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FORTIETH GENERAL ASSEMBLY  
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**VERBATIM REPORT**  
*(Hansard)*

*Speaker: Honourable Patrick McNicholas*

The House met at 10:00 a.m.

MR. SPEAKER (McNicholas):  
Order, please!

Statements by Ministers

MR. MATTHEWS:  
Mr. Speaker.

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

SOME HON. MEMBERS:  
Hear, hear!

MR. MATTHEWS:  
Thank you, Mr. Speaker.

As minister responsible for wildlife, I wish to inform this hon. House that the 1986 moose and caribou licence draw has been completed, and that notices have been mailed to applicants informing them of their success or failure in getting a licence for this year.

As is the case every year, a tremendous number of applications were made to the Wildlife Division. A total of 57,153 people actually participated in this year's draw, representing 31,685 applications. Individual applicants made up 6,217 of this total, while the remaining 25,468 consisted of party applications.

Reflecting the excellent wildlife management and protection of recent years, as well as the increasing co-operation of the public in reducing the amount of poaching, our moose and caribou populations are doing extremely well. Consequently, we were able to increase the number of moose and caribou licences issued this

year to a total of 13,092, representing an increase of 870 over last year.

A total of 11,250 party and 355 individual moose licences were issued this year. For caribou, 1,461 party and 26 individual licences were issued. In all, 25,803 Newfoundlanders will be able to participate in the moose and caribou hunts this year. With the continued co-operation of the public in cutting down on poaching, Mr. Speaker, we look forward to being able to further increase the number of moose and caribou licences issued in future years, so that more of our residents can take part in this integral aspect of our unique way of life.

MR. FLIGHT:  
Mr. Speaker, I thank the minister for giving me a copy of the statement in advance. We are happy that the notification is going out, Mr. Speaker.

MR. PEACH:  
Did you get your licence?

MR. FLIGHT:  
No, I have not. I am waiting to see whether I get one or not.

The minister talks a lot about poaching here, Mr. Speaker, and the continued support of the general public. No question, we are doing something to control poaching, however, one hears of snaring of moose on the West Coast, one hears of all kinds of violations of the wild game act. We do not hear of too many convictions. I would suggest to the minister that 90 per cent of the convictions that his party have been responsible for are more bothersome to people stopped by the wild life officers than they

are effective in conserving or protecting. The stopping of a hunter a quarter of a mile out of his zone, who is carrying an unwrapped rifle in his vehicle, is more bothersome to the legitimate hunter who would never think of breaking the law than it is effective in actually stopping the shooting or the poaching of moose.

Mr. Speaker, we are into a position now where we have a five to one ratio; one applicant out of every five who applies for a licence in this Province gets one. That says that basically, not strictly but basically, every Newfoundlander can now look forward to getting a moose licence every five years. We do not think that is good enough, Mr. Speaker. We suggest to the minister that, as good as this may appear, there is a more equitable way, that a way can be devised to give everybody, every Newfoundlander who wants a crack at a moose licence, a licence. It has nothing to do with the total kill. The total kill can be controlled under that system, but everyone should have a right to hunt in the Fall of the year. Most Newfoundlanders are hunting for meat and a system can be devised that would give every Newfoundlander a licence while, at the same time, maintaining stringent control over the allowable kill.

Mr. Speaker, I do not have time in answering this statement to lay out to the minister ways in which this could be done, but I would suggest to him that people in his department are aware of them and he should look at making the draw, or the issuing of licences more equitable.

MR. SPEAKER:

Order, please!

MR. RUSSELL:  
Mr. Speaker.

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

MR. RUSSELL:  
Mr. Speaker, as Minister of Consumer Affairs and Communications with responsibility for the administration of The Landlord And Tenant (Residential Tenancies) Act, I am pleased to inform honourable members of the appointment by the Lieutenant-Governor in Council of Mr. Gerard J. O'Reilly as full-time Chairman of the St. John's and the Eastern Residential Tenancies Boards.

Mr. O'Reilly's appointment as Chairman of the St. John's and the Eastern Residential Tenancies Board becomes effective on July 1, 1986, when the term of office of the present part-time Chairman, Mr. H. James Puddester, Q.C., expires.

The appointment of a full-time Chairman for the St. John's and Eastern Residential Tenancies Boards has been contemplated for some time. It is proposed to introduce in the next session of the House of Assembly new Landlord and Tenant Residential Tenancies legislation. This legislation will enable the courts to refer to the Residential Tenancies Boards for investigation and report a variety of landlord/tenant disputes involving eviction, damage claims and arrears of rent which, as a result of a 1981 decision of the Supreme Court of Canada, can now only be heard by the courts. The referral of such landlord/tenant disputes to

Residential Tenancies Boards by the courts will substantially decrease the workload of the courts in hearing such cases. Similarly, the work of the Residential Tenancies Boards is expected to increase substantially as a result of the referral of such disputes to the boards by the courts.

It is in anticipation of this increased workload with the introduction in the next session of the new Landlord and Tenant (Residential Tenancies) legislation, that it was decided to appoint a full-time Chairman for the St. John's and Eastern boards. It should be noted that the workload of the St. John's Board itself is presently significantly higher than the other four regional boards. This is attributed to the larger population base and the considerably larger volume and range of rental accommodation in the region.

Mr. O'Reilly has held a number of senior executive appointments during his 21 years in the Provincial Public Service. In 1968 he was appointed as Deputy Minister of Agriculture and Co-operatives. Subsequently, he was appointed Deputy Minister of Rural Development and was directly involved in reorganizing the Department to include Agricultural Development and Northern Development. In 1983 Mr. O'Reilly was appointed as Chairman of the Newfoundland Farm Products Corporation. It is also worthy to note, Mr. Speaker, that Mr. O'Reilly was selected as the first senior public servant to occupy the J.G. Channing Chair at Memorial University where he undertook lectures in public administration and related topics,

as well as research during his twelve month tenure at the university in 1984-85. Mr. O'Reilly's administrative background, coupled with his many years of experience as an executive in the public service, will be very valuable in his new position as Chairman of the St. John's and Eastern Residential Tenancies Boards.

I would be remiss if I did not offer the outgoing Chairman, Mr. H. James Puddester, the deepest appreciation for his most valuable contribution as part-time Chairman of the these two boards over the past five years. During the tenure of Mr. Puddester's appointment the St. John's and Eastern Boards functioned extremely effectively and efficiently, a trait for which I understand he is very well known by his peers in the legal profession. Mr. Puddester's valuable advice in the drafting of new Landlord and Tenant Legislation has also been greatly appreciated.

Mr. Puddester has recognized the increasing workload of the boards and, along with others, suggested that the time was indeed appropriate to appoint a full-time Chairman.

Mr. Speaker, this announcement today is yet another commitment by government to the implementation and development of social legislation to ensure that residents of our Province who are either tenants or landlords have an appropriate and effective mechanism in dealing with disputes. Thank you.

SOME HON. MEMBERS:

Hear, hear!

MR. FUREY:  
Mr. Speaker.

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

MR. FUREY:  
Just briefly, Mr. Speaker. In response to the minister's statement I would like to thank the minister for supplying his statement some minutes before the House opened. We, on this side, would like to associate ourselves and welcome the appointment of Mr. Gerard O'Reilly as full-time Chairman of the St. John's Eastern Residential Tenancies Boards. Certainly he is an experienced gentleman and we welcome his appointment and wish him well in his new job as the full-time Chairman.

We note that the minister is proposing to introduce next session new Landlord and Tenant (Residential Tenancies) legislation which will be enabling legislation, as I understand it, to free up the courts which are now swamped with all kinds of work dealing with many matters, but specifically with evictions; they are busy refereeing between tenants and landlords on various disputes.

So basically, Mr. Speaker, we will look forward to seeing this legislation and studying it, both in the House and in Committee. We look forward, also, to seeing the courts being freed up from this particular work. But, as the Minister says, Mr. Speaker, there will be an increase of work in the Eastern Residential Tenancies Board and, as a result, I suspect that is why he has opted for a full-time Chairman rather than a part-time chairman.

We, on this side, welcome this appointment, Mr. Speaker. We would also like to associate ourselves with the comments made by the minister with respect to Mr. Puddester and his past work. We appreciate, as well, his valuable contribution to the Tenancies Board, for drafting legislation and for his part-time work as Chairman. Again, Mr. Speaker, we, on this side, welcome the appointment of Mr. O'Reilly. We wish him well in his new job and we look forward to debating this new enabling legislation in the coming months.

SOME HON. MEMBERS:  
Hear, hear!

MR. SPEAKER:  
At this stage I would like to welcome to the visitor's gallery thirty-six Grade 111 students from St. Peter's Primary School, Mount Pearl, with their teachers, Mrs. Florence Norris and Ron Pellerin.

I would also like to welcome to the visitor's gallery six students from the John Howard Society with their teacher, Debbie Gregg.

SOME HON. MEMBERS:  
Hear, hear!

#### Oral Questions

MR. EFFORD:  
Mr. Speaker.

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

MR. EFFORD:  
Mr. Speaker, my question is to the Minister of Public Works and Services (Mr. Young). I quote what he said from Hansard two days

ago, where he said, 'I challenge any member to name something I did wrong by hiring people.' I would say, Mr. Speaker, according to the Premier's own code of conduct for hiring, what the minister did was clearly wrong when he stated, 'We hire on the basis of political friendship and not on merit.'

MR. SIMMS:

Ask something that is in order. Do not be so childish.

MR. SPEAKER:

Order, please! The member is making a statement. Would you please direct your question?

MR. EFFORD:

Would the minister explain what he meant when he said he would challenge anybody, defy anybody to say that he did anything wrong, when the Premier himself clearly stated what the Minister of Public Works and Services did, and he made the statement continuously over and over, was wrong according to the practices of the government?

MR. SPEAKER:

The hon. the Minister of Public Works and Services.

MR. YOUNG:

Mr. Speaker, there again I think the hon. gentleman is twisting the words of the Premier and probably the hon. gentleman should go back to kissing pigs.

MR. EFFORD:

A supplementary, Mr. Speaker.

MR. SPEAKER:

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

MR. EFFORD:

Mr. Speaker, it is a total disgrace for any minister, any man to stand in this House of Assembly

and make a statement like that. I have a very direct and plain question for the minister. You have admitted over and over again to the hiring of people on the basis of political work done for you. I would like to ask the minister how many jobs have you passed out in the past three months?

MR. SPEAKER:

The hon. the Minister of Public Works and Services.

MR. YOUNG:

I could not say the exact number, Mr. Speaker, but whatever jobs were to be filled by temporary employment are filled.

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 is the Minister of Public Works and Services denying the statements he has made over and over on television, that he has hired people because they were sons and daughters and friends of those who politically worked for him in the past election, and that what the Premier of the Province said is totally wrong?

MR. SPEAKER:

The hon. the Minister of Public Works and Services.

MR. YOUNG:

Mr. Speaker, there again the hon. gentleman is taking my statement out of context. We hire people on merit and their performance, and I do not think there has been any additional people or students hired from my district this year

other than those called back by seniority.

MR. EFFORD:

A final supplementary, Mr. Speaker.

MR. SPEAKER:

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

MR. EFFORD:

Mr. Speaker, I was going to ask this question to the Premier, but I will ask it to the acting Premier, the President of the Council (Mr. Marshall). Will he undertake to have these names, that I will give to him privately and not publicly, passed over to the Premier for investigation to see if they were hired on merit or hired because they are political buddies of the Minister of Public Works and Services?

MR. SIMMS:

Put it in an envelope and mail it to him.

MR. EFFORD:

Mr. Speaker, I also ask will he make representation on behalf of all members of the government and of the Opposition, all the people of this Province, to have the Premier ask the Minister of Public Works and Services to step down from his position while an investigation is conducted to see if the Minister of Public Works and Services is as corrupt as he himself indicated publicly, on public television, when he said that all of these people were hired not on merit but for political favours rendered?

MR. SPEAKER:

The hon. the President of the Council.

MR. MARSHALL:

Mr. Speaker, it is quite obvious

what the hon. gentleman is attempting to do. He is beating a subject to death. The fact of the matter is that merit is the prime criterion of this government in all appointments, in permanent appointments through the Public Service Commission and otherwise. As for the resignation of the Minister of Public Works and Services, the Minister of Public Works and Services in this government happens to be one of the more outstanding ministers of Public Works and Services that we have seen in this Province. All anyone has to do, Mr. Speaker, is to compare the reports of the Auditor General with respect to the way in which the Minister of Public Works and Service has exercised his office and with respect to the way in which some of his predecessors had, particularly those in the Liberal Government when they had no Public Service Commission. You always had to be a friend of a Liberal to get a job. They had no basis for giving out liquor licences unless you happened to be a worker for the Liberal Party, and there was no Public Tendering Act. All Gaul was divided into three parts but Newfoundland was divided into two, and their favourite sons would get it in one part and their favourite sons would get it in another part. So the hon. gentleman need not get on with his gross political digs and his hypocrisy. As far as the Minister of Public Works goes, the Minister of Public Works in this government is one of the best ministers that Newfoundland has ever seen and he exercises his office in an honest and a direct way. We happen to be very proud of the way in which he has discharged his duties.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

Before recognizing the hon. member for St. Barbe, I would like to just take a few seconds out to welcome a delegation from the Newfoundland and Canadian Federation of Municipalities, Mayor William Dixon, Mayor Jerome Walsh, Mrs. Elizabeth Fitzgerald, Brian Strickland, Paul Moriarity, Doug Smith and Mrs. Eva Curtis.

I would also like to welcome to the visitors gallery forty-one Grade VI students from Ralph Laite Collegiate in Lewisporte with their teachers, Pansy Purchase, Glen Purchase and Charles Wheaton.

SOME HON. MEMBERS:

Hear, hear!

MR. FUREY:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for St. Barbe.

MR. FUREY:

Mr. Speaker, my question is to the Acting Premier. The Premier stated in this House yesterday that the criteria for hiring in temporary positions are quite clear - competence, merit and experience. And yet on public television earlier this week, Mr. Speaker, and again last night, the Minister of Public Works admitted quite clearly -

MR. SPEAKER:

Order, please!

MR. FUREY:

- the hiring and the placement -

MR. SPEAKER:

Order, please!

MR. FUREY:

My question -

MR. SPEAKER:

Order, please!

The hon. member is making a speech. Would he please pose his question.

The hon. the member for St. Barbe.

MR. FUREY:

Mr. Speaker, I want to ask the Acting Premier, in light of the comments made by the Premier yesterday in the House with respect to competence, and in light of the Public Works Minister's comments on television, will the Acting Premier tell us whether or not the Minister of Public Works breached the code of conduct as enunciated by the Premier in this House yesterday?

MR. SPEAKER:

The hon. the President of the Council.

MR. MARSHALL:

The answer is no. The Minister of Public Works' comments were taken out of context, which is not unusual for people, particularly on the government side of the House, are enunciating policies from time to time where it seems to be much more palatable to report matters out of context, where you can make mountains out of molehills.

The fact of the matter is what the hon. the Minister of Public Works said was entirely and completely consistent, and what the hon. minister has done has been entirely and completely consistent with the policies of this government. The policies of this government have been in the past, they are now, and they will be in the future, that the main criterion for the employment of people is on the basis of merit.



I will just reiterate what I said to the hon. gentleman. If he just goes back into the history of the way in which employment in the Province of Newfoundland has evolved in the public service, he will see for himself the difference between the Progressive Conservative administration, which brought in the Public Service Commission and has an independent Public Service Commission which governs not only appointments but promotions within the civil service itself, and what was practiced before. The fact of the matter is we have a model civil service, we have a model Public Service Commission and, as far as I am concerned and the administration is concerned, we have a model Minister of Public Works and Services.

SOME HON. MEMBERS:

Hear, hear!

MR. FUREY:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for St. Barbe.

MR. FUREY:

Mr. Speaker, what the acting Premier is saying today is what the Premier said yesterday, that the media is twisting the Public Works Minister's words.

MR. J. CARTER:

On a point of order, Mr. Speaker.

MR. SPEAKER:

On a point of order, the hon. the member for St. John's North.

MR. J. CARTER:

Mr. Speaker, with the acknowledged track record of the Liberal Party, especially when it was in power, of pillaging the government, I think one would have to be very

careful about hiring an acknowledged Liberal supporter.

MR. SPEAKER:

To that point of order, there is no point of order. I would ask the hon. member to pose a question, not make a speech.

MR. FUREY:

My question is very simple and straightforward, Mr. Speaker, and it is to the acting Premier. If we are not going to deal with what the media has said - you say they twisted the words - let us deal with what the minister has said. The minister said in the House, students in my district -

MR. SPEAKER:

Order, please!

The hon. member is making a speech.

MR. FUREY:

Does the minister agree that the minister's own words in this House about hiring students - his own words, not the media's, not any other minister's, not any other member's - his words about hiring students who politically favour him during a campaign, are a breach of the code of conduct for hiring that the Premier stated in this House yesterday?

MR. SPEAKER:

The hon. the President of the Council.

MR. MARSHALL:

Mr. Speaker, first of all the hon. gentleman is not going to get the press savage at me. I did not say that the press was twisting or anything like that. I just said that they took it out of context and that is a fact. Particularly one media in this Province has a habit of taking matters out of context because the way in which

to get headlines is to try to report something that is sensational. We know, any member of government in this Province knows, that this is the way in which interviews are conducted. Sometimes, with this particular media particularly, you are asked questions and always in the back of your mind is, 'What are they going to pull out of context'? Well, we know what they pulled out of context with the Minister of Public Works there the other day. Pulling out of context is one thing, twisting is something else. The only twisted people around that I know who walk Newfoundland are the hon. gentlemen there opposite who have refused assiduously over the past few years to support us on very vital issues such as the offshore and can go through the twisting and the gyrations that we have seen in this House in their debate on the Atlantic Accord.

Now as far as the other matter is concerned, I just point out to Your Honour that I do not know what happened this morning. What I suspect is that the executive assistant to the Leader of the Opposition makes up questions and the Rexograph was put up. The member for Port de Grave picked up the original and the hon. gentleman for St. Barbe picked up the copy, because he is asking the same questions over again and I have already given an answer to them.

MR. LUSH:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Bonavista North.

MR. LUSH:

Mr. Speaker, a question to the

Acting Premier. Again, in view of the Premier's statement last evening on television and in view of the apparent contradiction with the Minister of Public Works, can the acting Premier verify for this House which is the official position? Is it the position articulated and enunciated continuously by the Minister of Public Works or is it the one enunciated by the Premier? Which is the official position with respect to hiring practices in this Province?

MR. SPEAKER:

The hon. the President of the Council.

MR. MARSHALL:

The official position, Mr. Speaker, is both, because the point of the matter is both of them are one and the same. What the Premier articulated was the policy of this government and what the Minister of Public Works said in total in his interview is also. You cannot pick, Mr. Speaker, out of context this statement and try to say that there is inconsistency. There is no inconsistency. The method of appointment in the public service, permanent through the Public Service Commission, temporary employment, all employment, is on the basis of merit. It was, it is and it ever will be, at least until such time as a Liberal Government gets back into power, in about fifty years time, and they get an opportunity to corrupt the institutions of government in this Province once again.

MR. LUSH:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A supplementary, the hon. the member for Bonavista North.

MR. LUSH:

Mr. Speaker, I am afraid that the Acting Premier cannot have his cake and eat it too. There cannot be two contradictory positions, either the one is right and the other is wrong.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please!

MR. LUSH:

Mr. Speaker, does the acting Premier not subscribe to the long established parliamentary position of Cabinet solidarity and Cabinet responsibility? Who is speaking for government? It used to be the government spoke with one voice, but who is speaking for government now?

MR. SPEAKER:

The hon. the President of the Council.

MR. MARSHALL:

Mr. Speaker, to my knowledge the government speaks with one voice. The Premier articulates the policy, the ministers articulate the policy, and I have not heard anything that has been in any way inconsistent. We speak with one voice, unlike the hon. gentlemen there opposite. The fact of the matter is our policies are there and they are plain. As I said before, and I will not repeat it again, there really was no inconsistency. The policy of this government is to appoint on the basis of merit. That is the main criterion, it is the one that has been used since the Public Service Commission was established, and it is one that will be used in the future as well.

MR. LUSH:

A final supplementary, Mr. Speaker.

MR. SPEAKER:

A final supplementary, the hon. the member for Bonavista North.

MR. LUSH:

Mr. Speaker, if that is the position of government, that temporary workers are hired on the basis of merit, qualifications and performance, whose policy is it that young people of this Province are hired on the politics of their parents? Whose position is that?

MR. SPEAKER:

The hon. the President of the Council.

MR. MARSHALL:

Mr. Speaker, Mr. Speaker, that position, Mr. Speaker, is, Mr. Speaker, the position of that party, Mr. Speaker, of that party who unfortunately desecrated this Province for twenty years. That is the policy of the Liberal Party but it is not of the Progressive Conservative Party.

SOME HON. MEMBERS:

Hear, hear!

MR. FENWICK:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Menihek.

MR. FENWICK:

Thank you, Mr. Speaker.

My question is for the President of Treasury Board (Mr. Windsor) and it has to do with the whole question of how many temporary employees are occupying positions in the public service. My question to you is there are 3500 positions, approximately, in the General Service bargaining unit. Could you tell us how many of

those 3500 positions are presently occupied by temporary employees?

MR. SPEAKER:

The hon. the President of Treasury Board.

MR. WINDSOR:

Mr. Speaker, I do not have an exact number. There are a number of temporary positions and, as I informed the members of NAPE during the current round of negotiations, that whole policy is being reviewed. There were a number of temporary positions that were created over the past number of years as a result of government's hiring freeze. There were, obviously, some positions that were necessary and temporary positions were approved. Now that we are moving away from that, and hopefully getting to a more stable employment environment in government we are proposing to review all temporary positions. In fact, we are presently undertaking a thorough review of all temporary positions in government with a view to making those that are indeed permanent temporary positions conform with the Public Service Act and so forth.

MR. FENWICK:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A supplementary, the hon. the member for Menihek.

MR. FENWICK:

My supplementary to the President of Treasury Board is: Would he confirm or deny that on April 2, in the negotiations that led up to the end of the illegal strike by the General Service bargaining unit, he himself admitted that there were at least 1000 temporary people involved in these permanent

positions and that the union in contrast said that they thought the number was closer to 1500? Would he confirm or deny that he said there was about 1000 people, temporary employees, occupying at least something like a third of the 3500 positions in the General Service bargaining unit?

MR. SPEAKER:

The hon. the President of Treasury Board.

MR. WINDSOR:

Mr. Speaker, there may well be in the order of 1000 persons but there are more than 5500 persons in the bargaining units that we were talking about so it is not one third. I also point out that many of those positions are temporary and will always be temporary. It depends upon the season. For instance, several hundred snowplow operators are hired on in the Winter months who are not employed at this point of the year. There are several hundred firefighters employed by my colleague, the Minister of Forest Resources and Lands (Mr. Simms), at this point in time who are not on during the Winter season. There are other persons who are employed at various times of the year in temporary positions that will always be temporary positions. The concern of the union, Mr. Speaker, was for those who have been employed in a temporary position for perhaps more than a year. Obviously a person who is in a position for that period of time is not truly in a temporary positions unless it is in a type of position, a type of job classification with responsibilities that will clearly terminate within a specified period of time. If a person is in a classification that will no doubt be required for a long

period of time, then those positions will be reviewed and made permanent.

MR. FENWICK:

A supplementary, Mr. Speaker.

MR. SPEAKER:

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

MR. FENWICK:

There are, according to the Salary Estimates you published this year, 9032 direct positions. My question to the President of Treasury Board is: Yesterday the Premier in answering a question said that 99 to 99.5 per cent of the positions in the public service are permanent positions, filled through the Public Service Commission. You have already said that at least 1,000 of those 9,000 are temporary. What can you say about the Premier's comments? Can you say to us that he was incorrect, or was he correct or are you incorrect in your statements?

MR. SPEAKER:

The hon. the President of Treasury Board.

MR. WINDSOR:

Mr. Speaker, the first thing I say about the Premier's comments is that I was listening and the hon. gentleman obviously was not. What the Premier said yesterday was 99.99 per cent of all permanent positions filled were filled through the Public Service Commission based on the first recommendation, and in the very, very few positions where the number one candidate was not chosen, there was good and specific reason and it was all done in accordance with the Public Service Commission Act.

MR. FLIGHT:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Windsor - Buchans.

MR. FENWICK:

On a point of order, Mr. Speaker.

MR. SPEAKER:

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

MR. FENWICK:

I have taken the trouble to check Hansard and indeed the Premier said that 99 to 99.5 per cent were permanent positions, not what the minister said.

MR. SPEAKER:

Order! There is no point of order.

The hon. the member for Windsor - Buchans.

MR. FLIGHT:

Thank you, Mr. Speaker.

My question is to the hon. the Acting Premier. A memo from the Federal Minister of Employment and Immigration's, Ms Flora MacDonald's office regarding the Canadian Job Strategy Programme suggested that in having New Brunswick quickly conclude a training agreement similar to the one signed by Newfoundland that trade-offs are possible. Now, Mr. Speaker, we question that programme and the speed with which it was signed. The memo says Ms MacDonald could bargain federal assistance for a troubled region in return for a federal training programme. Now I would ask the minister, Mr. Speaker, what did we bargain away? What trade-offs were involved in our signing the agreement as quickly as we did sign it?

MR. SPEAKER:

The hon. the President of the Council.

MR. MARSHALL:

Mr. Speaker, that is really pathetic. I would just draw Your Honour's attention to the fact that, you know, members on the opposite side come into this House, elected by their constituents to ask questions. With the exception of the hon. member for Menihek, today they come in with tonnes written out for them. They have not got enough knowledge to get up and ask questions themselves. My response to the hon. gentleman is do not be so consummately foolish, do not be so silly. Ms MacDonald has denied in the House of Commons that there was any trade-off, number one. But that is no concern of ours anyway, that is in another area. I can guarantee the hon. gentleman that unlike the Churchill Falls contract there is no trading away of anything by this administration that is any way going to affect the welfare of the people of Newfoundland and Labrador.

MR. FLIGHT:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A supplementary, the hon. the member for Windsor-Buchans.

MR. FLIGHT:

In view of the memo coming out of Flora MacDonald's office where trade-offs were indeed considered, why were we one of the only three provinces to sign the agreement so quickly? The FFT package, was that part of the trade-off?

MR. SPEAKER:

Order, please!

MR. FLIGHT:

Why were we one of the only three? What trade-offs did we have to accept? Because it is becoming obvious that we have to accept trade-offs, Mr. Speaker.

MR. SPEAKER:

The hon. the President of the Council.

MR. MARSHALL:

Mr. Speaker, some trade-off. We signed one of the best agreements that this Province has ever signed. That is some trade-off.

MR. FLIGHT:

A final supplementary, Mr. Speaker.

MR. SPEAKER:

A final supplementary, the hon. the member for Windsor-Buchans.

MR. FLIGHT:

Would the minister confirm that one of the trade-offs was it would give the Tory MPs in Ottawa, Tory MHAs in Newfoundland, the right to identify the projects they wanted and where they wanted them. And if he is not prepared to agree to that, Mr. Speaker, would he question one of his backbench MHAs who stated that he has the right to identify and locate the programmes he wants in his district under that training programme.

MR. SPEAKER:

The hon. the President of the Council.

MR. MARSHALL:

Mr. Speaker, how silly is that. In the paper and the national news the other day the statistic came out. Now let us take this out of context too. Little Newfoundland has the best job creation performance in all of Canada.

SOME HON. MEMBERS:

Hear, hear!

MR. MARSHALL:

How do you like that for performance? Sure, the unemployment rate is still high, obviously it is still high, but it is a fact that Newfoundland - now let us not take this out of context - has the best job creation performance in all of Canada. Now how does the hon. gentleman like that? What is the hon. gentleman going to say about that? When he gets up talking about jobs, why not make reference to that?

MR. EFFORD:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Port de Grave.

MR. EFFORD:

Thank you, Mr. Speaker. Mr. Speaker, what the Minister of Public Works has said repeatedly, over and over again, is a total disgrace to any member of this government. I would ask the Acting Premier, in light of the fact that I have presented two lists of names, yesterday and today, totalling about twenty-seven or twenty-eight names, why is it, if he has the confidence in the Minister of Public Works that he says he has, he not investigate those names and prove either that the Opposition is wrong in their accusations or that the Minister of Public Works is wrong?

MR. SPEAKER:

The hon. the President of the Council.

MR. OTTENHEIMER:

What do you think he is, Sam Spade?

MR. MARSHALL:

The Minister of Intergovernmental Affairs has the best answer. He should answer it. The Minister of Intergovernmental Affairs, not I, said, 'What do you think he is, Sam Spade?' You know, what are we supposed to do, investigate? What does the hon. gentleman want, a Royal Commission into it? Does he want to call in the RCMP? What kind of investigation do you want?

MR. EFFORD:

Fair play and decency.

MR. SPEAKER:

Order, please!

MR. MARSHALL:

You get fair play and decency. The hon. gentlemen can paper the walls of this Assembly with lists if they want to, but they will not find any other basis of appointment other than using the criterion of merit for permanent and temporary employees of this government. The hon. gentleman can, as I say, bring in all the lists he wishes, he can concoct all the stories he wants to, but the fact of the matter is they do not bear the light of day because all of the employment has been on the basis of merit and will continue to be.

MR. EFFORD:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Port de Grave.

MR. EFFORD:

Some of the names that I have produced on that piece of paper are names of people who have been working here for the last five and six years, hired on by the Minister of Public Works. If that is the case, does the President of

the Council agree with the statements made and is he condoning exactly the type of corruption that is being carried out by the Minister of Public Works?

MR. SPEAKER:

The hon. the President of the Council.

MR. MARSHALL:

Mr. Speaker, I rise just to say that I have already answered that. It has been entirely on the basis of merit. The hon. gentleman is getting all steamed up now. You have used the word 'corruption' of the Minister of Public Works. On a point of order, I ask, Mr. Speaker, that the hon. gentleman be asked to withdraw it because you cannot allege corruption on the part of any member of this House. No member on this side can talk about the hon. gentleman being corrupt and neither can the hon. gentleman make any such insinuation. So, on a point of order, I ask Your Honour to take that into consideration and order his withdrawal of it.

MR. EFFORD:

To that point of order, Mr. Speaker.

MR. SPEAKER:

The hon. the member for Port de Grave on the point of order.

MR. EFFORD:

No, Mr. Speaker.

MR. SPEAKER:

Well, then, I ask the hon. member to withdraw that term 'corruption'.

MR. EFFORD:

On the basis of what the Minister of Public Works and Services admitted on television, that he

hired on people because of political favours, I do not agree with the statement made by the Minister of Public Works and Services.

MR. SPEAKER:

Order, please! Order, please! Order, please! Order, please!

I am requesting the hon. member for Port de Grave to withdraw the term 'corruption'.

MR. EFFORD:

Mr. Speaker, because I respect the rules of the House of Assembly I will withdraw the word 'corruption'.

MR. SPEAKER:

Thank you.

MR. LUSH:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Bonavista North.

MR. LUSH:

Mr. Speaker, I have a question for the Minister of Public Works and Services. Away from the glare of the television lights, in the quiet, serenity and solitude of this House, away from the crafty questions of the press, who, according to the Premier tricked ministers into telling the truth, my question to the Minister of Public Works and Services is: In view of the fact that he was asked the question yesterday, given notice, I wonder if the minister can indicate today what time it was that he cancelled the competition for the four permanent positions at the Kelligrews Marine Center? Can he indicate the time today that he cancelled that competition?



MR. SPEAKER:

The hon. the Minister of Public Works and Services.

MR. YOUNG:

I am glad, Mr. Speaker, that the hon. member for Bonavista North has been able to get up and ask a question now because he is not lobbying me for a job for his son, his wife is not phoning me to get their son a job since he got a job elsewhere, after being offered a job. I noticed that all through the week today is the first time the hon. member got on his feet and asked a question about employment. Great job! Mr. Speaker, I was asked that question yesterday afternoon. Actually I do not know when I asked that these four permanent positions be recruited -

SOME HON. MEMBERS:

Temporary positions.

MR. YOUNG:

Did I said 'temporary', Mr. Speaker? I thought I said the four permanent positions, Mr. Speaker, would be filled through the Public Service Commission. I will get the proper date. I did say permanent positions would be filled through the Public Service Commission. I could not give the exact date, Mr. Speaker, but I will get it for the hon. gentlemen.

MR. LUSH:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A supplementary, the hon. the member for Bonavista North.

MR. LUSH:

Mr. Speaker, I am not going to get down in the mud with the hon. minister. I am trying to keep this House on a high level of debate.

MR. YOUNG:

Tell the truth.

MR. LUSH:

Tell the truth about what?

MR. YOUNG:

That you requested a job for your son.

MR. LUSH:

I certainly did request a job for my son and I have requested jobs for hundreds of other people. My son is a reputable person like his father-

MR. J. CARTER:

Not like his father.

MR. LUSH:

- I might add, for the scum from St. John's North (Mr. J. Carter).

SOME HON. MEMBERS:

Oh, oh!

MR. LUSH:

My question to the minister is does the minister must have some notion of the time that he cancelled this competition? Our sources of information indicate that it might be as long as a year ago. Now can the minister comment on that?

MR. SPEAKER:

The hon. the Minister of Public Works and Services.

MR. YOUNG:

No, Mr. Speaker. For the hon. gentleman's information, he has definitely been misinformed. I think less than a year ago the MED Centre was opened. It was built by federal and provincial money. The four positions were filled on a temporary basis. When the Department of Public Works and Services took over the centre the jobs at that time were not created.

MR. EFFORD:  
You do not know?

MR. YOUNG:  
I do not know exact dates, you know. Government have about 550 buildings in the Province, Mr. Speaker, and I do not know the exact date when this building was opened. But, Mr. Speaker, the positions were filled temporarily. Then we went to Treasury Board and Treasury Board made the positions permanent. I would say, Mr. Speaker, that Treasury Board made the positions permanent probably in late 1985 or early 1986, and then the department filled the position. I suggested that these positions could be filled internally in my department, and everything was open and aboveboard, and according to regular practice, Mr. Speaker. My department had the authority to fill these permanent positions, Mr. Speaker, but I said no, we will go through the Public Service Commission so they would not be coming back saying the minister overruled this, the minister overruled that. That is where they are going to go, Mr. Speaker, to the Public Service Commission to be filled. If the hon. gentleman finds anything wrong with that, Mr. Speaker, I cannot help it.

MR. FUREY:  
Mr. Speaker.

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

There is just time for one question.

MR. FUREY:  
These four so-called temporary positions have been temporary for over a year since last April. Could the minister tell us -

MR. SIMMS:  
Time is up.

MR. FUREY:  
I know you are having trouble hearing me over there.

MR. PATTERSON:  
Could you tell us about Sally's Cove and the burned ballots?

SOME HON. MEMBERS:  
Oh, oh!

MR. SPEAKER:  
Order, please!

MR. SIMMS:  
Time is up, Mr. Speaker.

MR. SPEAKER:  
Order, please!

MR. FUREY:  
Could the minister tell us exactly when he cancelled the departmental selection of the four and sent it to the Public Service Commission?

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

MR. YOUNG:  
Mr. Speaker, I just said I think that the selection was to be made, Mr. Speaker, from eight names for four positions. I could have picked any of the eight names submitted to me by the Selection Committee in my department, but I said, "No, I will not pick any of these eight names. I will go to the Public Service Commission." And that is what I did.

MR. FUREY:  
You do not know?

MR. YOUNG:  
I just said I do not know, that it was probably early Spring '86. I think it was in the year 1986.

MR. FUREY:

What has the Public Service not called the competition?

MR. YOUNG:

It is in the process of being done, Mr. Speaker. I do not know. It is in the process of going through the Public Service Commission. Probably it was April of this year, but I do not know.

MR. FUREY:

It must be an embarrassment to you.

MR. YOUNG:

I am not embarrassed. I will tell you why they are asking these questions, Mr. Speaker. It is because one of the gentlemen looking for the job was from the Leader of the Opposition's district, and he did not get the job. Now that is what happened, Mr. Speaker, and that is how they know all about it.

Now I went the right way with it, Mr. Speaker. It is going to the Public Service Commission. I will not pick four names out of eight, Mr. Speaker, but let the Public Service Commission send me four names and then the jobs will be filled permanently.

MR. FLIGHT:

All to four people from Upper Island Cove.

MR. YOUNG:

There is not one from Island Cove in there.

MR. SPEAKER:

Order, please!

The time for Oral Questions has elapsed.

MR. FLIGHT:

A point of order, Mr. Speaker.

MR. SPEAKER:

A point of order, the hon. the member for Windsor-Buchans.

MR. FLIGHT:

Mr. Speaker, my point of order is simply if the job creation project that Newfoundland turned down -

MR. SPEAKER:

Order, please!

MR. FLIGHT:

- was so -

MR. SPEAKER:

Order, please!

MR. FLIGHT:

- why did New Brunswick refuse to sign it -

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please!

MR. FLIGHT:

- even though it was meant to prop up Hatfield in an election?

MR. SPEAKER:

Order, please!

There is no point of order.

### Petitions

MR. FENWICK:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Menihek.

MR FENWICK:

Mr. Speaker, I would like to thank you for recognizing me. I have a number of additional petitions with regard to the completion of The Encyclopaedia of Newfoundland

and Labrador that Mr. Smallwood has started. I am trying to keep up to date with them. I do not want to fall behind and that is why I have taken this opportunity.

MR. PEACH:

Bring it up at your convention on the weekend.

MR. PATTERSON:

I heard you were having your convention in a (inaudible).

MR. SPEAKER:

Order, please!

MR. FENWICK:

As a matter of fact, for the members opposite, we do have a resolution going to our convention to endorse the completion of the encyclopedia. We will just see how it goes.

Mr. Speaker, probably if we lay off all the Tories that have been hired by the Minister of Public Works and Services (Mr. Young) -

MR. SPEAKER:

Order!

MR. FENWICK:

- we would have plenty of money to pay for it.

MR. SPEAKER:

Order, please!

MR. FENWICK:

To get to the petition, Mr. Speaker. This one is from Our Saviour King Central High School in Southern Harbour, Placentia Bay and it is signed by fifty-one individuals. It is again, I think, the type of petition that has been coming in on a very regular basis supporting the encyclopedia. These are schools primarily in more isolated areas. They are ones that have only

limited library facilities. There is a strong need for resource material that will support the kind of training and the kind of education that is going on in our schools today. I think it is important that a first-class work, like the one that Mr. Smallwood has started, should be completed. I think it is important that we realize that a first-class work like this should go into those locations.

The second one, Mr. Speaker, is from St. John Central High School in Burgeo. I apologize to the member who represents the district. He is not in the House today or I would have passed the petition on to him. It also comes from a high school and it signed, it seems, by the teachers at the high school itself. Burgeo, I think, is another example of the kind of community that would benefit tremendously by it.

There has been very little support from the members opposite for the petition. As a matter of fact, other than the member for Grand Falls (Mr. Simms), I do not believe any of them have actually even spoke to the petition itself. Mr. Speaker, that is probably typical of a party that has such heavy representation from urban areas like St. John's and Corner Brook where there are good library facilities. In that sense, they realize that it is possible for their students to go the Queen Elizabeth II Library, to look up all the original documents and to be able to do the kind of research necessary.

I must stress for them, Mr. Speaker, that the encyclopedia would be of invaluable assistance to them because what will happen is it will save them the trip and,

also, all the material that is relevant to these particular things has been brought together in one article.

For example, there are articles on communities in there. I believe I saw an article on Calvert that was in the encyclopedia. It gave a long history of the community itself telling where the settlers came from, what the original name of the place was and the economic history of the settlement. I am not going to say which minister it is because it was in confidence but one of the ministers of the Crown talked to me in confidence and said that there was an article on his particular area of expertise and that article was quite well done. It was a first rate operation and it described very well the industry that he was concerned with.

So there are a few cracks, I think, appearing in the great blue facade of indifference that we are seeing on the other side of the House right now. I am hoping that they will eventually take the opportunity to go down to your local library and have a look at the first two volumes. I know the member for St. John's North (Mr. J. Carter) said that if he did that, he would get physically ill, but the fact of the matter is I think it is important that they realize that the works that we are talking about are first class research and first class writing.

These are actually a tribute, I think, to the Province itself, because they are so well written. They are not of the same calibre, they are a much higher calibre than the material that has been put out by Mr. Smallwood in previous years.

The third one comes from Jacques Fontaine High School in Bay L'Argent. Again, it is in Fortune Bay and we are looking at more of these isolated communities that are interested in having this resource available.

The next one comes from Grand Bank. This is from John Burke High School in Grand Bank. I think this is a very appropriate one. This one was offered to the Minister of Culture, Recreation and Youth (Mr. Matthews), who represents the district of Grand Bank. I asked him to present the petition but he refused, as well as virtually all other members of the Opposition. But it does indicate that even in the member's own district - he has always told us that he is willing to respond to requests from his district - and now there is interest in getting this particular work completed. Yet, he has not responded to it.

MR. SPEAKER:

Order, please!

The hon. member's time has elapsed.

MR. FENWICK:

Okay. I will have to read this in at another time.

Thank you very much, Mr. Speaker.

MR. SIMMS:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Forest Resources and Lands.

MR. SIMMS:

I just have five minutes so I want to try to make my points as succinctly as I can. I also want to point out clearly to people in the gallery, in particular, those

who may have some interest, exactly what we have transpiring here.

We have the NDP member for Menihek (Mr. Fenwick), playing a little political game because, Mr. Speaker, he has over the last number of weeks presented what he says is forty-five or fifty petitions from all around the Province. Well, in fact, Mr. Speaker, these are not in the true sense of the word petitions. These are not petitions that came from the grassroots, from the people themselves. These are things that were solicited and sent by letter from the member to the schools around the Province and all that kind of foolishness, which said, 'Please respond by putting your name on these petitions. Send them in to me and I will have them presented in the House of Assembly'.

So, number one, these are not, in the true sense, petitions as we would normally see them presented in this House and do not forget it, Mr. Speaker.

Number two, he is obviously doing it for political reasons, Mr. Speaker, and his political reasons are these: He is attempting to endear himself to the Liberal voters of this Province, the younger ones in particular, and I say shame on him for doing that, and trying to gather some of the Liberal support, trying to take some of the Liberal support and move it towards the NDP. That is what he is doing and that is number two.

MR. DOYLE:

He is succeeding too.

MR. SIMMS:

Well, I will not get into that.

Somebody on the opposite side might comment on that.

Number three, the cost of this project is \$1.5 million. Now, I have spoken to people who signed the petitions in my area who said they were not aware that the cost of the project was \$1.5 million and had they been aware, fully, they would have preferred to see that \$1.5 million spent elsewhere, to be perfectly frank. The priorities would not be with the encyclopedia project and I support that.

MR. W. CARTER:

A point of order, Mr. Speaker.

MR. SPEAKER:

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

MR. W. CARTER:

It seems to me that the hon. member, who was a former Speaker, should know better. First of all, it is not right to impute motives and he is clearly doing that. Secondly, Mr. Speaker, he knows as well as I do that if a member gets up to support a petition, then it is clearly understood that he must be supporting that petition. So far he has not given any indication to that effect.

MR. SIMMS:

Mr. Speaker, I would like to conclude my remarks if I could, Mr. Speaker.

MR. SPEAKER:

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

MR. SIMMS:

Mr. Speaker, my final point is simply this: I heard the hon. member on the news media the other day saying he got interested in this whole project because he

taught Newfoundland history at the Bay St. George Community College and he found the encyclopedia's first volume to be very helpful to him.

Well, Mr. Speaker, why would he not? He is from Ontario! He is not a Newfoundlander and if he was a Native Newfoundlander teaching Newfoundland history, and if the Bay St. George Community College had a Native Newfoundlander teaching Newfoundland history, I suspect they would not find the encyclopedias as helpful as the hon. member has found them. He is from Ontario, so why should he not find them very helpful.

So, in conclusion, Mr. Speaker, I say the \$1.5 million that he talks about could be well spent creating jobs in a lot of other areas of the Province and I cannot really support the petition.

MR. FUREY:  
Mr. Speaker.

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

MR. FUREY:  
Mr. Speaker, I, on behalf of my party, definitely want to stand in my place to support the prayer of the petition from the member from up along because it means an awful lot to our side because former Premier Smallwood certainly did undertake -

SOME HON. MEMBERS:  
Oh, oh!

MR. SPEAKER:  
Order, please!

MR. FUREY:  
Mr. Speaker, protection please.

MR. PATTERSON:

Is there a listing for Sally's Cove or (inaudible).

MR. SPEAKER:  
Order, please!

MR. FUREY:  
Thank you, Mr. Speaker.

Former Premier Smallwood did undertake a very monumental and a historic piece of work when he started to collect the history of Newfoundland and form it into an encyclopedia. It is interesting to look, Mr. Speaker, at the opposite side to see what their argument was for not supporting Joe Smallwood's great and historic work to compile the history of this great Province.

The only argument I heard come forward was 'Billy Brown never got any help when he did it.' Now, Billy Brown is a former Tory leader in this Province, Mr. William Brown, and it is interesting, Mr. Speaker, if that is their only argument, it can be blown out of the water immediately when one looks that Mr. Brown was a private man writing his public memoirs. Well, Joe Smallwood, when he left public life, was a private man writing his public memoirs. Now, Joe Smallwood did not get any help for I Chose Canada, nor should Mr. Brown get any help for his private memoirs but it is interesting because he did. I think this government gave him \$5,000 for his private memoirs.

But there is a difference because what we are talking about here is a public document which can be preserved forever and a day. Mr. Speaker, this document is halfway completed and what the hon. the member for Menihek (Mr. Fenwick) has been trying to do, with our

support and with the support of some of the members over there, is to try to get some money together to help Mr. Smallwood and not necessarily for Mr. Smallwood.

We have to transcend the boundaries of politics sometimes and look at what the reality is and the reality is that this document would be good for future generations, Mr. Speaker. It really is incumbent upon members opposite, here is a gigantic opportunity for them to stand aside from Toryism or Liberalism or whatever isms they happen to adhere to, to stand above it, to forget that Joey was a Liberal, forget that he ruled for twenty-three years, forget all the nonsense, to rise above it, to be greater than the small partisan nature that sometimes overtakes all politicians, to rise way above it and to say, "Yes, this is a golden opportunity, Mr. Speaker. What a giant opportunity to preserve forever and a day the history, the culture, everything unique about this great Province!"

Mr. Speaker, they will be remembered well if they help us to try to complete this project. Generations hence will look back and say, "These were people who set aside their politics and who looked after the history for themselves, for their children, for all future generations of Newfoundlanders and Labradorians."

MR. J. CARTER:

Mr. Speaker.

MR. SPEAKER (McNicholas):

The hon. the member for St. John's North.

MR. J. CARTER:

Mr. Speaker, I would like to have

a few comments before I present my petition. I have always taken the position that the member for Menihek's petitions which he brings in every day are frivolous, not in the proper form and are just not proper petitions. So, if he can present a silly petition, I have one that is not so silly but equally frivolous.

"We petition the House of Assembly to bar the member from Menihek from this Assembly." It is signed by myself and two other members of this Assembly. I would just like to speak on it for a moment or two.

I think the member for Menihek is wasting the time of this House and he is bringing in frivolous petitions. I would just like to make this point and here it is. I hope it is referred to the department to which it relates.

MR. SPEAKER (McNicholas):

Order, please!

I am quite sure all hon. members will agree that that is not a petition in the strict sense.

MR. FENWICK:

Mr. Speaker, I would like to speak to the petition. Is it ruled as a petition?

MR. SPEAKER:

It is not a valid petition.

MR. FENWICK:

Okay.

MR. SPEAKER (McNicholas):

I would like to make a point to the hon. member for Menihek on these petitions. I did not rule them out of order because, obviously, the people who signed them signed them in good faith. However, a petition is properly



addressed to the House of Assembly, not to the government. In future, you should realize that.

MR. YOUNG:  
Mr. Speaker.

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

MR. YOUNG:  
I wonder could I have leave, Mr. Speaker, to revert to Presenting Reports By Standing And Special Committees?

SOME HON. MEMBERS:  
By leave.

MR. SPEAKER:  
By leave.

The hon. the Minister of Public Works.

MR. YOUNG:  
Mr. Speaker, I do apologize to the House because during the latter part of Question Period, I went down to speak with some mayors. Mr. Speaker it gives me great pleasure to present the Annual Report of the Department of Public Works and Services. I may say, Mr. Speaker, that this year in that report, at the request of some of the press, we have listed the prime consultants. Also, Mr. Speaker, accompanying that annual report is something we started as of April 1 and the Department of Public Works and Services is doing it every month. Here is an up-to-date list of all the public tenders that have been awarded.

MR. R. AYLWARD:  
Mr. Speaker.

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

Development.

MR. R. AYLWARD:  
By leave, if hon. members would not object, I would like to present the report of the Newfoundland Crop Insurance Agency.

MR. SPEAKER:  
Does the hon. minister have leave?

SOME HON. MEMBERS:  
By leave.

MR. R. AYLWARD:  
Presented.

#### Orders of the Day

Motion, second reading of a bill, "An Act To Amend The Prisons Act, The Royal Newfoundland Constabulary Act And The St. John's Fire Department Act, 1972." (Bill No. 12)

MS VERGE:  
Mr. Speaker.

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

MS VERGE:  
Mr. Speaker, thank you. I am pleased to introduce this bill which, as Your Honour has just said, contains amendments to three of our Statutes, the Prisons Act, the Royal Newfoundland Constabulary Act and the St. John's Fire Department Act, 1972. These three pieces of legislation govern these three provincial government uniformed forces. The legislation sets out a framework for disciplinary matters within the Penitentiary system of the Province, as well as the Royal Newfoundland Constabulary and the St. John's Fire Department. The acts enable the Lieutenant

Governor in Council to make regulations respecting disciplinary matters.

Mr. Speaker, the purpose of this bill, containing amendments to those Statutes, is to ensure that our law complies with the Canadian Charter of Rights and Freedoms, and specifically to make certain that disciplinary processes within our Penitentiary system, within the Royal Newfoundland Constabulary and the St. John's Fire Department are fair, comply with the Charter, as I have said, which in turn, of course, reflects the rules of natural justice, and generally to ensure that individuals who are the subject of disciplinary proceedings within our uniformed forces are treated fairly.

Mr. Speaker, I think that is all I really need to say now by way of explanation of the principle of this bill. I will listen to comments of members opposite and, of course, we can deal with specifics at a later stage of the debate.

MR. W. CARTER:  
Mr. Speaker.

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

MR. W. CARTER:  
We are not going to debate this bill at length, but there are two questions, I think, that need to be answered by the minister.

First of all, the proposed changes in the legislation: Has there been consultation with the Police Brotherhood, for example, or the unions having to do with the Fire Department, the people who will be affected by this change? Has

there been consultation and are they concurring with the proposed changes?

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

MS VERGE:  
Mr. Speaker, yes. I can assure the member for Twillingate that officials of the Department of Justice, who have advised me and who are involved in the preparation of this bill, did consult with the uniformed forces affected.

In the case of the Royal Newfoundland Constabulary, they consulted with the Police Association - it is no longer called the Brotherhood, because, of course, now we do have a few women in the force and we hope to attract more women in the future - as well as the senior officers of the Royal Newfoundland Constabulary, and all those groups are in agreement with the contents of the bill.

MR. FUREY:  
Mr. Speaker.

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

MR. FUREY:  
This bill is basically the department's thrust in complying with the Charter of Rights and Freedoms, is that right? Is this part and parcel of the overall movement towards that? Because the bill basically suggests that in its explanatory note, I think.

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

MS VERGE:  
Yes, Mr. Speaker, and I tried to highlight that in my introductory

remarks.

MR. FUREY:

So what we are saying, then, is that basically in disciplinary matters we are ensuring that under the umbrella of the Charter of Rights and Freedoms our Department of Justice in this Province does not treat somebody unfairly? That is basically it, is it?

MR. FLIGHT:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Windsor - Buchans.

MR. FLIGHT:

Mr. Speaker, I want to use this amendment to draw a situation to the attention of the minister. She talked about disciplinary action in certain instances. There was an incident in Grand Falls a few days ago, Mr. Speaker, where the RCMP caused a high speed chase to take place, and the RCMP admitted afterward that speeds of up to 160 kilometers per hour had been reached on the road from Grand Falls to Peterview. Now if the minister is not familiar with the geography, that is roughly seventeen or eighteen miles. The driver of that car had to negotiate a cloverleaf; the chase would have had to have taken place on some of that seventeen miles sparsely populated area. I want to know if the Minister of Justice (Ms. Verge) encourages or condones that kind of law enforcement. One does not have to use much imagination to recognize what would have happened to the two occupants of that car if it had gone out of control, it had gone off the road or, worse still, had careened across the highroad into oncoming traffic. I cannot imagine a crime being so severe

that you would endanger the lives of the occupants of the speeding car, the criminals they were chasing, or the lives of innocent members of the general public who were on that highroad. This happened at 12:30 at night, so I realize that the traffic may not have been as congested as it usually is, but that is a very heavy traffic area, from Grand Falls to Botwood. Once that car pulled off the Trans-Canada, going in towards Botwood it was trapped, it was on a dead end. They could not come back. The RCMP had other options. I do not know why, based on the facts as I have them, the RCMP would not have had the licence plate number of that car. There is a detachment in Botwood that could have been contacted to set up road blocks. I would point out to the minister that there are a lot of people in Newfoundland who are concerned about that kind of police procedure and whether or not it is justified, and whether or not the risk to the lives of the occupants of the fleeing car and the pursuing police officers, whether it be the RCMP or the Constabulary, is justified. There are concerns for the lives of the police, the lives of the drivers of the car whom they are trying to apprehend, and the lives of members of the general public who may be in the path of those speeding vehicles. There are a lot of people who doubt that this should be acceptable in Newfoundland and who wonder whether or not the RCMP, or the Constabulary, have other alternatives.

I would ask the minister her opinion on that and whether or not she condones it. I would also like to know whether or not she is prepared to have the RCMP and the Constabulary initiate other means

of apprehension? Is there not a better way than putting the lives of innocent people at risk simply to apprehend, in this case the driver of a car, when the charges against the driver are a stolen automobile and dangerous driving? Well, I would guess it is dangerous driving - 160 kilometers an hour from Botwood to Peterview. They never did catch the car, it ran out of gas in Peterview. We are talking about a twenty year old here who could have very easily panicked under the circumstances.

They see too many Rambo movies, Miami Vice or whatever. Here we have an incident where suddenly there was a high speed chase, 160 kilometers an hour, on that road. That is roughly between 100 and 110 miles an hour. Mr. Speaker, I am not questioning the RCMP's sense of responsibility, I am not questioning their desire, but I, personally, do not believe that that type of thing should happen. I do not think it is in the better interest of the RCMP or the general public for that kind of thing to happen. There must be better ways. I would suspect that the result of that kind of high speed chase more often than not is more tragic than the crime committed, whatever it might have been that caused that high speed chase in the first place. I wonder if the minister would tell the House how she feels about that kind of incident?

MR. SPEAKER:

If the hon. minister speaks now she closes the debate.

The hon. the Minister of Justice.

MS VERGE:

Thank you, Mr. Speaker.

Mr. Speaker, until the member for Windsor - Buchans raised the incident which he just outlined, I had no knowledge of it and, of course, cannot comment on it. I would invite the member to see me outside the House and give me more particulars, including a date for the incident to which he referred, and I will arrange to have senior officials of the Department of Justice take it up with the Chief Superintendent of the RCMP. As the member himself acknowledges, the RCMP have a very great sense of their responsibility and generally do a very good job of discharging that responsibility.

But one way the RCMP and the Royal Newfoundland Constabulary improve themselves, and they acknowledge this, is through the receipt of comments, and sometimes complaints by private citizens, so I would encourage the member opposite, if he indeed is seriously concerned about the highway incident which he outlined, to raise it with me immediately after this debate and we will have it investigated through the senior people in the Department of Justice and by the Chief Superintendent of the RCMP.

Mr. Speaker, as I explained when I introduced this bill, the primary purpose of it is to ensure that disciplinary proceedings within the provincial government uniformed services, the Penitentiary service, the Royal Newfoundland Constabulary and the St. John's Fire Department, meet the requirements of the Canadian Charter of Rights and Freedoms and to ensure that individuals who are the subject of disciplinary proceedings are treated fairly and have their rights protected. With those remarks, Mr. Speaker, I move second reading of this bill.

On motion, a bill, "An Act To Amend The Prisons Act, The Royal Newfoundland Constabulary Act And The St. John's Fire Department Act, 1972," read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill No. 12)

MR. MARSHALL:

Order 9. Bill No. 4.

Motion, second reading of a bill, "An Act To Amend The Income Tax Act," (Bill No. 4)

MR. SPEAKER:

The hon. the Minister of Finance.

DR. COLLINS:

Mr. Speaker, just a very brief introduction because, fortunately, even though this is an income tax Act, it has nothing to do with provincial taxes, in any case.

We, like not all but most other provinces, are a party to the Canada - Newfoundland Tax Collection agreement with the federal government, and this means that our Income Tax Act in this Province has to be amended to be in conformity with amendments to the federal Income Tax Act as changes are made there through the various federal budgets. So this bill has to be introduced every so often.

I can assure hon. members that whereas the changes here may well be of importance to accountants and income tax specialists or, I suppose, to the odd individual who considers himself an expert in income tax, other than those people, the changes are, strictly speaking, of a housekeeping nature. They are of a necessary nature. They have to do with things like forward averaging and withholding tax and these rather

arcane things that I am sure not many people know much about and are usually left in the hands of consultants and accountants. With those words, I move second reading.

MR. W. CARTER:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Twillingate.

MR. W. CARTER:

Mr. Speaker, when we talk about income tax and the Department of National Revenue, I am sure any member here can probably speak for days on some of the problems that we see in that department. And, while this might not have any direct bearing on the proposed amendments, Mr. Speaker, I do think it is worth noting that the Department of National Revenue, and the Province must share some responsibility, I suppose, for this problem; it is becoming a bureaucrat's nightmare, the forms we now have to fill out. I know this has been said before in the House of Commons and maybe here, but the amount of bureaucracy that now engulfs that department is almost frightening. And the attitude sometimes, of some of their collectors, for example, and some of the people who work in that department, I believe, needs to be brought out into the open.

But certainly, Mr. Speaker, in terms of the income tax return itself, surely there must be a simpler way of collecting taxes. It has come to the point now where you cannot afford not to have an accountant do your income tax for you. To do otherwise, would be risking having your return rejected, having long drawn out litigation, maybe, or harassment from the Department of Taxation.

And again, I repeat, I realize this is not the minister's responsibility. I think maybe the time has come for Canadians - and maybe we in this Province should take the lead in this area - to insist that the Department of National Revenue simplify the forms that taxpayers are required to fill out. It is nothing short of a nightmare to have to deal with the Department of Taxation, and for people who are unfortunate enough to owe money to that department, it, too, is a nightmare. I have cases in my own district of Twillingate where fishermen have been unfortunate enough to have been caught owing the tax department money, allegedly or otherwise. I know for a fact that the lives of these fishermen are being made just about unbearable. The Tax Department, I know, in one case, arbitrarily set a figure that the fisherman was alleged to owe them. Of course, the amount in question was not paid because, first of all, the fisherman concerned is disputing the amount and, secondly, even if the amount is proven to be correct, the fellow does not have the money to pay it. That person's credit rating has been affected; it was reported, I think, to the credit bureaus in the Province and that gentleman who is a fisherman - that is the only job he knows, the only way he has to make a living - a little while ago applied to the Provincial Fisheries Loan Board for a \$3,500 loan with which he hoped to buy a small boat to enable him to pursue his occupation and that loan was refused, I am told, on the basis of information supplied the Loan Board by the taxation department and, I assume, the credit bureau to which it was reported.

So, Mr. Speaker, I believe that the taxation people are getting away with too much. They seem to be all-powerful, all-might, and, like I said, to deal with them is to be humiliated, to be demeaned and embarrassed and harassed. I believe the time has come for people to start to maybe stand up and object to some of the tactics used by that department.

Again, I repeat, the day when a Canadian, an ordinary worker, be it a labourer, a member of parliament, a doctor or lawyer or anyone, has got to go to the expense, for example, of paying a chartered accountant to fill in his income tax, then, I believe the time has come for some drastic changes to be made in the whole procedure of collecting and reporting income to the Tax Department. I know, in my own case, I would not dare attempt to fill out my income tax without the advice of an accountant. I do not have that much to report, and I am sure most members here are in pretty well the same boat, but it would be foolhardiness almost to attempt to even be your own accountant. There is an old saying that a man who defends himself in court has a fool for a client, or words to that effect. That is like it is now in terms of doing your own income tax. Any taxpayer who tries to look after his own affairs and fill in his own form, I am afraid is courting danger.

Mr. Speaker, as the minister said, this is more or less a piece of housekeeping legislation and I am not sure there is too much in it to which we can object, except some of the points I have already raised.

MR. SPEAKER (McNicholas):

If the hon. minister speaks now he closes debate.

The hon. the Minister of Finance.

DR. COLLINS:

Mr. Speaker, I can only agree with most of the comments made by the hon. member. I would say, though, that unfortunately it does seem to be a fact of modern life that everything gets more and more complicated. I agree with him that it is probably unwise on most people's parts not have an accountant do their income tax, in the same way, I suppose, it would be unwise for anyone to draw up a mortgage if they were contemplating building or buying a house; you would be well advised to get a lawyer in on it even though again this is a necessity of life and it should be a simple thing. But, I mean, the realities are you are walking into a mine field if you do that. I agree with the hon. member, I think you are walking into a mine field if you are not extremely careful and extremely knowledgeable in filling in your income tax form.

I would say, though, that the present federal administration has made and is making efforts to try to get the administration of the income tax procedure more equitable, fairer, and more courteous. I really think they have made good moves in that regard.

Secondly, tax reform is a big issue now, and I would say that over the next few years we will see tax reform. Hopefully it will be simpler, but I am not too enthused that way, because whenever we reform we tend to complicate rather than simplify. So I move second reading.

On motion, a bill, "An Act To Amend The Income Tax Act", read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill No. 4).

MR. MARSHALL:

Order 10, Bill No. 26.

Mr. Speaker, for your assistance, I believe the Chair will verify this, this bill has already been introduced by the Minister of Justice (Ms. Verge). The Leader of the Opposition (Mr. Barry) has already spoken to it, and I believe at the time it was adjourned - the time of the House was running out - the member for Menihek (Mr. Fenwick) had the floor and was asking certain questions. I do not know whether he wishes to pursue them or not.

MR. SPEAKER:

It is moved and seconded that Bill No. 26, "An Act To Implement The Convention Between Canada And The United Kingdom Of Great Britain and Northern Ireland Providing For the Reciprocal Recognition And Enforcement Of Judgements In Civil And Commercial Matters."

The hon. the member for Menihek.

MR. FENWICK:

Actually I did not have a lot to say on it. It was by way of a few questions to the Minister of Justice which I have not had a chance to ask privately. Am I correct in assuming that the passage of this bill will mean that if an individual in this Province is divorced and then essentially kidnaps back their kids from the person who has legal custody and goes to Great Britain that any orders in our Province, or in our country can now be enforced in Great Britain? That is the only area that I was

curious about. It is one of the areas that I know has been a constant source of concern to many people for quite a long period of time, in that there have been very difficult times in custody cases involving marriages that have fallen apart, and the orders of a particular jurisdiction are not enforceable in others. I was wondering if this addresses this and, if it does address it, could the minister say so. If not, is there anything in the works to address that particular problem? Because it seems to me one that several civilized jurisdictions should be able to get together on and do something about.

MR. SPEAKER:

If the minister speaks now she will close the debate.

The hon. the Minister of Justice.

MS VERGE:

Thank you, Mr. Speaker. Mr. Speaker, this bill with the attached convention covers civil and commercial judgements other than a number of types of judgements which are set out in part 2, article 2, section 2 of the convention. Among the types of judgements not covered are judgements in family matters. But I hasten to add, Mr. Speaker, that we do have provisions through other legislation and conventions for reciprocal enforcement of judgements in family matters, including custody, access, maintenance and, of course, divorce between Canada and the United Kingdom which cover this Province as part of Canada. But, Mr. Speaker, this bill and the attached convention relate to civil and commercial judgements, other than judgements in family matters.

Mr. Speaker, the thrust of it is what the member for Menihek (Mr. Fenwick) outlined and which, I suppose, is implied in the title and that is, namely, to recognize the mobility of people in the present day world, to recognize that people from time to time are changing their residence from Newfoundland to England and vice versa. People can easily move all around the globe and parties to a judgement or order made by a Newfoundland court, who later find themselves in the United Kingdom, or, in the case of a judgement creditor in Newfoundland who finds that the judgement debtor is in the United Kingdom, can arrange for the Newfoundland court order being enforced by the United Kingdom court against the judgement debtor then resident in the United Kingdom and vice versa.

The convention itself contains a provision that a judgement of the United Kingdom which is contrary to public policy in Canada or in Newfoundland, may be refused registration by the Newfoundland court.

So, Mr. Speaker, what we are ensuring is that judgements affecting people in Newfoundland involving parties in the United Kingdom or who move to the United Kingdom, judgements which are consistent with the public policy of Newfoundland and the court policy of Newfoundland, may be enforced. With those remarks, Mr. Speaker, I move second reading of this bill.

On motion, a bill, "An Act To Implement The Convention Between Canada And The United Kingdom Of Great Britian And Northern Ireland Providing For The Reciprocal Recognition And Enforcement Of Judgments In Civil And Commercial



Matters," read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill No. 26)

Motion, second reading of a bill, "An Act To Amend The Leaseholds In St. John's Act." (Bill No. 48)

MR. SPEAKER:

The hon. the President of the Council.

MR. MARSHALL:

Mr. Speaker, this is an amendment to the Leaseholds in St. John's Act.

Just for a few moments I want to give hon. members a brief history of that act, and at the same time give them an appreciation of what the bill does and what this amendment addresses. Many of the homes in the city of St. John's in the area South of Empire Avenue and pretty well from, I think, Patrick Street East down to Quidi Vidi, are built upon leasehold land. This land was leased in the 1880s and the 1890s, and some of them in the 1870s, for ninety-nine years on vacant land. The provisions of all of these leases particularly was that a house would be built on that land by the person who leased. What has evolved over a period of time is that people have their homes in effect on land to which they do not have the absolute title. A lot of these ninety-nine year leases dating from the 1880s have expired and came up for renewal. But for the Leaseholds in St. John's Act what would have happened is that these landlords would in effect be able to come in and take over the properties, or certainly at the very least would have to renew them on the basis of a rent as if the land were vacant.

Government thought in the 1970s that this was very fictitious, that it would operate as a manifest injustice to the owners of these residences because, having maintained their homes for about eighty or ninety years here all of a sudden they would find themselves having to buy the land as if it were vacant land. Some people have described the law as being an ass and this is one place where it could be so considered because it was very fictitious. It was sort of silly to say as if it were vacant land when people's homes and their lifetime investment.

So what we did in 1977 is was bring in The Leasehold In St. John's Act and we provided that all residential homes built upon such land were able to be purchased, if the lease was entered into before 1923, for forty times the annual ground rent. In other words, what government did was set a value of compensation to the landowner. Since most of the rents were in the vicinity of \$15 to \$20 to \$30, this would mean that they could buy out their land at a multiple of forty times the annual ground rent, \$300, \$400, \$600 or what have you depending upon their rent. It was felt that this was a very reasonable, and it was a very reasonable compensation, Mr. Speaker. Let us take a rental of \$20 a year as an example. Somebody paying a rental for \$20 a year on land would have to pay out of that municipal taxes, and would have to pay other taxes as well, primarily the property tax and municipal taxes, so they would not even net less than \$20.

So take a rent of \$20 a year, multiply it by forty and you get \$800. Take that \$800 and put it

in the bank and you will get \$80 per year in perpetuity if the interest rate stays at an average of about 10 per cent.

So it will be deemed to be reasonable compensation. The compensation was set after consultation with some people who are very knowledgeable in the area, who had acted for absentee landlords from time to time. We were told that it was reasonable and, in fact, it was reasonable. In fact, it has had a very, very positive effect in the older parts of the city of St. John's because many of the leases have been bought up, so people could buy the freehold. Having bought the freehold, then they were free to be able to get the necessary mortgage financing which had been denied to them before because of their titles. One of the reasons why we see the older housing stock in St. John's improve to the degree that it has has been because of this Leasehold Act. There are other programmes that we brought in, such as neighbourhood improvement as well, but there would not have been this improvement without the Leasehold in St. John's Act putting on a much more stable basis the titles of the people in the downtown area. As I say, it worked. But there were certain people, certain landlords who stayed up overnight, got batteries of lawyers to look at the bill, and they found loopholes in it to either make it very, very difficult for certain types of properties to be acquired and very, very expensive for them to do it.

Now, we brought in an amendment a few years ago, but again they stayed up overnight and still found loopholes, so this is another amendment to plug another

loophole, that I will get to in a moment, and to improve the bill itself. The press would do us a great favour if the message went out loud and clear from this Legislature and from this government that as far as the Government of Newfoundland is concerned landlords might just as well stop their resistance. The landlords are getting a fair recompense because we are absolutely determined that people who have residential properties, particularly those who have lived in them over the years, are going to have this right and enjoy this right to buy out their lands at forty times the annual ground rent. So landlords could save themselves a lot of trouble, they could save themselves a lot of legal expenses if they would just accept that particular fact and sign over the deeds.

Now, I want to emphasize that the act has been effective with respect to at least 90 per cent to 95 per cent of the properties involved, and there has been cooperation for about 90 per cent to 95 per cent, but there is a small body of people who have put into dispute certain issues in the act. One of the favourite ones is to put into dispute as to whether the property was occupied or used for residential purposes or not, and then it would have to go to an arbitration board. The arbitration costs were not unfair in many cases. I do not criticize the arbitration boards, but whether they are labour arbitrations or any kind of arbitrations these arbitration boards are costly. In most cases these arbitration boards were most unnecessary and were being used by certain dissatisfied landlords to try to hold up the operations of the act.

So, the main thing that we are trying to do in this particular provision - not trying; I am sure we have done it in this particular case - is to prevent those reluctant landlords in the future from using the arbitration process to cast a large burden upon the home-owner and thus really frustrate the operation of the act.

What the bill does is say that the proceeding now to be used - and I want to emphasize again this applies to only a very small percentage - by the residential owners, the home-owners is they will give notice to the landlord or to the agent for the landlord that they want to buy that freehold and then, once they give that notice, it is deemed that it is for residential purposes and within thirty days thereafter, if there is no dispute by the landlord - because there can be certain cases where the land is not for residential purposes, and we are not concerned about commercial areas, let that go on the basis as before, like downtown Water Street or wherever it may be - is that they negotiate with the landlords over a period of time. We are not interfering with that, but we are just doing it with respect to the home-owners. Once that notice has been given and there is no response, it is then deemed to be a residential tenancy and, if the landlord will not sign the conveyance, this bill gives the power to the Registrar of the Supreme Court to sign a valid conveyance of the freehold, the money will be paid into court, and it can stay there on deposit, or the 5 per cent of reluctant landlords can take it, but they will have no more interest in the property.

You have to be careful when you

are dealing with rights, you have to be fair. In the event that somebody gives notice that the land is used for residential purposes within the meaning of the act when in fact it is used for commercial purposes, that is a legitimate complaint by the landlord. There may be a legitimate issue, and in that particular case, Mr. Speaker, it can go to arbitration. But then it crossed our minds that if you give a loophole like that, these people who are staying up overnight to try to circumvent this beneficial piece of legislation will again try to get it into arbitration because, as it were, there would be no skin off their nose and they would cast a large burden on the home-owners, many of whom, by the way, are widows and elderly people, elderly couples in the Gower Street, Bond Street, Colonial Street, Victoria Street areas of the city.

So what we are going to do, Mr. Speaker, with respect to that is we will say if the landlord objects, as he can within that thirty day period, there will be an arbitration. But in order for an arbitration to take place that landlord has to post security for the total cost of that arbitration board. And if the arbitration board finds it is residential and that home-owner had the right to buy it from the very beginning for forty times the annual ground rent, then the landlord will have to pay all of the arbitration so that that widow or that elderly couple or that home-owner will not be in any different position financially than if they had been able to buy it in the first place.

So that is a major thing this bill does. There are a few other things as well, but before I get

on to the others I want to emphasize again that it is just as well for the absentee landlords, and those who are here who are reluctant to sign the conveyance to accept the law as it is, and to realize the fact that this government is not going to tolerate homes being taken over because of leases that were signed some 90 or 100 years ago by people who are obviously the heirs and the new owners of the freehold. So they might just as well stop and not waste their time on this because we are absolutely determined that everybody in that area is going to have that right.

Now there are one or two other little things done here which, by way of clarification, were necessary. Some of these clarifications by the way are also meant to prevent certain questions being asked and certain bogus issues being raised to cause difficulties for these people in buying their land.

"Clause 1 would clarify when a land is vacant land for the purposes of the Act". And what it says is that, "land on which a leasee erected a building before a lease with respect to the land was entered into shall be considered to be vacant land for the purposes of the Act".

The reason for that is some of them were being able to get over the operation of the act because the way the act read you could only buy it if it were vacant land leased years ago for the purpose of building a house. And some of them were coming in with old plans that showed a house on the land prior to the lease. But very often what happened there was the lease that we had before us was a renewal of a lease that had been

made early, perhaps, in the nineteenth century. So the criterion is there. That has now been removed. As long as it is for a residential purpose and is on leased land in that area, they have the right to buy it out.

We also have an extension of the time for leaseholders to buy their land in the event of leases that are expired from 1987 to 1992. Now, what happened is that when we brought in the last amendment we had a situation where there were two elderly widows who had lived in the older parts of St. John's for all their lives, through their married life and widowhood, about sixty years in a house and their lease had expired, they had no right to get the freehold, and their absentee landlord was trying to evict them from the house they had lived in for some fifty to sixty years. We met that in our amendment in the early 1980s by saying that all leases would be deemed to be current until 1987. Now we have extended that to 1992. We can tell any absentee landlord that we will extend it if necessary to 2092 because there is no way that these people are going to be prevented from getting their freehold titles.

MR. W. CARTER:

Why are you extending it.

MR. MARSHALL:

Well, we have 1992 because of the fact you have to have certainty into it, but I am just giving notice that it will go to 2092 if necessary.

Clause 3 would clarify when land is in use for commercial or residential purposes. I think that is self-explanatory. We have also clarified the position during currency of the lease. The

Act itself says you can buy it out at any time during the currency of the lease. What has been raised from time to time is that rent is in arrears or taxes are payable and therefore it is not current within the meaning of the Act so therefore you have no right to buy it. We have even cut that out because we say that will not have any effect whatsoever on the currency of the lease.

I think I have given a full explanation of the Bill, Mr. Speaker. It is a positive act by this government to protect owners of residential homes in the area generally South of Empire Avenue and East of Parade Street. It is one I think whose benefits have already been seen in the older areas of St. John's because there has been a marked improvement. I just want to emphasize once again that this makes it possible for residential owners to buy their freehold. I want to get the message out loud and clear to the very small minority of landowners who have been resisting it, and to the batteries of lawyers they have hired in order to try and obviate it, that it is just as well to give up the battle. Because if we have to bring in another amendment every year, or four or five amendments every year we will do it because those people have the right to buy the land upon which their homes have stood for some eighty to one hundred years.

MR. W. CARTER:  
Mr. Speaker.

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

MR. W. CARTER:  
Mr. Speaker, if it never happens again in this session I think this

is one time when the Opposition will agree wholeheartedly with the comments made by the President of the Council. There are a few questions, I think, that need to be answered. But certainly if there is anything that drives my blood pressure up to the dangerous point it is hearing stories about absentee landlords and about problems created by absentee landlords and their lawyers, for people who have property situated on this leasehold land, and some of the problems that are being caused by this situation. It is made all the more serious, Mr. Speaker, when you realize the method by which some of this land was acquired back when it was acquired, in some cases, I suppose, 150 years ago.

I recall quite vividly an experience I had not too long ago, in fact, when I had a certain property in a certain part of St. John's on which there was a commercial building. It was on leasehold land. We sold the property. The new owner wanted to finance the purchase of it and he found that there were only six or eight years left on the lease. Of course we all know that would not be acceptable to any lending institution. So we had to set about the job of freeholding that land.

Well, if there is ever an experience that I had that made me viciously mad, it was that one. All the more when I found out, my lawyer having traced back the origin of the lease - I think it went back to the mid-1900s and how this person to whom we had to pay homage, we had to pay almost blackmail, in order to get a freehold to that property - that the land was originally owned by a certain young lady, back about 150

years ago, who came to St. John's and somewhere in the downtown area started a house of ill-repute. Apparently she was a very popular young lady, very beautiful, very attractive and business flourished.

It came to light that the land on which my building was erected, as was the land all over certain parts of the city - I will not name the area - but certainly in this particular case there are probably twenty-five or thirty pieces of property in this town situated on little blocks of land owned by the same landlady. We found out, of course, that in my case the land I had to pay a considerable amount of money to get freehold on was given to this young lady for favours received by a certain wealthy St. John's businessman of probably 150 years ago.

Now, it is bad enough to have to pay a lot of money to get a piece of land freehold but when you find out how she came about that land, then it makes it all the harder. Mr. Speaker, the act is long overdue.

There are people today living in a part of St. John's that is commonly known as rabbit town. It is the area, say, around the Newtown Road, Empire Avenue area, and Mayor Avenue. There is a large block of land there that is owned by a certain estate, an absentee landlord. I think in this case that person is living in the U.S. I think they might have some descendants here who would be looking after it through their lawyer. I know of people living in that area, on that block of land, for example, and this takes in the Goodrich Street - Allandale Road - Aldershot Street -

Salisbury Street - Newtown Road area. I know they have had all kinds of trouble. People who applied for mortgages, in some cases people have sold their properties and had all kinds of trouble getting title to their properties by virtue of the fact that land on which their homes were built happen to be leased to them by one who is now an absentee landlord. People came in here, in some cases, Englishmen, Americans and others, came in here and got land through one means or another. I just explained how my freehold land came about. And they have been collecting rents on this land now for many, many years. I think it is wrong, and I am glad the government has seen fit to bring in this bill.

I noticed the minister, in introducing the legislation - and maybe there is a reason, I think it has something to do with the City of St. John's Act. But he limits the action that can be taken under the bill to 1923. Leases entered into prior to that date -

MR. MARSHALL:  
(Inaudible).

MR. W. CARTER:  
All right.

MR. MARSHALL:  
After 1923, most of those leases are able to be bought out at twenty times the annual ground rent.

MR. W. CARTER:  
After 1923?

MR. MARSHALL:  
Yes, because in 1923 there was an act brought in that gave the right to buy out the freehold for twenty times the annual ground rent

beyond 1923.

MR. W. CARTER:

Prior to that, it was forty times.

MR. MARSHALL:

But the problem was they did not do it from 1923 backwards.

MR. W. CARTER:

But is it forty times or twenty times?

MR. MARSHALL:

It is forty times for 1923 backwards, but most of them after 1923 are twenty times.

MR. W. CARTER:

Well, maybe, Mr. Speaker, the forty times should be looked at. I do not know if charging a person forty times the rent is right, even though I know that in some cases, the amount is very, very minimal. But, again, when you realize how some of this land was acquired in the first place, even to pay forty times hardly seems fair.

Now, the minister does not seem to be too concerned about commercial properties erected on leasehold land. Now, that might be all very well too, because we know there are huge businesses in this town. The Newman Estate on Water Street, for example, where we now have Atlantic Place, I suppose, and the new Bank of Nova Scotia building being built. They have considerable properties downtown.

Now, I do not have too much sympathy for that situation, but there are small businessmen, small shopkeepers in this Province. There are a lot of them on Duckworth Street.

MR. MARSHALL:

If the building has a residence in

it, it is to be considered residential.

MR. W. CARTER:

Yes, if it was occupied as a residence prior to a certain date, I think.

MR. MARSHALL:

The upstairs.

MR. W. CARTER:

Yes, prior to a certain date. Well, that is all very well, too, Mr. Speaker, but in some cases, some of these little shops do not now have any residential content whatever. Maybe at one time they were occupied on the second flat by the owner.

MR. FENWICK:

If it was that way in March, 1977, the Act covers it.

MR. W. CARTER:

Yes, but I think there is a point to be made here. A lot of small businesses without any residential content whatever now face the dilemma of having to cope with the problem of leasehold property and having to again deal with, in some cases, unscrupulous absentee landlords, represented here by lawyers who - and I suppose that is to be expected - are there to represent the interests of their client. Whether he is an absentee landlord or a thoroughbred Newfoundlander, it does not matter. Mr. Speaker, that can be very annoying as well as costly. I know some small businesses which operate in buildings erected on leasehold property or leasehold land. When the time comes maybe to refinance their operations or to sell, there are similar problems.

Again I repeat, I am not too concerned about the Atlantic Place

or the Bank of Nova Scotia type of a situation but there like I said small family-owned businesses operating on land that is now leasehold and it is a source of great concern and irritation to the owners of these properties who have to refinance or, at some time or other, sell.

Mr. Speaker, there is not much more I need to say on this except to repeat that I think this is an excellent move on the minister's part. We support him on this side. We only wish that it had been done a long, long time ago because it would have prevented a lot of misery on the part of a lot of people. So we support it and we would ask the minister to give some thought to maybe some time soon of amending the act again to include small commercial premises in which there is no residential content to give those people a break too.

MR. FENWICK:

Mr. Speaker.

MR. SPEAKER (Hickey):

The hon. the member for Menihek.

MR. FENWICK:

Thank you very much, Mr. Speaker.

I am quite pleased to see the legislation as well. I was quite interested in the problems that arose last Winter, I believe in November or December, in which individuals were, probably the only words are badgered and harassed by arbitrary action they had to go through. At that time I wrote the minister and asked what kind of corrections could be done at the time? I think we actually asked it as a question in the House at the time about what action was in train? I believe that Bill No. 48 will be the

substance of it.

So, in order to indicate that our House does reach degrees of unanimity at times, I also am very much in favour of the legislation. I hope it works, I think as much the same as the minister does, but I think what is probably more important as the minister has indicated that if it does not work, it will be fixed again until it does work. I think that is the kind of commitment that should at least clarify things for the parties involved. Hopefully we will see the end of the situation where it estates have badgered people into giving up rights that they actually have.

Having said that, however, I would like to bring up another question which, to me, is so similar as to be almost worthy of inclusion under a piece of legislation such as this. That has to do with what I think is the modern day equivalent of the situation that we had in the nineteenth century where individuals have built houses on lands that they have leased. That is the problem of individuals who have trailers that they own on leased land.

I think all the members of the House are familiar with the situation with the Glenville Trailer Court, and it is a situation that has striking similarities to the situation that has been corrected by this piece of legislation. What I would like to do is ask the minister to think about the analogies to see perhaps if maybe there might be other kinds of legislation that may be drafted to look after their problems.

Here we have a situation where upwards of seventy or eighty



families living in trailers, some of them for as long as fifteen or twenty years, are in a situation now where they are forced to move the trailers and move the trailers, most likely, to a trailer court in which they would be expected to expend something in the neighbourhood of \$15,000 in order to gain title to it. I know the Chair is also interested in the situation since the situation exists in his own district and he, himself, has spent a considerable amount of time trying to address the problem as well.

It seems to me if you have a trailer and you put it on a trailer park and you pay rent on it and it is has been there for twenty years, then there is an obligation, it seems to me, on the part of the landlord to do more than give the thirty or ninety days notice required under the legislation that now applies.

The legislation that now applies is the Landlord Tenants Act, which seems to be the only thing. Yet the Landlord Tenant Act clearly was not intended to protect people who are living in trailers and I do not think that that should be the legislation that should be enacted. One of the most promising things is that having raised the situation and having tried to make representations, as well as the member for St. John's East Extern (Mr. Hickey), I have now received a letter from the Minister of Consumer Affairs and Communications (Mr. Russell) indicating that he, himself, feels that there is an inadequacy in the his own Landlord Tenant Act and that it does not address the problem we are talking about here. He has indicated in the letter that he has sent me that he is now surveying the other

provinces in Canada to find out if they have legislation that will cover people living in trailers who are on leased land or on rented land or whatever the arrangement is, to see if there is some better protection we can put in place.

While I say there is a lot of analogies with this particular piece of legislation, there is also a lot of differences. We are talking about much higher rents. For example, there is the provision of water and sewerage services that are sometimes provided by the landlord, so there is a difference there. Somehow, between this piece of legislation, the Act Respecting Certain Leaseholds Interests Within The City Of St. John's - that legislation we are amending - and the Landlord Tenant Act, there should be something in between that will protect these individuals from the arbitrary action that they are facing right now.

Having looked at it, I am not sure what the action should be. Should it be this approach whereby they can produce a certain amount of money and then lay claim to the land that they are on? That may be one of the solutions that should be looked at. I personally think it is one option and one think that we should probably look at. Another part of it would be to say that a trailer, even though it is mobile and can be moved, is still pretty much a difficult thing to move in the sense that usually there are porches built onto it. There is a lot of expense in terms of moving them and blocking them up and attaching them to their services and so on, so it is not the equivalent of moving out of one apartment and

moving into another. It generally requires several thousands of dollars, at a minimum, in order to move the particular trailer itself. That being the case, there may be, I think, an obligation on the landlord to provide some support. By virtue of the fact that the landlord is using the land, as in this case, for another purpose from which he expects to gain a profit, he either then has a responsibility to help the individuals either financially or in terms of a very extended period of notice, perhaps even stretching into a period of years. That may be the kind of thing that would be required. But it is, I think, our modern equivalent of the problem that existed in the 19th. Century and up until 1921.

By the way, I would like to mention to the minister, he was indicating that the ancient leases are the ones prior to 1923. Just for the record, I think looking at the act itself, the ancient leases are ones prior to August 2, 1921. I know that it was not a major point but I think it is important that at least we get the record correct.

What I would like to do is have the minister respond to that question of the Glenvilla Trailer Court and indeed the whole question of what rights trailer owners should have on leased land. That would be the major bulk of the comments I would like to make.

The other thing I would like to ask is I am not sure why the President of the Council is introducing this particular piece of legislation since it would seem that perhaps the Minister of Consumer Affairs and

Communications (Mr. Russell) or Housing (Mr. Dinn) would be a more appropriate minister, except that I do know that a lot of these residences are certainly in his district and he has certainly shown a commendable interest in making sure that their interests are protected. Knowing he has been willing to protect the interests of his own constituents over the years, I think he should be very receptive to looking at the problem of the people in the trailer court and seeing if we can come up with some legislation that would protect them as well. With that, I end my comments and thank you very much, Mr. Speaker.

MR. SPEAKER:

If the minister speaks now he closes the debate.

The hon. the President of the Council.

MR. MARSHALL:

Mr. Speaker, I can respond to, first of all, the comments that the member for Twillingate (Mr. W. Carter) made and say that certainly we will be amenable to looking at any improvements that can be made.

We drew a line between commercial and residential properties for the reasons that he articulated. There are, though, many small stores. Most of those small stores had a residential component so they were able to buy them. But if there are any real problems with respect to that, we would certainly be prepared to look at it as it comes to our attention.

The hon. the member for Menihek (Mr. Fenwick), spoke on the matter of the trailer court, which was his main concern. I have a little bit of difficulty. I know the

people who own Glenvilla Trailer Court. I would rather speak generally, if I may, with respect to it.

As the hon. member said, these questions are most difficult but they are not similar to this particular act or to the circumstances of this act. This act relates to residential houses that are built on land. The only relationship is that they pay ground rent and, indeed, many of these people over a period of time, you would be surprised at the number of these people, understandably, in these houses who did not even understand that they did not have title to their property until it became very difficult. They found out to their chagrin when they went to get mortgages or what have you or, indeed, when they went to sell the property for the reasons that the member for Twillingate indicated in his example. So, there the member concedes it is not really completely the same. That is not to say that measures have not been taken to protect trailer owners.

Trailer owners have come into trailer courts over the last fifteen or twenty years. They did have the opportunity and they do have the alternative to put their trailer on a land they own or land that they rent. The hon. gentleman indicated the rents are higher. They pay water and sewerage and services and what have you. So the circumstances really are not the same and I do not think it would be appropriate to deal with them and the St. John's leasehold act.

That is not to say that measures to protect them and to balance the interests, as one must, between the owners and the trailer

occupiers, have not to be taken. The Minister of Consumer Affairs and Communications (Mr. Russell), as the member has already indicated, is going to canvass other provinces to see what can be done and I can assure the hon. member that that will be a matter that the government will be very concerned with and pursuing to the degree possible.

One of the areas that I feel myself, and this is not a commitment but, it is just an idea that I think most certainly should be addressed is that the notice to the trailer owners should be perhaps longer than the notices under the Residential Tenants Act in other instances because of the problems of dislocation. Whether that length of notice was given in this case, I do not know, I have no knowledge myself. But certainly it is something that the government is looking into and we will be considering it. However, it is not a matter that should be in this act.

In conclusion then, the only other thing he asked is why I introduced it. It is quite obvious that I have the highest concentration of this type of housing. I have introduced it because in the backbenches I personally drafted the original bill. The now Chief Justice of the Trial Division introduced it because he was in Cabinet and I was not. I introduced a draft of the amendment and I assisted in the drafting of this here. So that is the reason why it is not the Minister of Consumer Affairs or the Minister of Justice or the Minister of Housing.

I hope that answers everything. In conclusion I just commit this bill, as they do when they bury

things, but the other way around, in reverse, I commit this bill to enactment by the House and I give notice once again to those people, as I say, who have spent large amounts of money, stayed up over nights to find loopholes, that I feel that this plugs all the loopholes now. They can rest assured if it is not, any other loopholes will be plugged no matter how many amendments we have to introduce. I think that the best course of action now with those few reluctant land-owners is to realize the reality of the situation and to give the deeds to the people who are entitled.

I move second reading.

On motion, a bill, "An Act To Amend Leaseholds In St. John's Act", read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill No. 48).

MR. MARSHALL:

Motion 8, Mr. Speaker.

MR. SPEAKER (Hickey):

The hon. the Premier to move the following resolution:

"BE IT RESOLVED that this House hereby recommends to the Lieutenant-Governor in Council the appointment of Ambrose Hubert Peddle to be the Parliamentary Commissioner pursuant to the Parliamentary Commissioner (Ombudsman) Act."

MR. MARSHALL:

Mr. Speaker, on behalf of the Premier I would like to introduce this motion. I would hope that it will receive, as I would expect, the unanimous endorsement of the House. I do not know if there is a necessity to have a large amount of debate with respect to it

beyond explaining why it comes. It comes because the appointment of a ombudsman is for a ten year term. Mr. Peddle's ten years have expired and the government wishes to recommend to the House that he be given a second term of ten years under the Act.

I cannot introduce it without just saying a few words with respect to Mr. Peddle. I do not think there is any other Newfoundlander around who is more eminently suited and fitted for this particular position. Mr. Peddle had been a businessman for a large number of years, he had been a member of the House of Assembly, he had been a member of the House of Commons so he is well, well versed and knowledgeable about provincial and federal matters. Of course, it is provincial matters that come under his jurisdiction but many a time there is an inter-relation between them.

He has conducted his office in an admirable way. He is the first Ombudsman in this Province and he has certainly set, as far as we are concerned, an example for his successors to follow. There will not be another successor for at least ten years if this motion is adopted and I move this resolution. I hope it will receive the unanimous endorsement of the House.

MR. W. CARTER:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Twillingate.

MR. W. CARTER:

Mr. Speaker, this is going to look like a love-in this morning but certainly, again, I have to concur with every word said by my friend

and colleague the President of the Council. I think the choice of Mr. Peddle as an Ombudsman is an excellent one. I think he has conducted himself extremely well in that office. He is a very impartial man.

I have the honour and privilege of knowing Mr. Peddle very well. I had, again, the honour and the privilege of having served in this House with the Ombudsman back in the early 60s when he sat over here and I sat over there at which time he conducted himself extremely well. I had the privilege of serving in Ottawa with him in 1968. At that time we were both on the same side. I can only say that as an Ombudsman he is an excellent choice. He has done a fine job.

The man has maintained a low profile and I suppose the nature of the job requires that he do that. I am sure there are times when, if he wanted to, he could have gotten himself a lot of publicity but being the type of person he is, he quietly and very effectively does his job in a very fair and very impartial way. We have no hesitation, Mr. Speaker, on this side, in going along with this legislation and wishing the Ombudsman all the best in the years ahead.

MR. LUSH:  
Mr. Speaker.

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

MR. LUSH:  
Mr. Speaker, I am not going to delay the passage of this Bill at this stage either. I just want to say I am prompted to speak because there is a cartoon on the door of

the Opposition office. It has been there for sometime now. The cartoon shows the kind of debate that went on during these days when Mr. Peddle was appointed Ombudsman. We have Mr. Roberts, who was then the Leader of the Opposition leading in his candidate, and we have Mr. Moores leading in his candidate. Mr. Robert's candidate is Robert Cooper. Robert Cooper was then doing a national programme of called The Ombudsman, and, of course, Mr. Moores was leading in the respected gentleman, Mr. Peddle. I think back in these times there was some objection to the appointment, as such, not with the person because I do not think anybody would have disagreed with the person. I suppose if there is one political appointment, or if there is a political appointment that shows that patronage is not all bad, it is certainly Mr. Peddle. He certainly has carried out the duties of that job with diligence, with respect and with honour. I think whatever debate went on at that particular time in terms of the political patronage, certainly Mr. Peddle has exonerated himself and demonstrated himself to be an Ombudsman deluxe. I believe he has gained the respect of everybody in the Province of Newfoundland and Labrador.

Again, on a jovial side, if I ever voted Tory in my life, I cannot remember, one would expect I could remember that, but if I ever did vote Tory in my life, it would have been for Mr. Peddle when he ran in the Grand Falls district when I was teaching at Windsor and he was a great supporter of our school and his wife a great supporter of our school. A very respected gentleman was mayor while I was the principal of the

school in Windsor and, as I say, I do not remember but, if I ever did, I believe it would have been for Mr. Peddle. It seems to me that I would have remember such a move but I know that I respected the man, I know that I respected him. I know that I attended his rally.

Mr. Speaker, I just want to say that probably one other suggestion I believe to help Mr. Peddle to a more effective and a more efficient ombudsman, ombudsperson, is an expansion of his powers so that he could look into things in areas which he is not now permitted. I think that speaks for the degree of respect that we have for the gentleman when we would make that suggestion, that his powers should be extended and expanded.

Thank you, Mr. Speaker.

MR. FLIGHT:  
Mr. Speaker.

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

MR. FLIGHT:  
I cannot resist rising in this debate, Mr. Speaker. I will point out to the minister that with respect to the present ombudsman, I, at one time, was a constituent of his, latterly he became a constituent of mine. I have a great deal of respect as was implied by the hon. member for Bonavista North (Mr. Lush).

I recall very much, Mr. Speaker, maybe the Minister of Intergovernmental Affairs (Mr. Ottenheimer) reminded me, that I was in this House of Assembly when the debate took place, when Mr. Peddle was appointed in the first

instance. I was in the Opposition at the time and we recognized it as a blatant political appointment. It was easy to make that case and it was made. I would say to the minister, Mr. Speaker, if there is such a thing as exonerating oneself from that kind of a charge in the first place, it has been the performance of Mr. Peddle in his role of Ombudsman and I want to associate myself with the comments made by the hon. member for Bonavista North. I have a great deal of respect and we wish Mr. Peddle well in his future appointment.

MR. SPEAKER:  
I would like to draw to the attention of hon. members that present in the gallery are nineteen Grade V students accompanied by their teachers, Ms. Mary McCarthy and Ms Patsy Wiscombe, from Garnish. I know all hon. members will join with me in extending a word of welcome to the students and their teachers with the hope that they will find the session both informative and pleasant.

SOME HON. MEMBERS:  
Hear, hear!

MR. SPEAKER:  
The next order of business.

DR. COLLINS:  
Order 14, Bill 34, Mr. Speaker.

Motion, second reading of a bill, "An Act Respecting The Power To Approve By-laws And Regulations Passed By Various Associations Of Professionals". (Bill No. 34).

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

DR. COLLINS:  
Mr. Speaker, this is in the name

of the President of the Council (Mr. Marshall), but he had to step out for just a few moments. It is a fairly straightforward bill. At the present time, there are various professional associations and similar associations who, of course, from time to time have to amend their by-laws and amend their regulations. Now, as it stands at the present time, they all have to go through the Cabinet process. I am sure all hon. members know that the Cabinet process is a fairly full one, so that these amendments often get put at the bottom of the heap in many cases.

The amendments are really left in the hands of the associations, as they should be, and, in a way, the Cabinet, the Lieutenant-Governor in Council merely ratifies them, which is necessary. Now what this amendment will do is it will take it out of the direct Cabinet process and put it in the hands of the minister to whom those particular associations report. He will keep the governmental process in place instead of Cabinet, itself. It is necessary, obviously, to have these associations under the supervision of government, which is elected by the people, but it seems very cumbersome and it has been unnecessary to have it require the full weight of the Cabinet process.

The hon. Minister of Intergovernmental Affairs (Mr. Ottenheimer) will have a longer memory on this than I have, but I can never recall any of these amendments, that are worked out by the Professional Associations, ever being altered when they have come to the Cabinet table.

So it seems to be a wise and useful thing to do and it will

prevent these necessary changes from being held up inadvertently. In the past, some of them have been held up inadvertently because of the pressure of Cabinet events, so this is a way of circumventing that difficulty. I move second reading.

On motion, a bill, "An Act Respecting The Power To Approve By-laws And Regulations Passed By Various Associations Of Professionals", read a second time, ordered referred to a Committee of the Whole House on tomorrow.

MR. SPEAKER:

Order, please! I am sure hon. members would like to join with me in extending a special word of welcome to the Mayor of Salmon Cove, in the district of Carbonear, Mayor John Butt.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The next order of business.

DR. COLLINS:

Order 15, Bill No. 35, Mr. Speaker.

Motion, second reading of a bill, "An Act To Amend The Public Service (Pensions) Act." (Bill No. 35).

MR. SPEAKER:

The hon. the Minister of Finance.

DR. COLLINS:

Mr. Speaker, the arrangements that flow from the present act are as follows, and one example: If there is a member of the Newfoundland Constabulary who goes through his period of employment and then goes on pension, quite often he will still be a young man and he will want to continue

useful work. If he then obtains a position in the public service, he is prevented from contributing to the Public Service Pension Plan. In other words, the present arrangement is that if you are receiving a pension from a government plan and you become employed and another government pension plan is attached to it, you are not permitted to contribute to that new pension plan, the public service (pension) plan.

Now, this, of course, would not apply to someone, say, in the RCMP, because they are not receiving a pension from the provincial government, they are receiving it from the federal government. So we have this anomaly that a member of the force, the RCMP, can be receiving a federal pension and then, if he obtains employment in the public service not only is he permitted to contribute to the public service pension plan, he is required as part of his employment to contribute to the public service pension plan, whereas, as I mentioned, our own police force are precluded from it under the present arrangements. So there is a discriminatory aspect to it there. The first part of this amendment, Clause 1, will take care of that situation.

Clause 2 also takes care of what is a discriminatory aspect to our present pension plan, in that you are not permitted under the present arrangements to join the public service pension plan unless you are working and you are eighteen years of age or more. If you begin employment before your eighteenth year, you are not permitted to count that period of time.

Funny enough, before 1947, even though there was not a contributory pension plan in place, nevertheless, of course, government did give pensions out of the consolidated fund and that age limit was not in place. But it was put in place in 1947 and it is still there.

Now this amendment will get rid of that. There is no reason to have it there. It is difficult to understand why it was ever put in place. I suppose it was probably put in place because most people do not begin work until they are eighteen. But that is not a good reason in our view. So this will apply to anyone who begins employment in the public service and can contribute to and get benefits from the public service pension plan. No matter what their age, they will be able to do so. There are not very many people involved here, obviously. Not many people do start before the age of eighteen, but there are some and this is getting over that discriminatory aspect.

I might add, Mr. Speaker, that the Canadian Association of Pensions Supervisory Authorities, which is a sort of overall body trying to standardize regulations throughout the country, is moving in this direction. So we are fitting in with activities or movements that are ongoing in all provinces.

I move second reading.

MR. LUSH:

Mr. Speaker, just a particular point I want to mention here with respect to a problem that I am now addressing with respect to an ex-policeman who retired and, it appears, there was some discrimination involved in this particular case. I want the



minister to listen because, apart from this particular act that the minister is now dealing with, which prevents a policeman from paying into another pension plan, there are some questions to be raised as well. Obviously, this refers to a policeman who is receiving a full pension. I am just wondering what happens in the event that the particular person does not receive full pension, whether or not he could not contribute to that plan to help make up for the time that he did not put in on his original plan, if I am making myself clear.

DR. COLLINS:

Would you brief me on that again?

MR. LUSH:

First of all, I said in my opening remarks that I am presently working on a case with respect to an ex-policeman who has run into some problems with his pension. I will elaborate on that because I am investigating it, but I would just alert the minister to it. But with respect to the specifics of this particular plan now, I am wondering whether we are talking about here a person who is receiving full pension rights, who has full pension rights as opposed to somebody who only has fifteen years in, and whether or not if they get another job they could not use those years to meet full pension rights, whatever the plan that person happens to be on, whether there is any kind of portability or whether, when he gets these fifteen years they must stay there and he receives that amount of pension, whatever it would be. In other words, does it take in that circumstance, where the person has not reached full retirement benefits?

On the particular case that I am

working, and again I am just wondering whether the Constabulary Act still allows for this, my understanding is, with respect to the policemen of this Province, that after twenty-five years, I believe, depending on age and other circumstances, a policeman would be allowed to work to attain the full years, which is thirty I believe. In this particular case, this policeman was working for twenty-five and was into his twenty-eighth year and had requested from Cabinet the right to carry on until the thirtieth year to get his full pensionable benefits. This was the procedure after twenty-five years, depending on age and other factors, he had to get approval from the Cabinet, from the Lieutenant-Governor in Council to carry on each year to make up his thirty.

In this particular case it was an unusual situation, where the gentleman was into his twenty-eighth year, five weeks short of his twenty-eighth year, when he was told that his services were no longer required. I suppose it is the right of government to say that, but there are a couple of other circumstances I will not get into now. The question I want to address, quite simply, is this, Mr. Speaker: One would have thought, in the meantime, that the person would have been given pension for twenty-eight years, since he was just five weeks short of making up the full number of months required - or the number of weeks in this case - to make up his twenty-eighth year, but he was five weeks short and was given pension on twenty-seven years service as opposed to twenty-eight. I believe that that is certainly discriminatory, and it seems to me to be unfair and

unjust. But I am having the matter investigated and hopefully I will get an answer to that question. But on the surface of it, it does not seem to be proper to me, Mr. Speaker, that somebody who is just five weeks short of getting a particular year was not credited with that year. Indeed, the whole year was removed and the person was pensioned on twenty-seven years service. That is, I realize, probably a matter a little outside this, but not quite entirely.

On the matter of policemen from the Royal Newfoundland Constabulary not being able to pay into two pensions, just this question on whether this only counts when the person is drawing full pension, when they have reached that stage of full pensionable benefits, or whether they could not use those years, if they were in another plan, to make up full pension, if I am making myself clear, Mr. Speaker.

MR. FENWICK:  
Mr. Speaker.

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

MR. FENWICK:  
Mr. Speaker, you cannot trust this government, you just cannot trust them at all. Here is a very simple piece of legislation, the minister introduces it with honey in his mouth, you would think that it was just for the benefit of the people, but, Mr. Speaker, I have done a few calculations and I have finally ferretted out the real reason why this amendment is coming in here. Do you know that if you are the Premier of this Province and your age plus your years of service equal fifty-five you are eligible for a pension

when you leave? I have checked, and the Premier now is something like forty-three or forty-four, he is around that age, he has been about fourteen years in the House and that adds up to fifty-seven or fifty-eight.

MR. TOBIN:  
Who.

MR. FENWICK:  
The Premier. He is what, forty-three or forty-four?

MR. TOBIN:  
He is a lot younger than you.

MR. FENWICK:  
The point is, Mr. Speaker, we now know the reason for this amendment. The Premier, if he were to resign now, would get his own pension plus, in the great tradition of the Tory Party over there of making sure that all their former MHAs are given adequate sinecures, he can now come back, join the public service, and continue to contribute. So look at this particular legislation. What you see is it is introduced ostensibly as just a reason to help the poor, former Newfoundland Constabulary type but now we have seen the tangible proof of the rumours that we heard about the Premier resigning and leaving his position, and we now see the feathering of his nest that is being started. Mr. Speaker, we now know the real reason for this legislation.

DR. COLLINS:  
Mr. Speaker.

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

DR. COLLINS:  
Mr. Speaker, I really do not know

if I have to reply to the hon. the member for Menihék (Mr. Fenwick). It was just a facetious remark. The furthest thing from the Premier's mind is resigning. If he were to resign, the furthest thing from his mind would be to try to do something underhanded to help him out. The third thing is that the whole comment was ridiculous.

So, let me go on to the serious comments that were made by the hon. the member for Bonavista North (Mr. Lush). I cannot say, yes, this will give benefits. If a pensioner comes back to work and makes contributions, obviously it would be totally inequitable if he did not get some benefits having made the contributions. So that is the case. I might say that if you are on pension from the public treasury and you come back to work, you get - I am not talking about on contract now - regular employment in the public service again, you cannot draw your pension and your salary, your pension goes into a sort of hiatus and you draw your salary. Then, when you retire, you pick up your pension benefits. The benefit you get is that it is unlikely that someone would come back to work at a salary less than what he left, so his pension now will be based on a higher base and it will be to his benefit to make contributions. And this is enabling. If a peculiar situation should be such that it would not be to the person's benefit to make the contributions, obviously he would not be forced to do so. But it would be highly unlikely that a person receiving a pension would come back to work and therefore not be able to draw his pension, would do that unless it was to his benefit, and obviously, then, when he does finally retire, his

pension will be based on a higher base.

The hon. member also brought up a particular case: It is very difficult to comment on that without having all the details, but I certainly agree with the hon. member that it does seem, on the surface of it, that there is something wrong if a person works for twenty-seven years and forty-six weeks, or whatever it is, and then has to take his pension just on the basis of twenty-seven years, does not get the benefit of that large part of the next year. One would have to really look at the details of the case, and if the hon. member will give me those, I will be glad to do it.

I move second reading.

On motion, a bill, "An Act To Amend The Public Service (Pensions) Act," read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill No. 35)

Motion, second reading of a bill, "An Act To Amend The Pippy Park Commission Act." (Bill No. 40)

MR. SPEAKER:

The hon. the Minister of Public Works and Services.

MR. YOUNG:

Mr. Speaker, this is just a housekeeping amendment being made to clauses 1 and 2 because of observations made by the Auditor General, and because it was not practical, Mr. Speaker, for the Commission to have a report submitted on the date as specified in the act.

The amendments to Clauses 4 and 5 would require the approval of the

Lieutenant-Governor in Council before any amendments could be made to the Master Plan of Pippy Park, and the amendment to Clause 6 would allow the Commission to make by-laws fixing certain fees, subject to the approval of the Lieutenant-Governor in Council, obviously, Mr. Speaker.

MR. LUSH:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Bonavista North.

MR. LUSH:

Mr. Speaker, just a couple of questions to the minister regarding the Pippy Park Commission, and particularly land that is frozen within Pippy Park. On a couple of occasions now, the Opposition has presented to the House examples of where certain clients have had land taken out of the freeze. We have shown documents, taken care of by the hon. the Government House Leader's (Mr. Marshall) law firm, on at least two occasions, I think, showing that land was taken out of the freeze.

Now, Mr. Speaker, certainly there has got to be some degree of equity and some degree of justice in this particular situation. I understand that there are many people holding land that is within the Pippy Park and would want that taken out of the freeze. The question that has to be asked, I think a fair question, is why is it that it has been done in this fashion? Why is it that certain people can have their land taken out of the freeze whereas others have to stay within the freeze for a lifetime? Certainly that does not seem fair. That is why we gave the minister a chance to

elucidate upon it, to clarify it. Maybe there are extenuating circumstances. But it is very difficult to convince people who are not afforded the same rights. It is very difficult to explain to them why it is their land must remain in the freeze yet others, as we have clearly shown here in two particular situations - documents have been shown - people who have been represented by the hon. the Government House Leader's law firm, their particular blocks of land have been taken out of the land freeze.

So would the minister, without labouring the point, or belabouring the point and rehashing the matter, clarify as to what combination of circumstances culminate to allow for particular people to be able to have the land freeze removed whereas others, who have been trying desperately and trying as hard to have the same opportunity afforded them, are unsuccessful in having this achieved. Could the minister address that please?

MR. SPEAKER:

If the hon. minister speaks now -

AN HON. MEMBER:

(Inaudible.)

MR. SPEAKER:

Okay.

The hon. the Minister of Finance.

DR. COLLINS:

Mr. Speaker, I would just like to comment on that because I am sure the hon. member opposite did not mean this in any way but, the hon. the Minister of Public Works and Services (Mr. Young) possibly could feel a little embarrassed about it in terms of here he is being attacked about something. I

am sure the hon. member did not mean that but it could be interpreted that way and I would like to, therefore, comment on it.

I think the hon. member is referring to certain lands. The name of one I am fairly certain is the Acharya Estate and I think the other one is called the Fairview Estate. I am not certain of the second one, but something of that order. I think that is what the hon. member is referring to but his facts are not quite right because he talked about people who were in the park wanting to get their property out and here these people had their property taken out. He is sort of equating the two things.

Strictly speaking, you cannot equate it because of one fact. These lands were not in the park originally. They were in what was called a control zone and in the control zone there was, in a number of cases, development permitted. These lands were then brought into the park and, in addition to lands within the control zone being brought in, there was also lands that were totally private, totally outside the control zone brought in, owned by the same individuals.

It was not clearly put forward as to what the park wanted these lands for. There was no plan to do such and such, for recreation or whatever, on them, so these people were aggrieved. They felt they had a grievance. They purchased land that was not in the park. It was in a control area, they knew that, that there was a certain amount of control over the control area. They knew that and they bought it on that basis, no problem, but they also bought

lands that they knew were totally outside the park, totally private land and all they had to do was abide by the St. John's Metropolitan Board regulations.

Then they suddenly find that all the land was brought into the park, not into the control area, and no compensation was given. They approached the park and said, 'you have done this, we feel aggrieved about it but we will go along with it if we are compensated.' The park authorities said 'well, we will try and get compensation but we have to work on a budget' and the budget did not reach it so these land holders were left with land that was taken from them for which they received no recompense and there was no recompense in view.

It was brought to government's attention. Government reviewed it and agreed that indeed there was no urgent need to have these lands in the park. As a matter of fact, there were no plans anywhere to use those lands. It was unlikely that compensation was going to be made available because it would be a very sizeable sum and there were many other areas of the park that had a priority demand for any monies that the Pippy Park might have made available to them. The whole thing had to be rectified and it was rectified on the basis of reverting, essentially, to the situation that applied before the lands were brought in. In other words, they were put back into the hands of the original owners and with the requirement that they just abide by the normal regulations that we have for housing development so on and so forth.

This was not giving someone a special deal that other people

cannot get, this was rectifying an oversight or rectifying an action that had been taken by the park that should not have been taken in retrospect.

Now I might also add, of course, Mr. Speaker, that the park itself has changed in boundaries. No arrangement done by human hand is ever perfect, obviously. The park boundaries over on Thorburn Road and I think along the Elizabeth Avenue area have been changed over the years for good sensible reasons. It was required for road work or required because it was a continuation of a neighbourhood and that sort of a thing. So the boundaries of the park were never at any point cast in stone, never to be changed. They were only changed for good reasons.

In this particular case, a very good cause for changing them was to bring justice back to these people who had laid out good money in good faith and were cut off from their property without any chance of getting recompense for that.

MR. SPEAKER:

If the hon. minister speaks now he closes the debate.

The hon. the Minister of Public Works and Services.

MR. YOUNG:

There is not much more that I can add to the hon. the Minister of Finance's (Dr. Collins) remarks about the land. The only thing that I can probably add is if the land is in the park or out of the park, you will get fair value for it. That is one thing. Mr. Speaker, I might also add that the exclusion of this land was done at the request of the Pippy Park people. In no other way can we do

these things. It was requested by the Pippy Park Commission that land be excluded because it was injuring the people themselves and they could not afford it. Like the minister said, in extending the boundaries to the control area, there were some adjustments to be made.

I may add, Mr. Speaker, there is a lot of land to be purchased in the park. There is about 4,000 acres. There are a lot of buildings to be purchased there. There are only about \$600,000 or \$700,000 a year for Capital Works to buy and purchase the land.

Mr. Speaker, I have much pleasure in moving second reading.

On motion, a bill, "An Act To Amend The Pippy Park Commission Act", read a second time, ordered referred to a Committee of the Whole House on tomorrow.

DR. COLLINS:

Mr. Speaker, we have another ten minutes and I think that the next bill can be handled. Order 21, Bill No. 10.

Motion, second reading of a bill, "An Act To Remove Anomalies And Errors In The Statute Law". (Bill No. 10).

MR. SPEAKER:

The hon. the Minister of Justice.

MS. VERGE:

Mr. Speaker, this kind of bill is presented to this House of Assembly annually. It is commonly referred to as the Attorney General's Bill. It basically sets out corrections to technical errors and anomalies in our statutes, errors and anomalies, for the most part, that are discovered by lawyers. Sometimes

these are typographical errors or grammatical errors or minor inconsistencies from one statute to another.

The changes that are set forth in this bill are of such a nature that they are minor technical matters, changes of form rather than substance or policy. I do not think there is any need for me to enumerate each of the changes set out in this bill which are explained in three pages of explanatory notes that precede the bill. If any Opposition members have any questions about them the questions can be dealt with later, particularly in Committee of the Whole.

Thank you, Mr. Speaker.

MR. FENWICK:  
Mr. Speaker.

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

MR. FENWICK:  
I must admit it is very difficult to go over the legislation in detail, but the fact that we have to present this annually I think indicates probably a difficulty that the House is having in going through the legislation well when it is going through the first time to make sure it is done right. I know the minister indicated these are minor errors of different kinds but it does highlight to me one of the most frustrating aspects of the House that I have found, and that is that the House seems to have only a very minor say in the legislation itself. We can stop it, obviously, for a period of time by debating for a long period of time, or we can approve it or whatever. But in terms of having input into the process of drafting legislation

this House seems in contrast to other legislatures in the country that I have a little bit of knowledge about, to have the least participation by either government backbenchers or Opposition members. I think it is probably as a result of the fact that we do not have any kind of a committee system to look at legislation effectively prior to its being introduced in the House. I personally feel very frustrated by it. I have no desire to oppose legislation just for the sake of opposing. I discard John Turner's recent statement that the Opposition's job is to oppose, I do not think it is, but I think the Opposition's job is to propose alternative agendas and to debate things. I believe it also has a role, or should have a role in looking at the kinds of problems that we have and drafting legislation to respond to them. For example, the Leasehold In St. John's Act which just passed a little while ago, I would have been very much interested in being involved in the process of identifying the problem and looking at the possible solutions and making some recommendations on it. Indeed, I wrote the minister who actually introduced the legislation and asked for some idea of what the problems were and what they were thinking about doing and I have not even received a reply to that letter yet although it went in sometime around November or December last year. I think this is a tremendous waste of resources if nothing else. I know the member for Humber Valley (Mr. Woodford), whom I sat on a committee with last year, and other backbenchers who are very much interested in contributing more to the process and would appreciate the opportunity to look at the

legislation and to look at the problems that it is trying to solve. I think that in that process perhaps we would not need as large an anomalies bill as we do. We would be able to identify some of the wording errors and some of the traps that we are getting into. The process that we have now is obviously just a governmental process. It only goes through the Cabinet and their own lawyers. Although I have talked to some of the lawyers involved, I am not going to mention who they are by name because I think it inappropriate, but they themselves are quite frightened of legislation going through this House in the sense that they try to find out if it is properly drafted, try to eliminate all the errors but they really do not have the same kind of an opportunity that we would have in the sense that looking back and forth and listening to outside comments we would be able, I think, to identify the kind of errors that are there. So I lament the fact that we have this kind of a bill that has to go through from time to time. I understand it, and even with a full-blown committee system there might still be errors and omissions, but it is a tremendous waste of the resources of the members of this House, who would I think be willing to make a much greater contribution to the process, not to have us participating. I think the member for Twillingate (Mr. W. Carter) yesterday inadvertently said that this should have been referred to the Standing Committee on Fisheries. He was referring to the statement made by the Minister of Fisheries (Mr. Rideout) yesterday wherein he outlined some very substantial changes in the way in which organizations that

carry on the fishing business would be licenced and so on. And the member for Twillingate obviously forgot that he is not in the House of Commons, because if he were in the House of Commons there would have been a Standing Committee on Fisheries that he could have referred it to. And I would like to strongly make an appeal to the government opposite, since they are the ones who control this House by their numbers, to entertain the idea of setting up a number of standing committees, maybe not a committee only on fisheries but maybe on fisheries, agriculture and a few other natural resource areas, maybe even along the same lines as our budget committees. We only had three budget committees and yet they were able to deal with the budget. If we did have them, then when there are substantial changes to legislation being planned, these committees could play an active role in looking at the legislation, looking at the kinds of problems that are being caused by it, looking at the proposed revisions that we would want, soliciting outside input into it so that we make sure that people who are affected by it at least know the legislation is coming.

On that point I would like to mention that somewhere along the line a piece of legislation calling for changes to the Worker's Compensation Act setting up an appeals board. When I got the bill I sent it out to a number of interested parties, one of which was the executive of the Newfoundland and Labrador Federation of Labour who were very much interested in Worker's Compensation problems and I knew wanted to have some input into it. And I got several calls back



almost immediately from not only them but other individuals who looked at it, saying that they have major problems with that piece of legislation in that they approve of the idea of a separate appeals board but they felt that the way it was set up was somewhat cumbersome and they were not sure it was going to work. I have since steered them on to the Minister of Labour (Mr. Blanchard) and I believe they are actually meeting with the Minister of Labour today and I am hoping they are talking about that problem. But I think it points out a problem that has arisen in this House, and probably other legislatures do not have it, so without standing committees and without the body of expertise being built up you have sometimes solutions that put into effect with all the best of intentions by the government which actually make a situation worse because there has not been a degree of consultation done.

So I would like to suggest to the House that we entertain the possibility of having the three budget committees for example, Government Services, Natural Resources and Social Services, established as permanent committees and that they have a role in identifying problems and doing some research on behalf of our House as a whole so that we do not have as many anomalies going through because we would have caught them in the committee stage. Also, that we would have more of a consensus and less of a polarized House. I personally believe that the amount of things that the government does that I disagree with are not major. We disagree in philosophy, but of all the legislation that is put through, of maybe 100 bills there

might be 10 which I seriously disagree with, but there are 90 that I do agree with, and maybe would be willing to make some contribution to. I think that members of the official Opposition would probably concur in that comment and would like to have a more active role. Maybe in that way we could become less polarized in our approach to legislation, more consensual in a way - are we consenting adults is the question I was going to ask - and have a more consensual House, the we would not have, I think, the kinds of rancorous debate that we have from time to time and we would not get into personalities so much.

So with that, Mr. Speaker, I would like to sit down and just say that I think this may or may not be an indication that we have not been doing our job properly before. But I still would like to make the appeal that we do consider the idea of permanent Standing Committees to assist the ministers and the government in terms of looking at problems and drafting new legislation.

MR. SPEAKER:

If the hon. minister speaks now she closes the debate.

The hon. the Minister of Justice.

MS VERGE:

Mr. Speaker, with the few seconds remaining I will simply move second reading of this bill.

On motion, a bill, "An Act To Remove Anomalies And Errors In The Statute Law," read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill No. 10)

DR. COLLINS:

Mr. Speaker, I move that the House

on its rising do adjourn until tomorrow, Monday, at three o'clock and that this House do now adjourn.

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

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

Member

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| 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            |
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| Callan, Wilson (Lib)         | Bellevue                 |
| Carter, John A. (PC)         | St. John's North         |
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| 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              |
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Second Session - Fortieth General Assembly

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