentary.

MR. SIMMS:

I am prepared to withdraw any imputation of motives just to get on. I have one minute left and I just want to conclude by saying, Mr. Speaker, that perhaps the hon. member who is trying to be so pious and self-righteous in this House, and outside the House, and support every particular issue, perhaps the hon. member would be prepared, in order to undertake the cost of this particular project, to donate his 6 per cent salary increase that he made such a big fuss about or even better, Mr. Speaker, perhaps he would be prepared to donate 27 per cent which he supported when the all-party committee made their recommendations a few weeks ago.

SOME HON. MEMBERS:

Hear, hear!

MR. SIMMONS:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Fortune - Hermitage.

MR. SIMMONS:

Mr. Speaker, I would like to rise in support of the petition.

My cousin from Grand Falls -

SOME HON. MEMBERS:

Oh, oh!

MR. SIMMONS:

It is going to be all about my American cousin or my Newfie cousin because I say to the gentleman for Menihek (Mr. Fenwick) that, despite the consummate and absolute wisdom of the gist of what the gentleman from Grand Falls (Mr. Simms) said, he made one serious error when he said by implication that rallying the former Smallwood supporters would be rallying people who pose as Liberals. The fact is if he rallied the former Smallwood supporters, he would be rallying people like the member for Grand Falls (Mr. Simms). He would be into the Tory ranks, including the Premier, you see. As a matter of fact, most of the water boys of the former Liberal administration, because water boys, by nature, are people who stand little for principle but a lot for position, so if there is no water job with the Liberals anymore, they get a water job with the Tories.

SOME HON. MEMBERS:

Hear, hear!

MR. SIMMONS:

If you are mercenary, you get a job where you can.

Now, Mr. Speaker, there are two other issues. One is the encyclopedia, an eminently sensible project, no question about that. It is a question, as the minister says though, of what the priorities are. I have to support him on that and I would be less than candid if I did not. I

would be happier if those petitions, as the minister implied, laid out the choice that the people have. But petitions drafted by people who want to generate petitions normally do not lay out all the facts. They only lay out the facts that are convenient to them. That is unfortunate.

SOME HON. MEMBERS:

Hear, hear!

MR. SIMMONS:

The third thing, of course, is that I must come to the defence of my friend from Menihek (Mr. Fenwick), a person whom I got to know during my stint on that now famous committee, the Select Committee on Member Services, Accommodations, and Benefits, and my friend from Humber Valley (Mr. Woodford) can concur I am sure. I got to know him during that period. He has been misunderstood in the press this past week. He has been misunderstood. He did not say he would not take the 6 per cent. Oh no, he wanted the 27 per cent.

SOME HON. MEMBERS:

Hear, hear!

MR. SIMMONS:

And he was speaking for all of us, not speaking for all of us, no, God help us! But when he uses that editorial 'we', I think he is talking about himself and what he sees in the mirror every morning. That is the only way I can get a plural out of what sits down in the corner.

Mr. Speaker, no, he does not speak for us but he was certainly fighting our battle when he was saying - I suppose he was fighting our battle if I can follow him - when he was in the Common Room

some time ago kicking up a great tantrum because that stunned government would not come across with the 27 per cent.

Mr. Speaker, in conclusion, there was a fellow in Bishop's Falls - I will not mention his name but I grew up in Bishop's Falls - who never had all the keys in his typewriter, as Ray Guy would say, never had all of his marbles. He had a horse for sale, you see, which illustrates the point right through the petition, Mr. Speaker, illustrates the point beautifully. He had a horse for sale and he wanted forty dollars for the horse. Well, some person who did not want to take advantage of him knew the horse was worth a couple of hundred dollars. He said, "Bobby, boy, I will give you \$200 for that horse," and Bobby says, "No, Sir. Either I get forty dollars or I am not selling the horse." It is analogous, it seems to me, to the position taken this week by the gentleman for Menihek, in contrast to the position he took some time ago. He wanted 27 per cent but he will not take 6 per cent.

SOME HON. MEMBERS:

Hear, hear!

Orders of the Day

MR. MARSHALL:

Order 19, Bill No. 27.

MR. SPEAKER:

The debate on Bill No. 27 was adjourned by the hon. the Leader of the Opposition.

MR. MARSHALL:

Mr. Speaker.

MR. SPEAKER:

The hon. the President of the Council.

MR. MARSHALL:

Mr. Speaker, I do not think, really, I need to respond to anything any further than I did on the introduction of the bill. The whole purpose of the bill is quite clear, it is there for the purpose of adding the departments to the bill itself with their new names that resulted since there was some restructuring.

I move second reading.

On motion, a bill, "An Act To Amend The Newfoundland Public Service Commission Act, 1973," read a second time, ordered referred to a Committee of the Whole House, on tomorrow. (Bill No. 27).

Motion, second reading of a bill, "An Act To Amend The Petroleum And Natural Gas Act." (Bill No. 32).

MR. SPEAKER:

The hon. the President of the Council.

MR. MARSHALL:

Mr. Speaker, this is really a bill that is coincidental with the Atlantic Accord legislation which was presented to this House. Under the companion federal act, the Province of Newfoundland is given the right to assess revenues as if they were on land. The basic revenue, of course, in assessing resource revenues of this type, is the royalty. This particular act amends the Petroleum And Natural Gas Act in several respects, but primarily what it does is it confers upon the Lieutenant-Governor in Council the right to establish the royalty rates with respect to developments.

I will respond to the first five sections. They just improve the definitions, in the definition sections, of gas and of crude petroleum and make certain other consequently amendments that I do not think I need dwell on. Part two, Mr. Speaker, is really the relevant one, and part two is a new part that has been added to the act, which establishes definitely the royalty that we have been entitled to assess as a result of part 6, I guess it is, of the federal legislation. It establishes the royalty, as I say, it establishes a basic royalty, it provides the right for an incremental royalty and that incremental royalty, of course, will be one that will be assessed if the profitability of any project exceeds a certain amount, because it is the policy of this government not ever to see ever again the people of the Province of Newfoundland put in the position as they were with the Churchill Falls situation. So, in effect, what that is is an escalation return from the revenues. It entitles a royalty agreement to be entered into, it provides that government can, if it wishes to, instead of accepting money, accept payment in kind, which would be oil, which in some cases is utilized, and it also provides that the Lieutenant-Governor may make regulations prescribing the royalties and the conditions with respect to it. Now, we need this, and this is the area in which we have decided to go, particularly as we approach the Hibernia development, because we want to have the room and the latitude to negotiate the fiscal framework in a way that is going to be beneficial to the people of Newfoundland and Labrador.

So, that is the purpose of the bill. I have explained the purpose of it and I will be quite happy to respond to any reasonable, legitimate questions that are raised.

MR. BARRY:
Mr. Speaker.

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

MR. BARRY:
That Bill 32 refers to Bill 1, and I am just looking for the clauses 97 to 100. Does anybody have Bill 1 there so that I can take a look at it? I have Bill 59 here, but the clauses are numbered differently.

I just wanted to be able to refer to the clauses in the Accord that are incorporated into this act.

Mr. Speaker, we realize that there has to be an amendment to the Petroleum and Natural Gas Act in light of the Atlantic Accord, but we do not accept that this act is the way that it should be done, because basically what we have here is great authority being given to Cabinet. Really it is a very simple act, it just says that Cabinet can do whatever is necessary in order to implement the royalty aspects of the Accord and the agreement entered into with the Government of Canada and the decisions subsequently taken by Cabinet with respect to what is necessary in order to implement any fiscal arrangement, for example, with Mobil. And we get down to the old question of to what extent should decisions be taken in this House, and to what extent should decisions be taken behind the closed doors of the Cabinet room?

Now, I think probably most members would agree that on balance, all things being equal, it is better that decisions be taken in this House on matters of great public importance. The argument is made from time to time that for reasons of administrative convenience, administrative efficiency, ease of negotiation, efficiency of bargaining, that it is important for Cabinet to be given authority. We went through this with the mineral royalties situation. I have to confess that I made a mistake, Mr. Speaker, in my recollection. I had to go back and review my records, because I thought that the decision had been taken to bring the royalty regime into legislation, but, in fact, when I checked, royalties were left under the mining legislation to be done by regulation. And that was something that was considered by the Royal Commission on mining as one of the items and, on balance, it decided that that was the way that it should be done. But what we did do and what we did establish was that the royalty rate would be consistent. In other words, it would not be on an individual basis that you would be negotiating these things, which is what I understand is being done now, that government is negotiating a special deal with Mobil with respect to a fiscal regime.

Well, the problem with this, of course, is that in any subsequent development, the particular developer is going to come in and try to negotiate the best possible deal he can, a special deal for himself. It is too bad the Minister of Mines is not here, because I think he would confirm that the practice we have adopted in this Province, and a very good one, is when people come in

wanting to start a mining development, we say to them, 'Look, do not bother to even ask us to start reducing our royalties. Forget that. We do not agree to that.' That was done in the past and the Government House Leader and other members had much criticism of mining deals that were entered into where the royalty rates, because they were special deals, were too low. In fact, you will remember, when I was minister, we had to pass a special statute to try to correct the situation where we would see more cash revenue received from the exploitation of our mineral resources. I had a long and nasty battle with a lot of mining companies and we finally - I think one of them just went to the Supreme Court of Canada and I think we won it, did we not? Was that the Supreme Court of Canada or the Court of Appeal? - I have forgotten - the one related to Wabush Mines. Anyhow, it is still being fought in the courts. Mr. Doyle, or Canadian Javelin, or whoever, are still questioning our right to impose this additional royalty on the Wabush Mines operation, going back to their original agreement.

Now, this is the concern that I have with respect to the way the minister and the administration is going about royalties with respect to offshore oil and gas. They are leaving themselves open from the very first day to companies coming in and looking for special deals, special arrangements. We are into a situation now where, by and large, Mobil has the upper hand, the whip hand, because of conditions in the world petroleum markets. They do have that whip hand if the minister and the administration are fainthearted. But they should not have the upper

hand if the minister and his colleagues recognize that what is out there is a valuable resource, it is a resource which we do not have to give away for ridiculous royalties, low royalties. Particularly, we do not have to get involved in that type of arrangement that Mr. Hopper was talking about, of subsidizing, where not only are we not going to get any royalties, we are going to be paying them to take our oil.

There is always the great temptation when it comes to the pressure of creating jobs in this Province, that we will give too much away to get a development started. We have seen it time after time after time in the case of mining, electricity, forestry - pulp and paper. The criticism is regularly made that the Province has given too much away in order to get a project started.

Well, the way this petroleum and natural gas act is set up, with this amendment, the same tendency is there. The same bad practice is going to be enshrined now where we are going to see Cabinet in a position to negotiate on an individual basis with individual companies.

Now, Mr. Speaker, the fact of whether it is in the act or in the regulations does not determine how a government proceeds. The government can set out a uniform system of royalties that will apply to all companies in regulations as well as in legislation, but here is the problem: When it is done by regulation, it is being done without public scrutiny, without public debate. What the minister is asking for in this bill is basically a blank cheque to go negotiate a deal with Mobil that

we in this House will not see, complete the deal with Mobil, bring in a set of regulations to incorporate after the fact what you have already concluded in your deal with Mobil, and present those regulations as a fait accompli without debate in the House of Assembly. Now I ask the minister whether he did not criticize and criticize very severely a previous administration for proceeding on this basis? And could we not have some sort of arrangement where there is a debate in this House of Assembly before we see the final deal with Mobil enshrined into legislation or regulation?

Should there not be a provision somehow - is it here in this act? I do not think it is. There is no obligation to table agreements entered into with particular operators. There is very, very wide discretion given in the regulations which the minister is seeking approval for. Basically, the main problems are two: Number one is what I see as authority being given to have other than uniform regulations. If the Lieutenant-Governor in Council should so decide, you can have one set of rules applying to one development and another set of rules applying to another development and this is not, I do not think, a healthy approach to be taken. I understand that the minister and his colleagues are in a difficult position and we want to expedite, wherever we can, strengthening government's hand and strengthening the Province's position in negotiating with Mobil. We do not want to propose anything that is going to weaken the negotiating position of the Province, and maybe at committee stage we can make certain suggestions.

But we ask the minister, as a matter of principle, to accept that it is not proper or healthy, number one, to proceed on development of petroleum fields on the basis of negotiating agreement by agreement, oil field by oil field on an individual basis, that we decided in mining - and I think the same thing is applicable in the oil industry - that we should have the same royalty rates apply across the board. Now, that does not mean that government cannot, in special circumstances, step in and assist in order to see a development proceed that would otherwise not proceed. The approach that we have taken in mining, and one that I think has worked and can continue to work, is government says, 'We will listen to what you have to say in terms of assistance and infrastructure'. This, of course, would have to do with the putting in of a road, the putting in of hydro electricity facilities and so forth, all of which infrastructure can often be used by the general community, by the general population. So you are killing two birds: Not only are you helping get a development off the ground that will create jobs but you are also putting facilities in place that will be usable by the general public afterwards.

So I would ask the minister to give serious consideration to whether, as a general approach, we should be accepting the principle and giving notice to the oil industry that we are prepared to negotiate special deals with respect to royalties on a case by case basis. I really think we are setting up a whip to lash our own backs in the future if we do that.

The second thing we object to in

this bill is the breadth and the generality of the authority for the making of regulations. For example, there is authority there to waive or vary part of the royalty on petroleum, regulation 30, sub-section 1, sub sub-section (g). Now, that is the sort of thing that gives the Lieutenant-Governor in Council the authority to negotiate special agreements without public debate. We would ask the minister if he would accept the principle that it is not good to do this and it is not good to have it done behind closed doors, without debate, in Cabinet. If the minister would accept this principle, then I am sure that there are enough legislative drafts people or putative legislative drafts people around that we might be able to get some slight modification at the Committee stage. Really, I would ask the minister to consider that maybe we might look at some brief amendment at the Committee stage that might recognize these fears. I saw the minister nodding his head. I do not think we are in too much disagreement with respect to philosophy here. Is there a way that we can improve this act to remove these defects?

I know that the minister can ram the thing through, but I think we are all interested in getting the best possible legislative scheme in place to see development proceed offshore.

MR. MARSHALL:
Mr. Speaker.

MR. SPEAKER:
The hon. the President of the Council.

MR. MARSHALL:
Mr. Speaker, the Leader of the Opposition made some very fair and

reasonable points when he was speaking. These questions that the Leader of the Opposition raised are questions which we addressed ourselves to when we brought this bill before the House. It would normally be our preference to enact a royalty regime, have a royalty regime enacted into legislation and to have that one apply rather than have regulations made with respect to it.

Now, the problem with that is in addressing it. I do not disagree with some of the statements made by the Leader of the Opposition. He gives one side of it, one that should be weighed and one that I think we should be more aware of in government and in the Legislature, that where at all possible the powers should be conferred upon the elected Assembly and the elected Assembly should be able, to the fullest extent possible, to pass judgments on actions that are taken, particularly actions that will be as significant as the actions of the fiscal regime with respect to Hibernia.

But, having said that, in his statements he compared it the mining legislation. He said that the nature of the legislation set up, while it was from the point of view of regulations, there was an overall philosophy that royalties that would be exacted would be inconsistent from one development to the other. And therein really lies the problem. We have no real basis upon which to compare, because the offshore oil industry, as everybody knows, is completely new to this Province. Indeed, it is completely new to the Atlantic Seaboard of North America, and probably anywhere in the world, where you are going to have

development in ice-infested waters.

So it is very, very difficult. You do not really have the body of precedents to which one can point in order to be able to establish a consistent regime.

Also, as well, when considering these things and considering the points raised, we address these points, the points raised by the Leader of the Opposition. We opted for this act, and I will tell the hon. Leader of the Opposition why we opted for it. The first thing is that we are into a new era now in this Province. We thought it better to do it, although we recognized, certainly, the dangers, and, as other developments occur from time to time, the philosophy will likely change. But particularly for the first one, where we are availing of very technical and expert advice with respect to taxation offshore from Europe, Britain, from Western Canada, and, indeed, from New York, in the United States, we have to be extremely careful that we have the flexibility to be able to negotiate an appropriate deal. That is the reason why we did it.

I am not saying that this is - the point that I am trying to make - the Holy Writ forever and ever, but I am saying, with respect to the Hibernia development, it is necessary. It is also going to be a bit difficult, Mr. Speaker, in any event, to have a uniform rate, I foresee, because developments will occur on a much different basis from development to development. For instance, if one is done by gravity base systems, the capital cost is obviously much higher than one that is done with a floating platform. Then, on the other side of the coin, you take

in the permutations and combination of the gravity base system. Some of the return, perhaps, that the people of Newfoundland would gain would be a greater return from the construction. So you can use that as a means for the purpose of negotiating benefits that pertain to that development. While, on the other hand, there would be less spinoff, although I think there will be more spinoff as a result of the initial development being gravity based, on future floating systems the royalty rates would be higher. So, the point of the matter is, it is very difficult and it is almost virtually impossible to enact into legislation at this stage a royalty regime. However, I want to tell the Leader of the Opposition and the House that that is not said forever and a day. We are going to take this along, this act, with Hibernia, and we will assess it at that particular time and see whether, perhaps, it might be better to engraft it into legislation.

What flows from that, the second point he made, is the general nature of the regulations. Well, once again, precisely because the nature of the new development that we are entering into, the magnitude of it, the complexity of the various issues that are concerned, we do need the flexibility. I can tell this House that obviously the people of Newfoundland will know full well what the terms of the development were and what the royalties were when they are recorded. The Leader of the Opposition feels that perhaps we should, if they are going to go with this act, bring in a provision that before any agreement is entered into it has to be first brought into this

House. I suppose that has points to recommend it but, at the other stage, what you do then is get into the basis of negotiating in public which, when you have opted to go for a project by project basis, is something that would be very difficult to do and, as the Minister of Finance (Dr. Collins) said, 'Government have to govern.'

So, I think that generally sets it out. There is always an inherent danger, as well, that if you do it in Cabinet and what have you, people might say, Oh, you might give more away. But I think this particular administration certainly has a record of giving nothing away, and we will not give one single cent more away than may be necessary to bring about the development.

Finally, in his statement he said that you could still have - and that is true - the uniform royalty rate set forth in legislation and you could assist various projects by pouring more money in. Well, that is not the way that we would prefer to go if we can possibly avoid it, because of the fact that that really amounts to a subsidy.

MR. BARRY:

Is that (inaudible)?

MR. MARSHALL:

It is more or less by way of a subsidy, you know, direct monies going into it. We would prefer to operate, in effect, from an incentive basis, by utilizing the taxation system.

So all of these things are there. The hon. gentleman made some good points. Certainly he made some good points with respect to it, and I want to tell him that these points were obviously considered by the government and government

has opted for this particular procedure at the present time, and decided that we would go into it, notwithstanding the fact that we also state that this is not really carved in stone. We will see how it works and, if at all possible, we will bring as much as we can back into the House of Assembly, because this is the process by which we have conducted government.

I move second reading, Mr. Speaker.

MR. BARRY:

I would like the minister to answer a question. I wonder if he would before he finishes?

MR. MARSHALL:

Sure.

MR. BARRY:

Is the minister prepared to have some sort of requirement that any agreements entered into will be made public, that they will at least be tabled in the House? We do not think that is enough, but at the very least the minister should be prepared to table any agreement that has been entered into to inform the public as to what the basis is of their oil and gas being developed?

MR. MARSHALL:

Mr. Speaker, I will say this so that my first comment does not seem, I hope, strange, that the public of this Province will know all of the terms, all of the relevant terms, particularly with respect to concessions that are given in the negotiations. I would not like to say at the present time that we would table the complete agreement, although we will certainly fully consider it and we would strive to do it, because if there are matters in that agreement that happen to be of a nature which are confidential

to the industry itself, that are going to put the operators in a bad position, well, we would have to reserve on it. It would be our wish to have it tabled in the House, but whether we can table the full document or an extract of its relevant terms is something that we would have to consider further.

On motion, a bill, "An Act To Amend The Petroleum And Natural Gas Act," read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill No. 32)

Motion, second reading of a bill, "An Act To Amend The Memorial University Act." (Bill No. 37)

MR. SPEAKER:

The hon. the President of the Council.

MR. MARSHALL:

Mr. Speaker, I am bringing this bill in on behalf of the Minister of Career Development and Advanced Studies (Mr. Power) who is unfortunately not here at the present time. Perhaps, while I am introducing it, somebody could call down the Minister of Justice (Ms. Verge), because her bill is next.

Mr. Speaker, I do not think this bill would require a great deal of debate. It is an amendment to increase the number of student representatives on the Senate from eight to twelve, at Memorial. That is the main thrust of the bill.

The remaining section, 37, states that 'the board may, without the consent of the Lieutenant-Governor in Council, incur any liability or make any expenditure not to exceed the amount of one-quarter of 1 per

cent of the total of any grant made to the University by the Legislature; and estimated revenue of the University from other sources for the current year'.

So this would allow the university to expend an amount of money, as the explanatory note says, up to the amount noted without the prior approval of the Lieutenant-Governor in Council.

MR. BARRY:

Mr. Speaker.

MR. SPEAKER (Greening):

The hon. the Leader of the Opposition.

MR. BARRY:

Mr. Speaker, we have an opportunity here. We are not going to hold it up for a long period of time but we do have to highlight what seems to be quite a serious situation presently existing at the university where, although there was a larger increase for the university vote this year percentage-wise than for many other departments, Crown corporations, institutions or other subheads of government, that did not even put the university in a catch up position. It did not permit the university to make up for the losses it had incurred because of the savage fiscal restraint measures that were imposed on the university by the administration.

The result is, Mr. Speaker, that the very existence of the university is being threatened. Why so? Well, a university consists of a plant, okay, the plant is not threatened. The buildings are going to be there. It consists of having a good library which I think is very, very important, more important

than plant is, a good collection of books, and I would probably put that in my own personal list of priorities as number one. You can make up for a lot of difficulty with teaching staff if you have proper materials in the university library.

But we will say the number two priority is the teaching staff. That would be put ahead of the physical plant as well. Now, at the university we are losing a lot of good people. The people teaching at the university have fallen considerably behind, not just other parts of Canada, they have fallen behind educators in the provincial school system in terms of the salary increases or lack of salary increases which have been occurring.

In fact, at the university there has been no real salary increase for professors there for something like five or six years. There has been one or two percentage points given here and there but, the bottom line is that the teachers at the university are making less today in terms of buying power than they were making probably six years ago. The Minister of Career Development and Advanced Studies (Mr. Power) might be able to talk to this. It is his responsibility. I am addressing the fact that the university is put in a very precarious position by loss of teaching staff resulting from a lack of salary increases in terms of keeping them up with inflation and keeping them up with other parts of the country, other parts of the world or even, as I have mentioned, other educators in the Province in the provincial school system. University professors, teachers at the university, lecturers and so forth have not had any salary

increase really, one or two percentage points, but basically they are further behind in terms of buying power than they were six years ago. I am not trying to exaggerate.

I would ask the minister to go and take a look at that situation from that aspect. Because I tell the minister we are losing a lot of good people as a result of that. There is more to teaching than the salary, and there is more to living in Newfoundland and teaching in Newfoundland than the salary. A lot of people have opted to come into this Province and teach because of the lifestyle that they can have here and because they enjoy working in the Province. You do not even have to talk about high cost of research, just talk in terms of the ability of a professor to get his or her job done, his or her ability to get word processing facilities to write academic learned papers where they can stay in touch with what is going on in their disciplines, where they can keep in contact with their peers in the profession, where they can have an exchange of ideas that keeps them growing and does not see them become stagnant.

Well, the financial restraints that have been imposed by government has resulted in the university administration taking away many of the amenities that were once there for professors at the University. The teaching is suffering and students are suffering because of the pressures that are being placed on teachers over there. I might say the other thing is that, and maybe the Minister of Career Development and Advanced Studies (Mr. Power) could listen to this if he is going to be responding, the class sizes are

increasing phenomenally over there.

I have to say I have a daughter teaching there, and in that sense, I have to declare a conflict of interest. I have members of my family teaching over there. I have a daughter who just came back from Toronto and she is teaching this Summer and enjoying it very much. In terms of class size, she was not complaining because she did not know the difference, but I was amazed at the size of the classes that her and other professors have to deal with at the University, particularly when you get into certain areas where individual instruction is important. My daughter is teaching English, but there are many other areas where students progress more the more the teacher is able to spend time with them going over their papers, going over their exam results, and the quality of education at the university is suffering because of the class sizes and the inability of teachers to be able to spend the same amount of time with the individual student as used to be the case.

We all know the Province has had difficulty in getting enough money to keep everybody happy, and we have been critical. I am not going to get political in this discussion, other than to say we have been critical of the way in which government has spent some of its money. We think there has been waste in the system, abuse and inappropriate expenditures but we really have to stay aware of the fact that just calling the University a world class institution does not make it one.

The reality of whether or not Memorial University maintains the

high standards that it has set for itself is whether it gets sufficient funding to permit, first of all, proper teaching staff, proper back up for that staff, money for its library and then, the physical plant.

Government has done well and has to be congratulated for the capitol expenditures that were made at the university but they were easier because it was in government's political interest. It was easier to justify those expenditures in terms of building during a slack period, creating jobs and helping the construction industry and so forth. But, I fear that today we are losing touch with the difficulties that the University is experiencing.

I do not know if the minister saw the survey that was carried out and reported in *The Globe and Mail*. I forgot to clip it and have not had a chance to go back and look for it. They did a survey of business people to determine who they hire. I believed it before I read it but I was almost being convinced by all the people they were talking about, 'well, you have better chances of jobs if you go into engineering, if you go into computer programming, if you go into specific technical fields,' but the reality is that more liberal arts graduates are preferred by employers than any other group. The tendency is to say, 'oh, the liberal arts programme, airy-ferry, that is not going to prepare anybody for a job.' What it does is it teaches people to think. It gives people the flexibility that employers are looking for. Their university career has prepared them in a different way.

It has not prepared them as specialists, it has prepared them as generalists and with the rapidly changing business environment today, business finds that these people are more adaptable and flexible. It is very interesting and it comes back to if we have enough emphasis placed on our liberal arts programme at the university. We have been putting our emphasis, and again we support this approach of doing best what we know best and what our tradition and our geographic situation and so forth would seem to indicate we should specialize in, like areas related to the marine environment. I think we have the beginnings of some great research centers here at the university. You can attract a lot of money and a lot of jobs through the proper utilization of those institutions.

I would ask that we not lose sight of the fact of what a university is. A university is first and foremost a center of learning where people go in and they are supposed to study whatever they want to study. How many times in history have we seen tremendous advances made in terms of employment, in terms of benefit to the ordinary person by some eccentric individual over in a corner engaging in what people were for years and years condemning him as being eccentric, airy-ferry, up in the clouds, up in an ivory tower, out of touch with reality, unrelated to jobs and so forth.

In other words, we should be encouraging learning for the sake of learning; we should be encouraging pure research; we should be encouraging theorizing that we cannot see an immediate

application for tomorrow in terms of creating jobs, but in two years or three years or ten years down the road, we may see ideas come from this type of approach that will prove immeasurable.

In any event, if we do not take that of approach, if we do not encourage the liberal arts, if we do not encourage this search for knowledge, we are not going to be entitled to call our institution a university. You might be able to call it a technical college; you might be able to call it some other form of institution which may, in a limited fashion, do a good job but, it will not be a university.

So I ask members opposite to consider the problems of the university. I just refer them to the recent issue of *The Memorial University Gazette* where the President of the University and other speakers at the Memorial University Convocation have tried to speak out and point out some of the problems that are being experienced. Let me read out a couple of the statements by the President that have been highlighted.

President Harris, on Friday, May 30, said, "Whether viewed for itself alone or as the spawning ground for our advanced technology, or as the bedrock upon which such important professions as medicine and engineering are built, it is apparent that Science is no luxury to be discarded when times are hard and financing difficult. Indeed, the true spirit of free science, infecting the science-based professions and yoked with the humanistic traditions of the university offers, perhaps, the principal hope for our physical survival."

I suspect that was at the science convocation. Now we will see on Friday afternoon, May 30, the President said, "You may, of course, maintain that the real *raison d'etre* of Professional Schools is societal demand for people possessing the professional training that permits them to apply specific and highly specialized knowledge, or, in short, that the Faculty of Education exists to train teachers, and the Faculty of Engineering to train engineers. But even if you are disposed to accept that proposition, you should not forget that professional education is more than training. Professional schools are set within the university not because they could not exist as training centers elsewhere, but because within a university, they have the opportunity of acquiring their special knowledge and skills in full awareness of the cultural, social, and human values to which their technologies should be subservient."

Now, another brief exert from the Friday evening, May 30 convocation. The President says, and I guess it is to graduates of music and so forth, "A university is, among many other things, a conservator and transmitter of mankind's cultural heritage. In so doing, it addresses not only mankind's physical well-being but, as well, the needs of the spirit....The creative imagination of humanity as expressed in beautiful things, in literature, in songs, in music, in dance, in plastic and visual arts, in sculpture and architecture, are what signifies our perilous journey out of barbarism towards civilization and what inspires in us hope for the future. A

university that ignores those aspects of our culture, those yearnings or our spirit, those promises of fulfillment, those glimpses into the essence of reality, is a lopsided institution."

Mr. Speaker, just a couple of other brief excerpts I would like to read out because I think the President is making the point very, very well, indeed, much better than I could make it.

On Saturday morning, May 31, President Harris said, "Anyone who has ever attempted an exercise in strategic planning will realize that the organization of a major university is extremely complex and that it is incredibly difficult, if not, indeed, impossible to create a set of priorities in a linear mode as our well-wishing advisors" - and I suspect here he is talking about government - "would have it. The circumstances that render any such attempt hazardous is the existence of an intricate system of linkages binding one section of the institution to another, and the extreme difficulty of determining which of the interlocking sections can be isolated and discarded without doing irreparable harm to the living whole."

In other words he is saying, 'Please do not make me start cutting out bits and pieces of the university. Do not make me chop off an arm here or a leg there. We will take the heart out of the university before we know what we are doing if we keep that up.' Saturday afternoon, the President said, "...I believe that the federal government and the provinces and all political parties should lay aside constitutional bickering and

political squabbling and jointly accept the full responsibility for ensuring that post-secondary education is provided with resources sufficient to provide the level of services that are clearly in the national and provincial interest to be provided; and, secondly, that in any scheme that is devised, appropriate flexibility should be ordained such that no Canadian should suffer disadvantages simply because of the political jurisdiction in which they happen to live."

The President is making certain remarks that are very, very relevant to today's Newfoundland because in the primary education facilities we are seeing, I think, an unfortunate tendency towards the richer parts of the Province being able to get a better education for their children than the less advantaged parts. We see, in other words, no longer equality of opportunity. What we see in many small communities, because of inadequacy with respect to financing, the School Tax Authority not having a large enough base of employed people to draw on and so forth, we do not see schools being able to provide the frills in the areas of high unemployment that they can provide in other parts of the Province, such as in the St. John's area.

MR. FUREY:

A stage for Woody Point, maybe.

MR. BARRY:

Yes, a stage for Woody Point. You know, when we start seeing such petty school board actions as cutting eleven or twelve feet off an auditorium so that there is no longer any room for a stage for a school in Woody Point, for a school to be able to carry on

student or faculty programmes. That is sad. I mean, that sort of penny-anti stuff is not doing very much to promote equality of opportunity around the Province.

AN HON. MEMBER:

They need only \$18,000.

MR. BARRY:

Yes, \$18,000 on a \$780,000 school will mean that the students of Woody Point cannot have a stage for their student performances, for their convocations while students in St. John's can. I mean, that is not equality.

Going back to what the President was talking about in terms of 'do not make me cut off pieces of the university,' that is what is happening this year with the extension programme. We are seeing the university's most direct link with the Newfoundland community, where the university has tried to reach out and have people working out in the community to make sure the university does as much as is possible and desirable to stay in touch with what is happening in the grass roots of Newfoundland and Labrador, we see the Extension Service being cut back because of financial problems. That is sad and it is seeing us end up with less of an institution, less of a university than we previously had.

Mr. Speaker, with these few remarks, I will say that generally, we support this legislation, because it is really only housekeeping, but we deplore the trend which we see occurring in this Province, where we are getting away from equality of educational opportunity in all parts of the Province, and we deplore what we see as a tendency for government to cure its deficit

on the backs of the university - not this year! I do not want to see the minister get up and just quote his percentage increase for this year, which I have already acknowledged was the largest, probably, of any subhead of spending. But, it did not, as the President said, even let the university catch up to where it was six or seven, I do not know but that he said ten years ago. It was no great shakes ten years ago in terms of a comparison with other parts of Canada.

Also, I think we should note that we have a Tory Government in Ottawa that has decided that it is going to cut back the rate of increase in these post-secondary grants to the provinces. The transfer payments for health and education, that rate of increase is going to be cut back. It is going to cost us tens of millions of dollars over the next five years. I forget the figures. I have them somewhere on my desk here.

MR. SIMMONS:
Two billion dollars by 1990.

MR. BARRY:
Two billion by 1990! Two billion dollars we are going to lose as a result of the friends of the minister employing the philosophy that they -

MR. SIMMONS:
(Inaudible) power.

MR. BARRY:
As a matter of fact, the minister had a lot to do with it. It is somewhat ironic that the minister is now going to have to stand up and explain whether he supports the philosophical approach of the present Prime Minister, which would see money removed from

secondary education in this Province and money removed from health facilities. Could the minister tell us how much of the money that comes from the federal government is being diverted from the transfer money for education to other areas of provincial spending?

AN HON. MEMBER:
(Inaudible).

MR. BARRY:
There is! There is! The Province has not been spending all the money it has gotten for education and health on education and health. I had better check with the -

MR. POWER:
There is a great argument about whether we spend more money on post-secondary education than we actually receive from the federal government. The federal government, in some studies, will say that they actually give us more than we spend.

MR. BARRY:
Well, we would be very interested - maybe the minister -

MR. POWER:
That depends on what - you put in tax points and a whole bunch of things.

MR. BARRY:
Maybe the minister, when we get to committee stage in this bill, can bring in some figures to show us that, if he would get his officials to give us some figures because my understanding, and the understanding of students at the university is that the Government of Canada is allotting x number of dollars and it is not all going to the university and the hospitals. It is going to other places.

As a matter of fact, we have had the Premier stand up in this House and confirm that and give the explanation that, 'Well, we do not have any choice. Our hands are tied because if we do not use some of this money for other areas of spending, then we will not have the money to put into roads and water and sewer and other areas, fisheries and so forth.'

So the minister should consult with the Premier and get his act together but we will be very happy to hear the minister's figures on this.

My understanding is that the Province in a petty, mean-spirited fashion, is taking money from the sick, taking money from our university students, and using it to hire defeated Conservative candidates and to renovate the Premier's Office and to engage in exotic art which is then taken off the walls and put down in the basements of buildings. Trips to China, and matters like that.

MR. POWER:

Did you say neurotic?

MR. BARRY:

I said exotic.

MR. BARRY:

So I would be very interested in seeing the minister stand up and say, 'No, that is not the case.' I just hope he has the figures to back it up.

Anyhow, this is a plea for us to make sure that we do not become insular and provincial and narrow minded and petty and mean-spirited in our approach to the education of our people because, as the President of Memorial University said, that is the great hope for this Province advancing.

By heavens I would be inclined if we could see any way of doing it at all, to go back to where we paid salaries to people to go to university. I would be prepared to debate that we would be better off within a few years and we would be even saving money to the provincial coffers in a few years if we did that.

So let us renew our emphasis upon higher education, higher learning, and let us get away from this narrow, petty numbers crunching, curing the deficit on the back of the university that we have seen for too long.

SOME HON. MEMBERS:

Hear, hear!

MR. POWER:

Mr. Speaker.

MR. SPEAKER (Greening):

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

SOME HON. MEMBERS:

Hear, hear!

MR. POWER:

All my colleagues are here.

I have to say, Mr. Speaker, I listened with great interest to the Leader of the Opposition and, as usual, when he stuck to the philosophical approach on education in the university, it was a very good speech. As he sank down to the lower levels of politics and made some very inaccurate comments about what we have done with government spending, hiring Tory candidates and all that kind of thing, his speech rapidly deteriorated then. I am glad you finished before it got much further down the line because it would have taken away from what was a very good speech

of support for the university, if not a speech of support for what government is doing for the university.

Certainly the university itself, in all its aspects, is an extremely important institution in this Province. I agree with many of the things that the Leader of the Opposition said about the general arts parts of the university, about governments not getting involved in deciding which parts of the university get cut. It has been suggested by a couple of petitions presented in this House that somehow or other I should get involved in the Labrador Resource Technician Programme, a group that I will be meeting again with shortly; that we should not decide as a government which programmes are kept and which ones are lost.

The study that shows that the liberal arts side of a university supplies as many employed people as do engineering or medical schools is a very important concept. If a government decides to start telling university to prioritize because the job market today says we need a lot of engineers, so take money out of the arts programme or anthropology or sociology and put it into engineering because today that is what we need, you would find a university that would quickly deteriorate and not become a university at all. It would become some kind of technical school which would, you know, just train for the job market. I agree fully with Dr. Harris's comments about that.

It is just not societal pressures in the market place for jobs that should determine what a university does. The idea of a university is

to increase peoples' ability to think and, by doing that, they will then become much more employable and satisfied as human beings as they contribute to this Province.

I just have to say again, although the Leader of the Opposition says that he fully agrees with the fact that the university this year received the largest percentage increase of any government agency or department, it is something that we have done. Obviously, by government doing that this year, we have realized that there is a particular problem at the university and in post-secondary education in general and we are trying to rectify that problem.

It would be very easy, Mr. Speaker, to take a tremendous amount of money and put it into just education. As I mentioned to the students the day we had some form of debate at the university, the Leader of the Opposition and I, with others, you can take all your money and put it into education; sure you will have a fantastic educational system; sure you will have a group of individuals who are extremely well educated; but you must also save some money and put it into forestry, the fishery, mining, tourism, and all those things, obviously they are amounts of money that are equally well spent on behalf of the young students of this Province.

Mr. Speaker, before I move second reading, this amendment to the bill is basically designed to give the university some more flexibility with the very substantial increase in their budget that they received this year so that at the end of the year they are allowed to carry

over a minor, a very small percentage, of their gross budget as an operating loss or as a surplus.

So, in conclusion, Mr. Speaker, just let me say that we, as a government, are quite satisfied in this year's Budget with what we have done for the university. It is going to take many years for us to fully satisfy all the university's needs but when you look at what has happened in places like when you look at what is happening in places like Nova Scotia this year where the government simply said you would get 3 per cent increase and that is all, then it will not be very long before Memorial University retains and regains its place as one of the leading universities in Canada and if not the leading university in Atlantic Canada.

So I again say, Mr. Speaker, that in moving second reading this is a bill asked for by the University, an amendment asked by them and we are glad to do it to make their operating at least that much more efficient. I move second reading.

On motion, a bill, "An Act To Amend The Memorial University Act", read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill No. 37).

MR. MARSHALL:

The next order, Mr. Speaker, although I do not have my Order Paper, is The Judicature Act.

DR. COLLINS:
Order 22.

MR. MARSHALL:

Order 22, the fellow who is after my job tells me. Order 22, Bill No. 38.

Motion, second reading of a bill, "An Act To Revise The Judicature Act Respecting The Supreme Court And Procedure Therein". (Bill No. 22)

MR. SPEAKER:

The hon. the Minister of Justice.

MS. VERGE:

Thank you, Mr. Speaker.

I am very pleased to introduce this bill which is an Act To Revise The Judicature Act Respecting The Supreme Court And Procedure Therein. This bill, hefty as it is, has two major provisions. One is for merger of the District Court of the Province with the Trial Division of The Supreme Court. The other is for new, improved rules of civil procedure for the Supreme Court with both these improvements to take effect September 2 of this year.

The philosophy of the proposed legislation is to improve court services to people throughout Newfoundland and Labrador, particularly to upgrade the quality of services for people outside the city of St. John's. Until now St. John's has been the only judicial centre with a permanent presence of the Trial Division of the Supreme Court, although there has been six other judicial centres, namely, Brigus, Grand Bank, Grand Falls, Corner Brook, and Happy Valley - Goose Bay with judicial centres of the District Court.

The jurisdiction of the two levels of court have been largely overlapping. However, certain matters have been within the powers of the Trial Division of the Supreme Court only and not within the competence of the

District Court. These matters are chiefly divorce, wills and estates, and jury trials, the types of matters in the case of divorce and estates which are the type of court services needed by people throughout the Province. With merger in September then all of these judicial centres, seven locations in the Province, will have a permanent presence of the Trial Division of the Supreme Court since merger means the consolidation of the two levels of courts and the elimination of the District Courts. Merger will mean that all the present District Court judges will become judges of the Trial Division of the Supreme Court.

The second major objective of the government in putting forward this legislation is to use more efficiently resources that are available for court services. And when I say resources I am thinking of personnel, judges and court support staff and also facilities. With consolidation there will be economies of scale. The improved rules will mean that trial time, court time, will be minimized and used as productively as possible. The thrust of the new rules is pre-trial disclosure of evidence and arguments and crystallization of the major issues in dispute so that the trial can be devoted to arguments on the major issues and resolution of the key point in dispute.

Now, Mr. Speaker, some members of this House will recall that two years ago, in 1984, we enacted a new Judicature Act - and I will refer to that as the 1984 act - and the body of this bill is actually basically the same as the 1984 act. The bill repeals the existing Judicature Act, the 1984 act, and the District Court Act,

and the reason for essentially repeating the 1984 act is so that we will be left with one consolidated Judicature Act. However, there are some changes from the 1984 act provided in this bill. I would like to outline the main changes. This bill continues the present structure and naming of the Supreme Court. At present we have one Supreme Court with two divisions, the Trial Division and the Court of Appeals, whereas the 1984 act provided for two courts. When I became Minister of Justice I reviewed the 1984 act, I consulted the Supreme Court judges and lawyers as well as department officials, and the discussions produced no good reason for changing the structure of the court and elicited the expression of a fear that a split might inadvertently result in a jurisdictional crack or gap and therefore the government has decided to provide in this bill for retention of the current arrangement, that is the one Supreme Court with two divisions retaining the same names.

A second change from the 1984 act is the enlargement of the Court of Appeal from four to six judges. This proposal responds to the tremendous growth in the number and importance of cases being appealed to the Court of Appeal, and I note that the impact of the Charter of Rights and Freedoms has quite significantly increased the significance of cases going to the Court of Appeal and judgements rendered by the Court of Appeal. Six judges will make two panels of three judges each to provide for efficient operation of the Court of Appeal. This bill also adds the position of Associate Registrar of the Supreme Court with a requirement that the Associate Registrar be a

Barrister.

This addition is to equip the administration and staff of the court with an additional key person to cope with the increase in administrative demands of an enlarged Supreme Court.

This bill does not have some of the procedural provisions of the 1984 act which have been dealt with in the rules. It is felt that procedural provisions are more appropriately set out in the rules so that they may be changed with ease from time to time by the Rules Committees which are established in the body of the bill.

Finally, this bill uses some different terminology from the 1984 act so that the language in the body of the bill is the same as the terminology in the rules. The rules are set out in Schedule D to the act and account for most of the bulk of this document. These rules have been a long time in the making. The rules that are currently used are basically the 19th Century English rules. The edition of the rules, which is still in use, is a 1916 document. There have been just a few changes since, but essentially the current rules are 19th Century English rules.

The rules set out in this bill were formulated over the last fifteen years or so by members of our bench, by judges and members of our bar, by practicing lawyers. In 1975, eleven years ago, a preliminary version of the rules, essentially the same as these rules, was circulated among judges and lawyers in the Province and was the subject of a seminar sponsored then by the Newfoundland branch of the Canadian Bar

Association. That draft of the rules was read, studied, critiqued, and suggestions for improvements were adopted.

The philosophy of the rules is, as I mentioned, to use court time as efficiently and productively as possible. The rules will streamline procedure. They are very well organized. They contain innovations but they also codify parts of the existing rules. The final document that is presented to the House in this bill promises clarity which we are badly lacking now. These rules are similar in some respects to rules of other provinces which have worked very well.

I have circulated this bill to all the lawyers in the Province as well as, of course, getting it to the Supreme Court and District Court judges with whom I have consulted regularly over the past several months about the preparation of the bill. The Department of Justice, in conjunction with the Law Society, will be sponsoring education programmes about the new rules for the lawyers in the Province between now and September 2 when they take effect.

When the bill takes effect the rules will be in the hands of the Rules Committees which are constituted in the body of the bill, and the Rules Committees are made up of the judges of the appropriate court. In the case of the Rules Committees for the Court of Appeal, for example, it consists of the Chief Justice of Newfoundland, as well as the other Court of Appeal judges, also representatives of the Law Society and a representative of the Minister of Justice. The Rules Committees will be able to amend

the rules as the need arises, so there will be a flexible mechanism for adapting the rules to changing circumstances.

Mr. Speaker, when this bill goes through Committee of the Whole I will be proposing a few technical amendments. Many of these are minor matters which have been picked up in extensive proofreading.

I have a copy of the proposals which I can distribute to Opposition members in advance of Committee of the Whole since some of the matters, as I said, are technical. One of the changes that I will propose is that references in the bill which use only the male gender be changed to non-sexist language to language, which is all inclusive, but without, of course, changing the intent or the meaning of the bill.

So with those remarks, Mr. Speaker, I will await comments from members of the Opposition. In closing these opening remarks I want to say again that the thrust of the bill is to improve court services to people throughout Newfoundland and Labrador, especially people outside the capital city, and to make better use of resources available for courts, in particular to ensure that trial time is spent as efficiently and as productively as possible.

Thank you, Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear!

MR. BARRY:

Mr. Speaker.

MR. SPEAKER:

The hon. the Leader of the

Opposition.

MR. BARRY:

Mr. Speaker, we support the general principle of this bill. We support the new rules that are being included. It will be a very good thing for the practicing lawyer to have a new modern set of rules, particularly when it was very difficult to even get a copy of the old rules because they were out of print since 1920. I can remember somebody discovered a bonanza one time when people were starting to photocopy old volumes. If you were a younger lawyer at the Bar you had to go for some time before you managed to acquire yourself a set of the rules to know what you were suppose to be doing. Well, they were throwing out garbage from the top of the Supreme Court Building and they discovered a whole box of these 1920 Statutes, and everybody went crazy trying to get a copy. The Department of Justice I think managed to grab hold and control most of them, but had it not been for that fortuitous discovery the system of justice in the Province would have broken down years ago.

I remember being asked to work on an amendment to The Judicature Act, I think it was in 1969, the year before I got into politics, and I worked on it with Mr. Jim Nurse. I do not recall whether it was at the request of government directly, I think it was, but it might have been for a Committee of the Law Society. But anyhow, almost twenty years ago the process of amending The Judicature Act and the rules of the court started. I think this is just an example of the truth of the old statement that the wheels of justice grind slowly at times.

MR. MARSHALL:
And very, very fine.

MR. BARRY:
Yes, very, very fine. Do not get your fingers caught in it. I think, although it took a long time, we have a good job here now, a good result. There are some questions. I am a little preplexed by the changes in the Act. I am a little preplexed as to why the previous Minister of Justice (Mr. Ottenheimer) would have accepted the recommendation to go with two separate courts, a separate Trial Court and a separate Court of Appeal, and now the present minister is coming in and recommending going back to the old fashion of one unified court.

I have heard rumblings from within the judiciary that they are not all satisfied with going back to the old system. I do not know if the minister is able to tell us anything about that. Obviously it would not be proper for me to be specific with respect to Her Majesty's Judges, but I am not sure but that there are problems that will continue with respect to the relationship of the Trial Division and the Court of Appeal Division of our court leaving things the way they are now. Maybe these are only personality problems, I do not know, but the minister should be aware that I think there are little undercurrents there where the indication is that everything is not all right with going back to the old system, but there is nothing that I can get my teeth into, you know, so I have to accept the minister's statement that what she is saying is correct, that she is doing it because of the fear that there will be a crack into which certain cases will fall and certain

individuals might escape liability for such heinous crimes as not paying the School Tax Authority or something like that. So we accept the minister's statement that on review she has concluded it is better to keep the thing the way it is and to keep a single court system.

One of the questions I have is whether we have the facilities outside St. John's in these various areas for implementation of a merger. Do we have a place for juries to sit? Do we have the facilities that will permit District Court Judges to function as the Supreme Court and to undertake the additional duties that might follow from that?

There has been some indication to me that those facilities are not there yet and I would ask the minister to maybe tell us something about that when she is closing.

By and large the rules see a simplification of procedure. It is unfortunate that anybody like myself, who has been out of practice for a while, when he goes back into practice has to relearn. Now I have to go back to school and learn these bloody rules all over again after having become, if I do say so in all modesty, reasonably well versed with the former rules. You can win a case or lose a case, as the minister well knows, on knowledge of the rules. Now when I go down to court I am going to have all those young turks hitting me from my blind side with these new rules. Myself and other members who have been admitted to the Bar for a few years are now going to have to go back and do a few seminars, which I understand the Law Society is going to provide,

to make sure we know just what is going on when we go into court, make sure we are not flung out on our ears because we have made certain terrible procedural blunders.

I think that we have seen considerable progress in the judicial system over the last few years in this Province. I would ask the minister, when she is finishing her discussion, though, because I am a little perplexed by it, as to why we are going to six court of appeal judges. I can understand there may be some additional work from the Charter, but are we maybe becoming over judged now for a Province of 580,000? Maybe the minister can tell us a bit about the comparative sizes of courts in other provinces related to population. It seems to me, although I guess it is in my interest, the minister's interest and all lawyers' interests to have a potential retirement seat to fight for at some point in time in the twenty or thirty or forty years after we decide to get out of politics. It seems to me that six Court of Appeal judges are a lot. I do not think the Court of Appeal has been excessively taxed, at least it was not up to the last couple of years, but I am not familiar enough with the situation over the last two years to say whether it is the same. You know, these judges had a fairly reasonable schedule. The number of cases was increasing but there was not a big backlog of cases, so I am wondering whether we actually need to go to six Court of Appeal judges as is done in the act but, again, that is not something that would cause us to hold up this legislation.

So generally I would say that we

support this amendment to the Judicature Act. We compliment the members of the Law Society who worked so hard and diligently in the preparation of these new rules and on the amendment to the act and we will be supporting this legislation.

MR. BRETT:
Mr. Speaker.

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

MR. BRETT:
On a point of privilege. I believe it is extremely important that I say what I have to say. This morning the hon. the member for Port de Grave (Mr. Efford) stood up in this House and suggested that one Mr. Everett Osmond who did at one time sit on this side of the House as a member, had recieved a community development programme to paint his club. I am not necessarily quoting him verbatim, but his suggestion was that there were a number of welfare recipients painting the club and the taxpayers of the Province were paying the full shot, 100 per cent of the labour cost. Now, I have had opportunity to check that out since then, because I felt a little twinge and wondered why we would be paying 100 per cent of the cost. I have checked it out and the real facts are these, and I believe it is extremely important that everybody know them. Our staff in Corner Brook or possibly in Bonne Bay went to the entrepreneurs of that club and asked if they would take a twenty-one year old mentally retarded girl, who is considered to be trainable, on staff in their kitchen and teach her some menial task that you would learn in a

kitchen, like peeling vegetables, washing dishes, probably learning to cook, because it is difficult to determine precisely at what level you can train these people. Now we do this every day all over the Province. We go to entrepreneurs, to different people and we say, 'We have this person who is trainable. Would you please take them on for a period of time, whatever it might be, and we will pay you the cost.' Of course, the hope is that that person will some day become a contributing member of society rather than somebody who will live off the taxpayers for the rest of their life.

Now, Mr. Speaker, that is exactly what is happening in Woody Point at Mr. Osmond's club. There is no one painting his club and there are no able-bodied welfare recipients working there. It is a twenty-one year old female who is mentally retarded but considered to be trainable, and Mr. Osmond and his colleagues or his partners, have agreed, Mr. Speaker, to co-operate with our workers in that area, to do their little bit, I guess, for those who are less fortunate than we are.

SOME HON. MEMBERS:

Hear, hear!

MR. BARRY:

Mr. Speaker.

MR. SPEAKER:

Order, please!

The hon. the Leader of the Opposition.

MR. BARRY:

Mr. Speaker, the member for Port de Grave is not present now. Mr. Speaker, I have no hesitation in saying on behalf of members on this side - and I am sure the

member for Port de Grave will say the same thing - that if there has been an inaccurate statement made with respect to Mr. Osmond, naturally we on this side regret that. There was more than one matter raised, as the minister will recall. That deals with one of them. I think the fact is still there and should be acknowledged that the question arises and the problem arises because of the fact that the gentleman is now an employee of government. The minister got up and talked about an entrepreneur as though he were an independent member of the general public. I am not saying, Mr. Speaker, that that in itself necessarily makes it a bad thing, but I say that we are entitled, and the public expects us to ask questions when there are apparent benefits going to an individual who is receiving a salary from government as is the case of this gentleman who, when he was defeated, was given a salaried position by government.

Now I would also say that we make every effort on this side to ensure that the information that is supplied us is accurate. We have at times to rely on information given by individuals. What we do is we enquire who these individuals are, how they became involved in the situation or how they obtained their knowledge with respect to the situation. I understand the member for Port de Grave did the same thing in this case as we have done in previous cases. The person supplying him with the information is a person who appears to be responsible and, Mr. Speaker, is somebody who would know.

MR. PEACH:

There is a lot of payment involved in peeling potatoes and things.

MR. SPEAKER:
Order, please!

MR. BARRY:

But there is something else here. I will raise this with the member for Port de Grave and we will look further into this thing. The member for Port de Grave, I am sure, will say the same thing as I say, that we regret it if any inaccurate information was given with respect to Mr. Osmond or any other person in this Province. But, Mr. Speaker, I say again that, even with the minister's explanation, the question still arises, are there any guidelines? This was the context in which the question was asked. The Conflict of Interest Act requires that the Lieutenant-Governor in Council set out guidelines with respect to benefits obtained by public employees from government. The question that was put to the minister, and maybe the minister has not yet addressed it, and the minister should consider it, was: Is this practice consistent with the present Conflict of Interest Guidelines or are there any other safeguards that should be provided to ensure that public employees obtaining benefits from government do so properly and in a fashion that is acceptable to Cabinet? It is not appropriate for the minister just to stand up and ignore the fact that the gentleman in question is paid from the public purse and talk about this entrepreneur having been approached to take on the services of a person who needed training. There is another issue there that the minister has still not dealt with and that is: What guidelines should be applied to people in the public service who obtain this type of service? It may be that it is all right if we have public employees who own clubs or have

other facilities, it may be all right that they can receive such programmes of Social Services. It may be all right but I would suggest to the minister that there should be certain procedures in place in that situation that might not be necessary in the case of the entrepreneur who is unrelated to government and who does not receive money from government as a salary.

MR. MARSHALL:
Mr. Speaker.

MR. SPEAKER:
The hon. the President of the Council, to the point of privilege.

MR. MARSHALL:
Mr. Speaker, it is not going to go away like that with the hon. member's statement. What has happened here is there have been abuses of this House and a member in this House is responsible. Now, the hon. the member for Port de Grave, I suggest, could have found out the self same facts by consulting with the Minister of Social Services before raising the issue. He did not chose to do so. Apart from Mr. Osmond who shows his community spirit, as we have always know him to do, what has happened is an identifiable person who was mentally retarded has been drawn before this Legislature in a public formum. It is the type of statement that we know, Mr. Speaker, is seized on by the media in this Province from time to time because it titillates their fancy and apparently it is what they think is news worthy. But the fact of the matter is that the hon. member for Port de Grave could have gotten the facts. There are established precedents in any parliamentary system. I have been in the House for a number of years and it is only

recently, under the leadership of the Leader of the Opposition, that this stuff is done with impunity. Now, we have a privilege in this House and we have certain rights. But with rights go duties, and one of those duties is not to in any way impair the rights of private citizens outside of this House. And when it occurs that a mentally retarded individual in this Province is so identified, it is absolutely despicable. It is this kind of operation that drags down this Assembly. It is this type of action that would normally, in any responsible parliamentary system, demand the immediate apology and resignation of the member involved. I would suggest to the Leader of the Opposition that he address his own leadership because this is the way he has been, with impunity, conducting the affairs of the Opposition. This House, Mr. Speaker, belongs to the people of Newfoundland and Labrador. It does not behoove any elected member to use the privileges that are conferred upon us over the years for the purpose of slander, for the purpose of making statements in effect attacking mentally retarded people such as was done today.

SOME HON. MEMBERS:
Hear, hear!

MR. SIMMONS:
Mr. Speaker.

MR. SPEAKER:
The hon. the member for Fortune - Hermitage.

MR. SIMMONS:
Well, just two things quickly because I think most of the things have been said. The first thing is that it is regrettable that the minister elected to bring it in in the absence of the gentleman from

Port de Grave.

SOME HON. MEMBERS:
Oh, oh!

MR. SPEAKER:
Order, please!

MR. SIMMONS:
Mr. Speaker, first of all it is regrettable that the minister chose to bring the information in in the absence of the gentleman for Port de Grave.

MR. PEACH:
How did he know he was going to be absent? He was here this morning.

MR. SPEAKER:
Order, please!

MR. SIMMONS:
Mr. Speaker, it is regrettable that the minister chose to bring the information in in the absence of the gentleman from Port de Grave. And I intend to be able to finish that sentence uninterrupted before I sit down unless Mr. Speaker names me.

SOME HON. MEMBERS:
Oh, oh!

MR. SPEAKER:
Order, please!

MR. SIMMONS:
I am sick and tired of two sets of rules, sick and tired of it. Mr. Speaker, it is regrettable -

SOME HON. MEMBERS:
Oh, oh!

MR. SPEAKER:
I have asked three or four times for order and I am not getting it on my left.

MR. SIMMONS:
Mr. Speaker, first of all it is

regrettable that the minister chose to do this, I suggest quite deliberately chose to do this, in the absence of the gentleman for Port de Grave. If he were the possessor of such high motives as he would not want to attribute to the gentleman for Port de Grave, he would practice what he preaches and he would wait until the member was in his seat, number one, so that the member could tell his side of the story or whatever needs to be done.

The second point, Mr. Speaker, is that it is, without qualification, galling to sit here and watch the gentleman for St. John's East, in the very style that he is best at, making an accusation of an action and, in the accusation itself, he commits the very offence he is accusing somebody else of. That is his trademark, Mr. Speaker. In the actual accusation he commits the offence himself. He is brilliant at it. Today he rails on, Mr. Speaker, about how someone else has used -

MR. SIMMS:

What about the point of privilege?

MR. SIMMONS:

When I get some order, Mr. Speaker, I will continue.

MR. SPEAKER:

I would ask the hon. member to keep his remarks to the point of privilege.

MR. SIMMONS:

I would ask the hon. Speaker to keep order while I speak.

MR. SPEAKER:

Order, please!

I would ask the hon. gentleman to withdraw these comments.

MR. SIMMONS:

Mr. Speaker, I ask the Speaker not to keep order while I speak.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

I will give the hon. member one more opportunity to withdraw that comment.

MR. BARRY:

What about similar opportunities for the other side?

MR. SIMMONS:

I withdraw. I play your game, I withdraw. I have to knuckle under here to be able to say anything in this Chamber.

SOME HON. MEMBERS:

Oh, oh!

MR. SIMMONS:

Mr. Speaker, I am trying to say something and you are not protecting me.

MR. SPEAKER:

Order, please!

MR. SIMMONS:

You are not protecting me.

MR. SPEAKER:

Order, please!

MR. SIMMONS:

Now do your job, boy.

MR. SPEAKER:

Order, please!

I ask the hon. member to withdraw these last remarks.

MR. SIMMONS:

I withdraw all the remarks. Now can I speak? Do you mind if I speak?

MR. SPEAKER:

The hon. the member for Fortune-Hermitage.

MR. PATTERSON:

Boy oh boy! What a performance.

MR. SIMMONS:

Mr. Speaker, this is what we are reduced because we cannot say a word with all the mutterings and grumblings of that crowd over there without protection. Now I will try it again.

MR. SPEAKER:

I would ask the hon. member to carry on speaking to the point of privilege.

MR. SIMMONS:

This minister talks about people using the mentally retarded. Only person in this debate, not the minister, not the member for Port de Grave, not the Leader of the Opposition, not I, only that member for St. John's East, in low form, talked about the mentally retarded. It is the most scandalous performance I have seen from him yet. And then, Mr. Speaker, finally, of all the people who should come into this particular Chamber, of all the Chambers in the parliamentary world, and start setting out guidelines under which people in this Chamber should resign, well, there is one fellow who should know all about what the parameters are for resigning from position, I will tell you that, Mr. Speaker.

MR. POWER:

And you, too.

MR. SPEAKER:

Order, please!

MR. BAIRD:

To that point of privilege, Mr. speaker.

MR. SPEAKER:

To that point of privilege, the hon. the member for Humber West.

MR. BAIRD:

Mr. Speaker, it is very unfortunate that such an incident should occur this morning. Any information the member might have had to pass should have been directed to the Minister of Social Services to find out exactly what the situation was.

As I recall, this morning, Mr. Speaker, it was the hon. the member for St. Barbe (Mr. Furey) who indirectly brought up that situation, then had his colleague from the other district and further his question. I would suggest that the member for St. Barbe, where the incident occurred and people are a little more familiar with it, certainly should have done his own checking out before he brought about an embarrassing situation for a lot of people concerned.

MR. BARRY:

Just briefly to that point of privilege, Mr. Speaker.

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. BARRY:

Perhaps a lot of this would be avoided, maybe all of this would have been avoided, Mr. Speaker, had we not seen the gentleman in question given an appointment, without, by the way, going through the Public Service Commission, I do not think, talking about the appointment of permanent employees, and being given a salary of \$40,000 for having -

MR. BAIRD:

That has got nothing to do with it.

MR. SPEAKER:
Order, please!

That is not to the point of privilege.

MR. BARRY:
If Your Honour would care to enter into the debate, I would be delighted to attempt to point out how that is every bit as much involved with the issue as -

MR. SPEAKER:
Order, please!

I said the hon. member is straying away from the point of privilege.

MR. BARRY:
Well, Your Honour, let me get back, like the arrow, to the point of privilege, which is that we stood up in this House and asked why is a government employee, who was appointed having lost an election, given a job for \$40,000 annually without going through the Public Service Commission, and why is that member now receiving a service from government? Is that in accordance with the Conflict of Interest guidelines? Now is that relevant, Your Honour?

SOME HON. MEMBERS:
No, it is not.

SOME HON. MEMBERS:
Oh, oh!

MR. SIMMONS:
Did you hear a call to order? That is fantastic order, boy.

MR. BARRY:
That is the point, because if the minister and his colleagues are going to dole out benefits in the form of a \$40,000 job, and then we get a call from an individual saying they are now doling out benefits to the same gentleman

through the Department of Social Services, we have an obligation to ask questions.

MR. BAIRD:
Where is the member for the district of Port de Grave?

MR. BARRY:
It would never have been known, Mr. Speaker, that that gentleman had received his employment had we not asked questions in this House. Nobody got up, the minister did not get up or the minister who appointed him did not get up and make an announcement to this House. It is our obligation, once members opposite decide to embark upon the business of doing favours for their political buddies, once they embark upon that then it is our obligation to make sure that we keep a close eye on whether there are any other favours being given.

MR. MATTHEWS:
Good try. Get in the pigpen, boy!

MR. BARRY:
Mr. Speaker, I say again, and I have no hesitation saying it, that we acknowledge regret if there were any inaccuracies with respect to the facts given with respect to Mr. Osmond. But it is gentlemen opposite in their patronage appointment of that gentleman who put him in that embarrassing position in the first place, Mr. Speaker.

MR. BAIRD:
The member for St. Barbe (Mr. Furey) caused it.

MR. SPEAKER:
Order, please!

MR. BARRY:
There is no point of privilege, Mr. Speaker. Members opposite

think, Mr. Speaker, that they can seize upon anything to try and distract attention away -

MR. MATTHEWS:

And what are you seizing on?

MR. SPEAKER:

Order, please! Order, please!

MR. BARRY:

They will seize upon any opportunity to try and distract attention away from the fact that they are engaging in patronage, they are abusing their position, as we have seen the Minister of Public Patronage (Mr. Young) do.

MR. SPEAKER:

Order, please! The hon. member is straying away completely from the point of privilege and I would ask him to just sum up his points now.

MR. BARRY:

Of course, like the arrow I will go back to the issue. You see, Your Honour, we have been told by the Government House Leader (Mr. Marshall) and the member for Humber West that we should have gone and asked the minister. Well, you see, we went and asked the minister of Public Patronage certain questions and we got untruthful answers, Mr. Speaker. And had the questions not been asked in a public forum, the truth would still not be out with respect to that.

So it is not our function as an Opposition, nor do we intend, Mr. Speaker, to be muzzled. We intend to speak out long and loud and we will ask questions with respect to any members. Mr. Speaker, we will ask questions when it comes to any services being provided to any government employee, particularly when that government employee is a patronage appointment of members

opposite.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

Order, please!

To the point of privilege, there is no prime facie case of breach of privilege. The hon. the minister took the opportunity of clarifying questions and answers and topics that cropped up in Question Period today.

The hon. the Minister of Justice, if she speaks now will close the debate.

The hon. the Minister of Justice.

MS VERGE:

Thank you, Mr. Speaker.

I think most of the questions raised by the Leader of the Opposition were answered in my opening remarks. Quickly I explained that the reason for retaining the present structure of the Supreme Court is to guard against the possibility, and it was a possibility identified to me by lawyers, including lawyers in private practice most responsible for the production of these new rules of civil procedure, that if we were to bring in the 1984 Act which creates two courts there might be a jurisdictional gap, that there could well be problems down the road that nobody can quite pinpoint now. At the same time, in all the discussions I had with Supreme Court judges and lawyers and department officials about the preparation of this bill, nobody could give me a good reason for changing, for creating two courts. Nobody could seem to recall precisely why it was put in the 1984 act. And, of course,

there have been several changes in personnel over the last couple years.

Now, I hasten to add in case anyone is confused, that the 1984 act, while enacted by this House, has not come into effect. It was proclaimed to take effect on September 2, 1986 but it has not become operative, so, in fact, the change in the court structure embodied in that act is simply one on the books. Now, of course, this bill will eclipse the 1984 act as well as the present act, and all other legislation that is relevant.

Secondly, the question of facilities outside St. John's: Mr. Speaker, for years and years now, the Supreme Court has gone on circuit to all the District Court judicial centers. The Supreme Court has been on circuit in Corner Brook almost non-stop throughout the court year, from October until the Spring, for the past two or three years, for example, so the Supreme Court has been able to function, has been able to conduct jury trials in all the centers which, at the time of merger, will be converted from District Court to Supreme Court.

Now, Mr. Speaker, in some of these centers the facilities are not ideal. In fact, some people might suggest that the facilities in St. John's are not ideal. Perhaps the only judicial center in the Province that has ideal facilities is Grand Bank and for that we are thankful. The government has allocated a substantial amount of money, over \$2.5 million, in the Public Works and Services budget this year for improving court facilities, and the government is committed to upgrading court facilities throughout the Province

as we access resources over the next few years. But merger will be able to work quite successfully as of September, because the facilities that have served the District Court and the Supreme Court on circuit outside St. John's, as well as the facilities on Duckworth St. that house the courts here, will be available to us.

Mr. Speaker, the question about the need for increasing the size of the Court of Appeal I dealt with in my earlier remarks. Now, the Leader of the Opposition (Mr. Barry) did say that he has not kept in touch with developments in that court for the last two years, which is understandable, because I know he is spending his full time at politics now. But, Mr. Speaker, the Chief Justice of Newfoundland has given me statistics which show very clearly a dramatic increase in both the number of cases going to the Court of Appeal, and also the complexity of issues involved in those cases and an increase of significance of the judgements of those cases, remembering that now the Charter of Rights and Freedoms basically gives to the courts the final say on the parameters for legislators, and many matters involving Charter application will be dealt with in a final way in this Province by our Court of Appeal. So, Mr. Speaker, the evidence is there to substantiate increasing the Court of Appeal from four judges to six judges. Six is the appropriate number not only because it provides for extra judges, but six is preferable to five or seven because the Court of Appeal, when hearing appeals, sits in a panel of three judges. So if we have six, obviously we can have two panels of three judges.

So, Mr. Speaker, with those further explanations, I reiterate that the main purpose of this bill is to make sure that citizens in every part of Newfoundland and Labrador have good quality court services. The implementation of the bill and merger will mean quite a dramatic improvement in court services for people away from St. John's. Lawyers practicing in Labrador West, lawyers practicing in Central Newfoundland have told me that they are quite excited about the promise of merger because they know that it will involve substantial, real benefits to their clients; their clients will be spared undue delay in getting their divorces heard and dealt with, they will be spared some expense in having estates administered and wills probated. And the contents of the bill, particularly the rules, will mean that the courts will function more efficiently, the courts will be able to process matters with a greater fluency, with trial time being used as efficiently as possible.

Mr. Speaker, before I move second reading I would like to acknowledge to this House the tremendous contribution made by judges and members of our Bar, lawyers in private practice, to the formulation of this bill and the rules. The rules, as I said before, are the work of judges and lawyers over the past fifteen years or so.

Finally, I would like to thank once again our Legislative Counsel for the excellent work they have done, particularly our senior counsel, in the drafting of this bill. I think anyone just looking at it and flipping through it will get some appreciation of the

difficulty and complexity of the work that has been done by all the people who are responsible for producing it.

With those remarks, Mr. Speaker, I move second reading of this bill.

On motion, a bill, "An Act To Revise The Judicature Act Respecting The Supreme Court And Procedures Therein", read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill No. 38.)

MR. MARSHALL:

Order 23, Bill No. 14.

Motion, second reading of a bill, "An Act Respecting The Assessment Of Property For The Purpose Of The Imposition Of Real Property Taxes By Councils Of Municipalities And School Taxes By School Tax Authorities." (Bill No. 14)

MR. SPEAKER:

The hon. the Minister of Municipal Affairs.

MR. DOYLE:

Mr. Speaker, these are the amendments to the Assessment Act and they are essentially of a housekeeping nature with the exception of possibly two things that I should draw to the attention of hon. members. They are Section 2 on page 4 and Section 17 on page 12.

The major changes include the recognition of an adjustment multiplier now to be used in the assessment procedure and the introduction of fair market value for assessments in municipalities.

Other modifications to the bill are simply of a drafting nature and of a housekeeping nature.

There have been no changes to the Assessment Act since 1980.

To just explain briefly what an adjustment multiplier is, which can be found on page 4, Section 2 of the act, an adjustment multiplier should be explained in that the statutory requirement to have reassessments done is once every six years but it is desirable, from a municipalities point of view, to have supplementary assessments conducted as well. Because of the number of municipalities who are asking for the property tax system today as compared to five or six years ago, it is just about impossible now to keep up with all of the supplementary assessments that are being asked for. So, what this will enable the assessor to do is to build in an adjustment multiplier in which he can, once a year, go to a municipality and spot check the roll and be able to build in a small percentage on the assessment which can be done on a yearly basis.

In the meantime, economic factors can create considerable changes in property values if you only have it done once every six years. This gives the opportunity to the taxpayer, as well, to have a small increase maybe every year in his property value as opposed to a massive 50 or 60 per cent increase at the end of the six year period. So that is one change in the bill, the adjustment multiplier.

The other one is going from actual value to fair market value in the values that are set on a property. The reason why we are going from actual value to fair market value is that actual value is a very complicated system of values which takes into account

income value, rental value, labour costs and what have you, whereas fair market value takes into account what a willing seller can get from a willing buyer on an open market.

So these are the two changes to the Assessment Act which are worthy of note. With that, I move second reading.

MR. W. CARTER:
Mr. Speaker.

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

MR. W. CARTER:
Mr. Speaker, while we recognize the need to have properties assessed and we recognize as well the need to give assessors certain powers, on this side we believe that the government is giving the assessors, in this case, just a few too many powers. I think if one were to read through the act and certain sections of it, they will understand what I am saying.

For example, Section 6, (1) "An assessor or a commissioner may at all reasonable times enter property for the purpose of carrying out any duty imposed on the assessor or commissioner by this Act and no person shall refuse entry to the assessor or the commissioner." Then, of course, in section 8, (1) it sets forth the penalties. In fact, if a person living in a Newfoundland outport, for some reason or other, refuses admittance of the assessor or the commissioner, unless he can satisfy the judge or the law that he had good reason to do so, then he could be fined a substantial amount, or in default of payment, be placed in prison for a period of a month.

Mr. Speaker, is it in order to adjourn the debate now on this bill, it being 1:00 o'clock.

I move the adjournment.

MR. SPEAKER (McNicholas):

Is it agreed to call it 1:00 o'clock?

MR. MARSHALL:

I move that the House at its rising to adjourn until tomorrow, Monday, June 16, at 3:00 p.m.

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

Index

Answers to Questions
tabled

June 13, 1986

13 June, 1986

ORDERS OF THE DAY - WEDNESDAY, JUNE 11, 1986

QUESTION NO. 11

MR. AYLWARD (Stephenville) - To ask the Honourable the Minister of Municipal Affairs to lay upon the Table of the House the following information:

QUESTION:

How much money has been allotted to Stephenville under the 60/40 Agreement in each of the last five (5) years?

ANSWER:

The following listed funding has been allocated to Stephenville under the 60/40 Provincial/Municipal Cost-Shared Paving and/or Road Reconstruction Program for each of the fiscal years indicated.

<u>Year</u>	<u>Amount</u>
1981/82	\$500,000
1982/83	500,000
1983/84	600,000
1984/85	200,000
1985/86	-----
	1,800,000

*Tabled by Hon. Minister
of Culture, Recreation &
Youth 13 June, 1986*

ANSWER TO QUESTION ASKED THE HONOURABLE MINISTER OF CULTURE, RECREATION AND YOUTH BY MR. KEVIN AYLWARD, M.H.A. (STEPHENVILLE).

QUESTION:

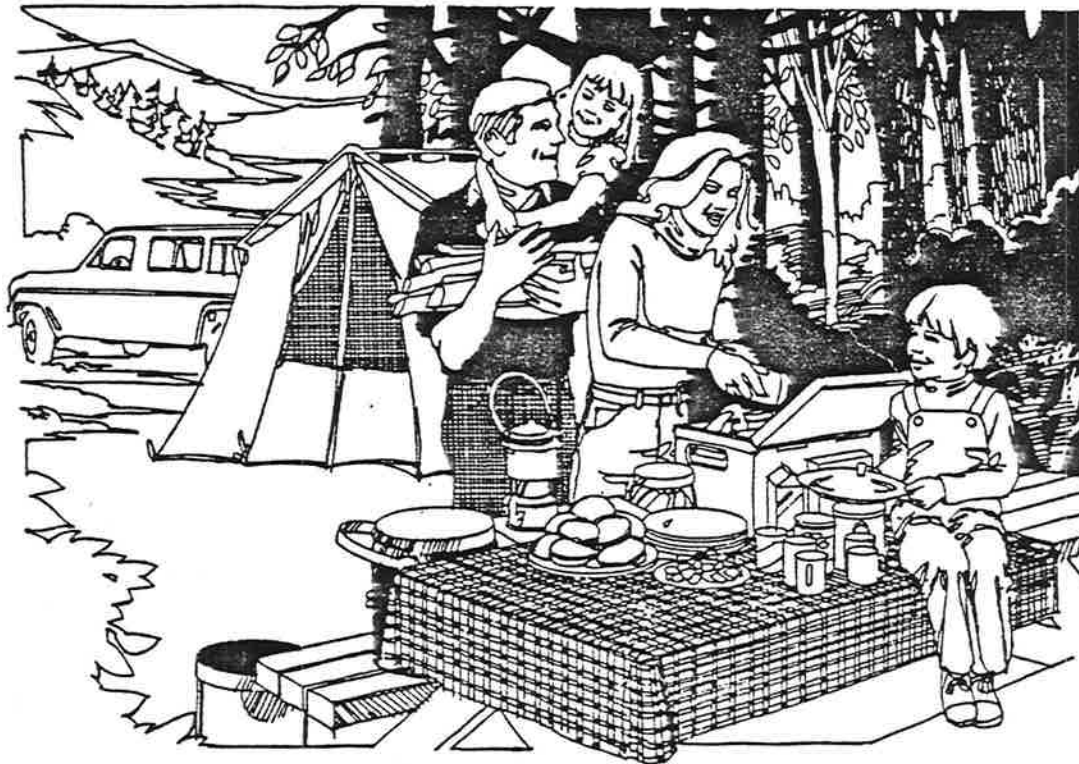
1. How are lots being selected for the Park draw?
2. Are prime lots in the Parks being put into the draw to make it worthwhile?

ANSWER:

Sites (lots) were selected based on the following:

- traditional long use sites that have been used by campers for extended periods (up to 24 days) in previous years.
- sites that can accommodate a wide range of camping equipment types (eg. tents to camper coaches).
Hence, all sites are of good quality and in many cases, are prime sites.
- sites that accommodate only one camping unit versus some sites that can accommodate two. The latter are required for regular campers, i.e., accommodate more campers in park at peak usage.
- sites were chosen in proximity to each other to permit ease of operation. Essentially, other sections of the campground can be closed without affecting seasonal campers - this is good for maintenance purposes.
- some discretion is being used in the site selection process. If a successful camper is not particularly pleased with a designated site, he/she has an option of selecting another site. This of course means that the first site would be removed from seasonal designation and would be available for regular campers.

Information On Seasonal Camping And Camper Storage



Authorized by: **Honourable Bill Matthews**
Minister
Dept. of Culture, Recreation & Youth

SEASONAL CAMPING

PURPOSE:

The purpose of the seasonal camping program is to make campsites available for the entire season. Among the many benefits of the program are the following:

- enjoyment of outdoor recreation all summer without the inconvenience and cost of relocating camping units at frequent intervals.
- the convenience of having a reserved campsite during periods of high use such as long weekends.
- safe, family oriented recreation in well administered parks.
- an affordable alternative to a summer cottage.
- campers can camp longer than the current 24 days.

PARTICIPATING PARKS:

This new program is offered to the residents of the province of Newfoundland and Labrador in the following parks:

- | | | |
|-----------------------|----------------------------------|--------------------------|
| 1. Butter Pot (31) | 4. Square Pond (20) | 7. Catamaran (10) |
| 2. Gushue's Pond (24) | 5. Notre Dame (25) | 8. Squires Memorial (23) |
| 3. Backside Pond (15) | 6. Jipujijkuespem
Kuespem (6) | 9. Barachois Pond (26) |

The figures in brackets indicates the number of seasonal campsites to be available at each park.

FEES:

The season is from June 20 to September 1, 1986, a total of 74 days, for those purchasing a Seasonal Campsite. This actually amounts to a daily camping fee of \$4.05 for the season.

Squires Memorial

Mr. Dave Rolls
Regional Parks Supervisor
Western Regional Office
P.O. Box 147
Pasadena, Nfld.
AOL 1KO - Tel: 686-2371

Barachois Pond

Mr. Albert Samms
Regional Parks Supervisor
Central Regional Office
35 Alabama Drive
Stephenville, Nfld.
A2N 3K9 - Tel: 643-2541

Applications are also available from Parks Headquarters:

Parks Division
P.O. Box 4750
St. John's, Nfld.
A1C 5T7

Telephone: 576-2431

Fill in application attached to this package

PUBLIC DRAW FOR SEASONAL CAMPSITES

R U L E S

Participation is limited to Newfoundland's residents only.

Only one application per family shall be permitted. For purposes of site selection the term "family" shall be defined as including a husband, wife and the children thereof under the age of 18 years.

The application must include the current Newfoundland licence plate number of the applicant's camping unit and motor vehicle licence.

Only applications accompanied by certified cheques or money orders for the full amount of the appropriate seasonal camping fee will be accepted.

Applications received after the deadline of the draws will only be accepted if vacant sites remain available.

The applicant need not be present at the draw.

Where the applicant or his/her representative in any way contravenes the rules respecting site selection as set out herein, the seasonal permit fee shall be forfeited and neither the applicant nor his/her representative shall be eligible to select a site.

Once the draw has commenced no applicant may withdraw, except in the circumstances previously described. Draw applicants who do withdraw shall forfeit their seasonal permit fee.

Deadline for applications is Thursday, June 5, 1986 - 9:00 A.M.

SEASONAL CAMPING RULES

- **Season:** The seasonal camping season is from June 20 to September 1st, 1986.
- **Siting of Camping Unit:** Holders of permits for the full season should establish their camping units on site during the period of June 14-21.
- **Notification to Park Office:** All campers must register at the Park Office in order to receive their seasonal site.
- **Units on Site:** Only one vehicle and one camping unit (tent-trailer, camper-truck, camper, camper-trailer, motor home, or other form of movable temporary accomodation) shall be allowed on each campsite.
- **Camping Unit Registration:** All camping units (other than tents) shall be registered with the Newfoundland Motor Vehicle Branch and display a current licence plate. Provincial Parks staff reserves the right to verify licence plate numbers. The transporting vehicle licence plate will be used to register tents.
- **Operation:** All camping units shall be operational and capable of removal upon 24 hours' notice.
- **Visitors:** Visitors shall park their vehicles only in designated parking areas.
- **Storage:** Tents and trailers used for storage shall not be permitted on a seasonal campsite unless approved by the Park Officer. Space permitting, only one tent will be allowed per campsite. Additional space shall not be created by the destruction or removal of existing natural features. Pup tents may be allowed if used only by children or for storage.
- **Screened Tents:** Depending on the size of the campsite, a screened tent not exceeding 120 sq. ft. in area may be permitted for the preparation and consumption of meals.
- 0. **Pets:** All pets must be kept leashed and/or under physical control at all times.
- 1. **Site Maintenance:** All permit holders shall maintain their campsites and their camping units in a condition acceptable to the Park Officer.
- 2. **Vacating of Site:** Except where the camping unit is recorded on the camping permit as a camper-truck or motor home, all rights and privileges to the campsite shall cease and the site shall be considered vacated if the camping unit is removed therefrom without the Park Officer's knowledge and consent.
- 3. **Liquor:** To comply with **THE LIQUOR CONTROL ACT**, alcoholic beverages may be consumed only in the permit-holder's camping unit and on his/her assigned campsite.

Deposit of Waste Water: Sewage must be disposed of into the trailer dumping stations, located in Barachois, Butter Pot, Gushue's Pond, and Notre Dame Parks. In the others, where a trailer dumping station does not exist in the park, campers must be prepared to find alternate dumping facilities outside the park.

Seasonal Camping Permits: Seasonal camping permits are not transferable. Fees for seasonal camping permits are not refundable.

Occupancy Privileges: Permit holders shall not rent, sell, sublet, assign, exchange or otherwise transfer their designated campsites. Any attempts to sell, rent, sublet, assign or otherwise transfer a campsite will result in revocation of occupancy privileges.

Conduct of Permit Holders and Guests: The permit holder, his/her guests and the families thereof shall at all times in Provincial Campgrounds comply with all applicable regulations. The permit holder shall be responsible for the conduct and behaviour of his/her guests and the families thereof in respect of their observances of all campground regulations, including the terms set out herein.

All Trailers must be Removed from the Parks at Park Closing Dates:

September 2 - Backside Pond, Squires Memorial,
Catamaran, Jipujijkuei Kuespem

September 22 - Butter Pot, Gushue's Pond, Square
Pond, Notre Dame, Barachois

THIS IS A PILOT PROGRAM. WE WOULD LIKE TO KNOW YOUR COMMENTS

DEPARTMENT OF CULTURE, RECREATION AND YOUTH

APPLICATION FOR SEASONAL CAMPSITE BY PUBLIC DRAW

Park Applied For:

Licence Number of Motor Vehicle:

Type of Camping Unit to be placed on site: (tent, tent-trailer, camper, camper-truck, camping trailer, motor home, other (specify):

Licence Number of Camping Unit:

I hereby apply for a seasonal campsite and enclose my certified cheque/money order for \$300.00 payable to the Newfoundland Exchequer Account as full payment of the seasonal permit fee if my application is successful. If my application is unsuccessful this seasonal permit fee will be refunded to me in full.

I understand that applications are restricted to one per family, (husband, wife and children hereof under 18 years of age) and I certify that to the best of my knowledge this is the only application made by me or on my behalf.

I understand and agree to comply with the stated rules, regulations and conditions. I also understand that any contravention of the rules and regulations governing occupancy of a site will result in revocation of all occupancy privileges as provided for in the Provincial Parks Act and all Regulations thereunder.

SIGNATURE

DATE

NAME IN FULL - (Please Print)

PERMANENT MAILING ADDRESS

POSTAL CODE

Telephone No: (Res: _____

Bus: _____

Please return this application to the Public Draw Office listed below. Deadline for applications is Thursday, June 5, 1986 - 9:00 A.M.

Butter Pot Mr. Gerald March
Gushue's Pond Reg. Supervisor
Backside Pond Avalon Office
P.O. Box 186
Whitbourne, Nfld.
AOB 3KO
Tel: 759-2584

Square Pond Mr. George Janes
Notre Dame Reg. Supervisor
Catamaran Eastern Office
Jipujijkuei P.O. Box 70
Kuespem Glenwood, Nfld.
AOG 2KO
Tel: 535-6632

Barachois Mr. Albert Samms
Reg. Supervisor
Central Office
35 Alabama Drive
Stephenville, Nfld.
A2N 3K9
Tel: 643-2541

Squires Memorial Mr. Dave Rolls
Reg. Supervisor
Western Office
P.O. Box 147
Pasadena, Nfld.
AOL 1KO
Tel: 686-2371

CAMPER STORAGE PROGRAM

POSE:

The purpose of the storage program is to provide an area in the park for campers to store their equipment during periods of non-use and return at a later date to the regular campsite. Among the many benefits of the program are the following:

- defined storage areas for camper trailer in a park.
- elimination of the inconvenience of hauling trailers from park to home every week.
- direct saving of dollars in not having to tow trailers back and forth.

PARTICIPATING PARKS:

The following 6 parks are participating:

- | | | |
|------------------|------------------------|--------------|
| 1. Butter Pot | 3. Square Pond | 5. Catamaran |
| 2. Backside Pond | 4. Jipujijkuei Kuespem | 6. Barachois |

Each park will have a designated area for the storage of trailers. In all cases it will be a designated area of a parking lot.

Campers will not be permitted to set up or use the storage areas for overnight camping, as the area is for storage only. Once campers return to the park to camp, they must remove the trailer from the storage area and go to the checkpoint to register for a campsite. Reservations for campsites will not be accepted as registration is on a first-come-first-served basis.

Park staff will provide reasonable security of all equipment and make periodic checks during their normal patrols.

In addition to campsites, these participating parks also have a host of other outdoor recreational activities for both children and adults.

FEES:

A storage fee of \$1.00 per night must be paid by the camper prior to storing the trailer.

Trailers can be stored in these parks anytime during the May 19-September 1, 1986 period.

Campers wishing to store trailers in a park must secure a permit from the park office, prior to storing camping equipment.

The permit for storage will be paid at the park office in advance. Should the storage period exceed the original storage permit period, additional fees of \$1.00 per night must be paid prior to removing the camping equipment.

NO REFUND OF STORAGE FEES IS PERMITTED.
This is a new program, we would like to hear your comments.



GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
DEPARTMENT OF CULTURE, RECREATION AND YOUTH

File #602

1986 05 30

TO ALL REGIONAL SUPERVISORS

RE: Seasonal Camping Permits, draw procedures
and General Guidelines

- 1.) All applications received for the June 5 draw must be placed in blank envelopes and put in a suitable container for drawing purposes.
- 2.) In the drawing process, envelopes will be retrieved one at a time and the following record made (using this format) before drawing the next envelope.

	Name of Applicant	Park Applied For	Site # Requested (if applicable)
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

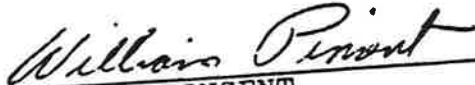
- 3.) All money orders/certified cheques, together with applications will be hand delivered to the appropriate parks as soon as possible so that when successful applicants arrive at the park, permits may be issued.
- 4.) If applicants request a specific campsite in their application, those particular sites will be issued on the basis of their ranking in the draw. In other words if two or more applicants request the same campsite, the first name recorded in the draw process requesting said site is issued a permit for that particular site.

.../2

1986 05 30

- 5.) Notify all successful applicants by phone and advise they may set up their camping units in the park at any time after the draw (not just the week of June 14-21) and that the sites will be issued on a first come-first served basis (i.e. - all sites remaining not specified on applications).
- 6.) If designated sites available as per the attached list are not suitable to the applicants for a legitimate reason, an alternate site may be chosen at the Park Officers discretion.
- 7.) All returns will be made at the end of each week by the Park Officer using the same weekly balance sheets as other permits by indicating at the top left of the form "Seasonal Camping Permits".
- 8.) Following the draw process, any remaining designated seasonal sites will be issued to late applicants on a first come-first served basis - there will be no reduced fee for late applicants.
- 9.) Any problems associated with this program are to be referred to me.

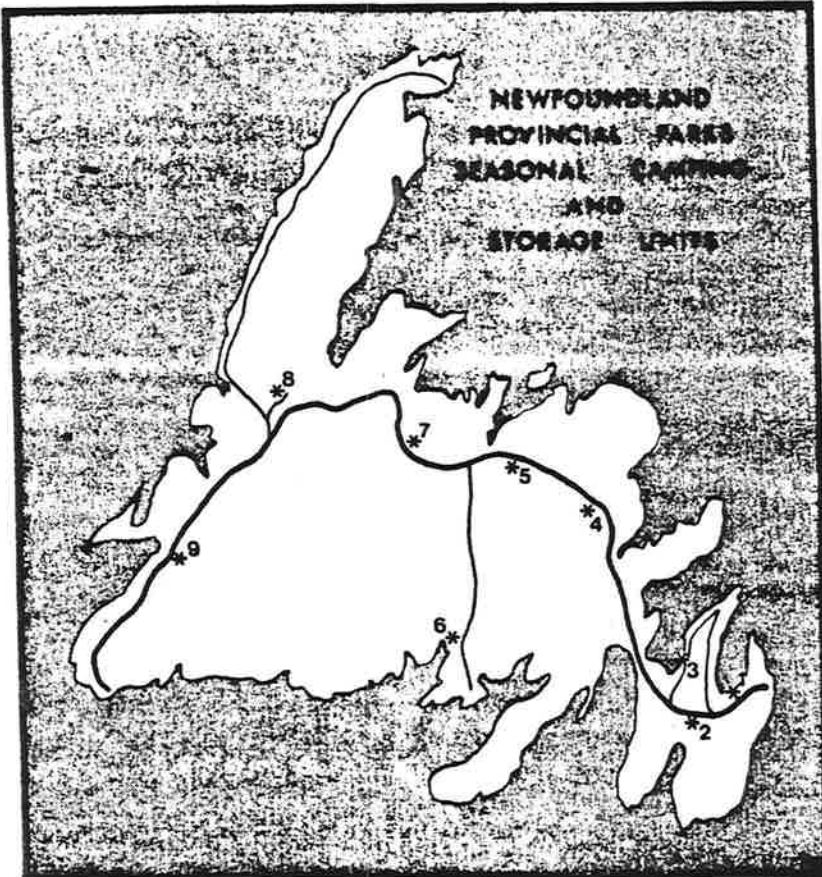
Please ensure that the designated seasonal sites are reserved for seasonal campers only.



WILLIAM PINSENT
Operations Supervisor

SEASONAL CAMPING

<u>Park Name</u>	<u>Number of Campsites</u>	<u># of Seasonal Sites</u>	<u>% of Seasonal Sites</u>	<u>Site Numbers</u>
Butter Pot	149	31	21%	2, 4, 11, 20, 21, 22, 24, 36, 37, 60, 61, 65, 66, 69, 71, 72, 74, 75, 78, 80, 84, 85, 86, 88, 92, 94, 95, 101, 105, 107, 116
Gushue's Pond	117	24	21%	7, 13, 17, 19, 21, 23, 26, 35, 36, 38, 39, 42, 46, 49, 50, 52, 60, 62, 72, 74, 76, 77, 78, 80
Backside Pond	51	15	29%	4, 7, 12, 14, 24, 25, 29, 39, 43, 30, 32, 36, 37, 49, 50
Squires Memorial	159	23	14%	54, 55, 56, 57, 58, 59, 60, 61, 62, 82-95, 98
Barachois Pond	158	26	16%	1, 2, 11, 13, 29, 30, 33, 37, 38, 65, 66, 70, 71, 72, 73, 88, 90, 92, 94, 95, 96, 98, 99, 100, 104, 105
Square Pond	93	20	22%	4, 7, 13, 15, 19, 27, 28, 30, 31, 32, 38, 43, 45, 54, 63, 67, 72, 84, 85, 87
Notre Dame	100	25	25%	6, 9, 11, 19, 24, 27, 30, 36, 39, 40, 44, 45, 46, 56, 62, 66, 72, 75, 80, 85, 89, 92, 93, 95, 99
Catamaran	57	10	18%	5, 13, 16, 23, 32, 36, 39, 43, 55, 57
Little River	21	6	29%	6, 7, 10, 11, 14, 15
Total	905	180	22% (Average)	



Map Ref.	Provincial Parks	Highway #	# Seasonal Campsite	Storage	Facilities
1	Butter Pot	1	31	YES	Group Camping, Camping, Day-Use Area, Swimming, Trails, Amphi-theatre, Playground, Boat-Launch, Viewing Area
2	Gushue's Pond	1	24	NO	Day-Use Area, Swimming
3	Backside Pond	80	15	YES	Day-Use Area, Swimming, Trails, Amphi-theatre
4	Square Pond	1	20	YES	Day-Use Area, Swimming, Trails, Amphi-theatre, Playground, Boat-Launch
5	Notre Dame	1	25	NO	Day-Use Area, Swimming, Trails, Amphi-theatre
6	Jipujikuei Kuespem	360	6	YES	Day-Use Area, Swimming
7	Catamaran	1	10	YES	Day-Use Area, Swimming, Trails, Amphi-theatre, Playground, Boat-Launch
8	Squire's Memorial	422	23	NO	Day-Use Area, Swimming, Trails, Amphi-theatre, Playground, Boat-Launch
9	Barachois	1	26	YES	Day-Use Area, Swimming, Trails, Amphi-theatre, Playground, Boat-Launch, Viewing Area

▲▲ Group Camping ☞ Day-Use Area ⚓ Trails 🎡 Playground
 ▲ Camping 🏊 Swimming 🎪 Amphi-theatre 🚤 Boat-Launch
 🏠 Viewing Area

MEMBERS OF THE LEGISLATIVE ASSEMBLY OF NEWFOUNDLAND AND LABRADOR

Second Session - Fortieth General Assembly

Hon. A. Brian Peckford, P.C., Premier

Hon. P.J.McNicholas, Speaker

Leo Barry, Leader of the Opposition

<u>Member</u>	<u>District</u>
Aylward, Kevin (Lib)	Stephenville
Aylward, Hon. Robert J. (PC)	Kilbride
Baird, Raymond J. (PC)	Humber West
Baker, Winston (Lib)	Gander
Barrett, Hon. Harold (PC)	St. John's West
Barry, Leo (Lib)	Mount Scio - Bell Island
Blanchard, Hon. Ted. A. (PC)	Bay of Islands
Brett, Hon. Charlie (PC)	Trinity North
Butt, Hon. John (PC)	Conception Bay South
Callan, Wilson (Lib)	Bellevue
Carter, John A. (PC)	St. John's North
Carter, Walter C. (Lib)	Twillingate
Collins, Hon. John F. (PC)	St. John's South
Dawe, Hon. Ron (PC)	St. George's
Decker, Chris (Lib)	Strait of Belle Isle
Dinn, Jerome W. (PC)	Pleasantville
Doyle, Norman E. (PC)	Harbour Main
Efford, John (Lib)	Port de Grave
Fenwick, Peter (NDP)	Menihek
Flight, Graham (Lib)	Windsor-Buchans
Furey, Chuck (Lib)	St. Barbe
Gilbert, Dave (Lib)	Burgeo-Bay d'Espoir
Greening, Glenn C. (PC)	Terra Nova
Hearn, Hon. Loyola (PC)	St. Mary's-The Capes
Hickey, Thomas V. (PC)	St. John's East Extern
Hiscock, R. Eugene (Lib)	Eagle River
Hodder, James E. (PC)	Port au Port
Kelland, Jim (Lib)	Naskaupi
Lush, Tom (Lib)	Bonavista North

MEMBERS OF THE LEGISLATIVE ASSEMBLY OF NEWFOUNDLAND AND LABRADOR
Second Session - Fortieth General Assembly

...2...

<u>Member</u>	<u>District</u>
Marshall, Hon. William (PC)	St. John's East
Matthews, Hon. William (PC)	Grand Bank
McNicholas, Hon. Dr. P.J. (PC)	St. John's Centre
Mitchell, Calvin (PC)	LaPoile
Morgan, James (PC)	Bonavista South
Ottenheimer, Hon. Gerald R. (PC)	Waterford - Kenmount
Patterson, William G. (PC)	Placentia
Peach, Milton (PC)	Carbonear
Peckford, A. Brian, P.C. (PC) (Premier)	Green Bay
Power, Hon. Charlie (PC)	Ferryland
Reid, James G. (PC)	Trinity - Bay de Verde
Rideout, Hon. Thomas G. (PC)	Baie Verte - White Bay
Russell, Hon. Maxwell James (PC)	Lewisporte
Simms, Hon. Len (PC)	Grand Falls
Simmons, Hon. Roger P.C. (Lib)	Fortune-Hermitage
Tobin, Glenn (PC)	Burin - Placentia West
Tulk, R. Beaton (Lib)	Fogo
Twomey, Hon. Dr. Hugh Matthew (PC)	Exploits
Verge, Hon. Lynn (PC)	Humber East
Warren, Garfield E. (PC)	Torngat Mountains
Windsor, Hon. H. Neil (PC)	Mount Pearl
Woodford, Rick (PC)	Humber Valley
Young, Hon. Haig (PC)	Harbour Grace

THE MINISTRY - LEGISLATIVE ASSEMBLY OF NEWFOUNDLAND AND LABRADOR
Second Session - Fortieth General Assembly

Hon. A. Brian Peckford, P.C.	Premier
Hon. Robert J. Aylward	Rural, Agricultural and Northern Development
Hon. Harold Barrett	Development and Tourism
Hon. Ted A. Blanchard	Labour
Hon. Charlie Brett	Social Services
Hon. John Butt	Environment
Dr. The Hon. John F. Collins	Finance
Hon. Ron Dawe	Transportation
Hon. Jerome W. Dinn	Mines and Energy
Hon. Norman E. Doyle	Municipal Affairs
Hon. William Marshall	President of the Council/ Government House Leader/ Minister responsible for Energy, Petroleum Directorate/Nfld. and Labrador Hydro

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Hon. William Matthews	Culture, Recreation and Youth
Hon. Gerald R. Ottenheimer	Intergovernmental Affairs
Hon. Charlie Power	Career Development and Advanced Studies
Hon. Thomas G. Rideout	Fisheries
Hon. Maxwell J. Russell	Consumer Affairs and Communications
Hon. Len Simms	Forest Resources and Lands
Dr. The Hon. Hugh M. Twomey	Health
Hon. Lynn Verge	Justice
Hon. H. Neil Windsor	President of Treasury Board
Hon. Haig Young	Public Works and Services