



Province of Newfoundland

FORTIETH GENERAL ASSEMBLY
OF
NEWFOUNDLAND

Volume XL

Third Session

Number 22

VERBATIM REPORT
(Hansard)

Speaker: Honourable Patrick McNicholas

Tuesday

31 March 1987

The House met at 3:00 p.m.

MR. SPEAKER (McNicholas):

Order, please!

Statements by Ministers

PREMIER PECKFORD:

Mr. Speaker.

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, I would like to acknowledge that thirty-eight years ago this evening or tonight, twelve o'clock tonight or one second after midnight or whatever, whether before April 1 or just at April 1, we became a Province of Canada, one of the more historic moments in our history which I think all hon. members would want to acknowledge today.

Thirty-eight years ago, through the efforts of Mr. Smallwood and many others during the time leading up to Confederation in 1947 and 1948 and 1949, we became the tenth Province of Canada. Although I do not remember it very well myself, I was six going on seven at the time, I remember there was a great commotion underway throughout the Province at the time and that is about all I do remember. But I think it is one of the more historic moments in our history which we should continue to recognize as it arises each year.

During that period of time, of course, we have seen social changes in our Province and I guess we have become more in line with the Canadian thought than we had previous to that.

There was a great debate and election, for students in the galleries who were not around in 1949, especially the students I am looking at in front of me in the galleries who are all seven or eight or nine or ten years old. I was your age in 1949 when Confederation occurred, or when we became a Province of Canada, but before any of us in this Chamber were born, back in 1869, I think - I defer to our House Leader - there was a great debate about Confederation and the Dominion of Newfoundland, at the time, sent delegates, Sir Frederick Carter and Sir Ambrose Shea who were on opposite sides of the political spectrum at the time, as observers to the conferences that led to Confederation in 1866 and 1867, and then there was a meeting of the minds between Sir Ambrose Shea and Sir Frederick Carter where one joined the other and they fought an election in 1869 on the Confederation issue and it was soundly defeated.

So the whole idea of confederation with Canada is not something that occurred just in the months and years immediately preceding 1949, but was a big issue for the people of Newfoundland way back in 1869. So, we are today, in 1987, thirty-eight years as part of Canada acknowledging and celebrating it for, hopefully, the ongoing better benefit of all Newfoundlanders and Labradorians.

Of course, as I already referenced, to mention Confederation without mentioning Mr. Smallwood would be a great disservice to us all and his role in seeing it occur. There were many other individuals at the time who were very, very instrumental in seeing us become part of Canada. I should also mention the

late Don Jamieson who, before 1949, was a spokesman for Economic Union with the United States - Newfoundland and Labrador and the United States - and who later went on to become a very outstanding Canadian, an outstanding Newfoundlander who has done much in his roles at the federal level to enhance the quality of life in Newfoundland and Labrador.

So, on behalf of this side of the House, and I am sure I speak for all hon. members, I wish to acknowledge this important day in our history and for us to reflect upon the events that occurred at that time and led to us becoming a part of the now Dominion of Canada.

SOME HON. MEMBERS:

Hear, hear!

MR. SIMMONS:

Mr. Speaker.

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. SIMMONS:

Mr. Speaker, we on this side would like to join with the Premier in saluting this day because today is an anniversary day for the people of Newfoundland and Labrador, the Thirty-Eight Anniversary of a decision to become part of the Canadian Confederation. There is no need to rehearse in this House the great changes and the benefits that flowed inevitably from that decision. All members, indeed all people who are engaged even peripherally in politics, are intimate with those changes and with those benefits. Instead, Mr. Speaker, this is a day more properly to be spent celebrating history and the men and women who make it. There is no date in the Province's history, other than

perhaps 1497, that is more important, more fraught with significance than 1949. It is a pivotal date in our development in this Province and in the advancement of its citizens.

Mr. Speaker, history is constituted by people. People are the stuff history is made of. My good friend from Green Bay, the Premier, has made reference to a number of individuals who played a role, in particular the late Don Jamieson whose efforts in the Chamber and another Chamber we salute today, as well.

Mr. Speaker, the date March 31, 1949 bears the weight it does for this Province by the efforts of one person in particular, our former and first Premier the hon. Dr. Joseph R. Smallwood.

It was because this man had a vision for this Province that he was so deeply imbued with a concern for its welfare and, if the word is not too large, for its destiny that we find ourselves embraced within one of the most civilized, prosperous and tranquil nations in the world.

Mr. Smallwood carried within him as much or more than anyone else that fierce pride in Newfoundland that is the hallmark of all our sons and daughters. He, as much as anyone, cherished the notion of her independence. His vision of Newfoundland and Labrador was, unfortunately so, larger and stronger than his pride on those points, and it was this vision that led him to see that union with Canada would be to Newfoundland's great benefit, that made him avoid parochial chauvinism in favour of the larger gesture. Because, Mr. Speaker, it takes a lot more courage to build

bridges than to build walls. It takes more strength to join than to stand alone. That is why, on acknowledging in this House the events of 1949, I wish primarily to acknowledge the man who, at the right time, brought those events about. So, I ask members, Mr. Speaker, if they would consider joining me in a gesture to salute an authentic Newfoundland hero, the hon. Dr. Joseph R. Smallwood. The gesture I have in mind is contained in a resolution. I would not read it until the other parties in the House have had an opportunity to see it. Mr. Speaker, I say if they want to take some time to cogitate, if the parties in the House wish to take some time to deliberate, we might want to come back to it later today.

There is contained in that resolution a proposal which is unique in its proposition, I agree, but I believe the uniqueness of the events we salute, the uniqueness of the man we honour might justify a unique solution or a unique way of honouring him today. Thank you, Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear!

MR. LONG:

Mr. Speaker.

MR. SPEAKER:

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

MR. LONG:

Thank you, Mr. Speaker. I would also like to rise on behalf of my leader, the hon. the member for Menihek (Mr. Fenwick) who was called away on other business today, to join with the other parties in the House and to

acknowledge the anniversary of this date.

The words of the Leader of the Liberal Party (Mr. Simmons) bring to mind, in particular, the anniversary of the historical political campaign that was fought at this time thirty-eight years ago. I would like to suggest for the young people in the gallery today that maybe in thinking of our own history it is important to go further back not quite as far as the debates that the Premier mentioned, in 1869, when, in the period between those two major political debates, during the great depression in the 1930's, we gave up our responsible government and were governed by a Commission of Government from England for a period of time, and it was that period of time, just after the war, which led to the great political debate and then our joining with Canada.

It was out of struggle and hardship that the debate to join with Canada came forward, and from a lack of political maturity, in fact, we gave up our own responsible government. I would simply remind all hon. members of the House that this being the Thirty-Eighth Anniversary, in two years it will be the Fortieth Anniversary and the struggles continue for us to find our place in this country as an equal partner.

On many occasions the Premier has done a very admirable job in representing the interests of Newfoundlanders and Labradorians in demanding that we take our place, and demanding that we fight for our rights wherever necessary - indeed, on many occasions it has proven to be necessary - to take our place as an equal partner in

Confederation.

It is often said that we are seen as one of the underdeveloped regions of Canada, that we have not developed economically. I would suggest that it would be sometime yet before we actually develop and mature politically, and that the changes that took place thirty-eight years ago were only the beginning of a process of political maturity which is yet to unfold.

Of course, in being in Canada the programmes we benefit from are social security, pensions and unemployment insurance, and now especially regional disparity programmes, many of which were brought forward originally by the New Democratic Party in the Western Provinces. I would like to make the point that we are proud, in Newfoundland, to put that on the record and to hold our own historical connection to the value that we get from being a Province of Canada.

Thank you, Mr. Speaker.

MR. DINN:
Mr. Speaker.

MR. SPEAKER:
Order, please!

Before I recognize the hon. minister, earlier today I had the pleasure of speaking to a number of students who are in the gallery now, and I would like to welcome them. There are thirty-three Grade VII students and two teachers, Mr. Boyd Vivian and Mr. Fred Driscoll, from the Perlwin Elementary School of Winterton.

SOME HON. MEMBERS:
Hear, hear!

MR. SPEAKER:

The hon. the Minister of Mines and Housing.

MR. DINN:

Mr. Speaker, I wish to inform the House of a mineral exploration project which will begin shortly on the Baie Verte Peninsula.

Muscocho Explorations Limited has completed an agreement with NORANDA Explorations Limited whereby Muscocho will provide funds for exploration of an assemblage of 1,647 claims held by NORANDA in the Baie Verte area. The agreement provides for an expenditure by Muscocho of \$2.25 million by December 31st., 1989 in return for which Muscocho, and its associate company, Tashota-Nipigon Mines, will earn a 50 per cent interest in the property.

These claims are part of NORANDA's holding in the area. NORANDA discovered gold mineralization in the Ming's Bight area during the 1986 exploration year and conducted geochemical surveys which indentified anomalous gold values in other areas, including the claims under the Muscocho agreement. These discoveries, and work by other companies in the area, will generate substantial exploration activity making the Baie Verte area one of the most active areas for mineral exploration in the Province. We can probably expect to hear further announcements in the next few weeks of other exploration programmes.

Mr. Speaker, overall we can probably expect that this year will see new records set in terms of exploration expenditure. Major exploration programmes have already been announced by Dolphin Explorations Limited, on their

Cape Ray property, and by Westfield Minerals in the Baie D'Espoir area. Other areas where major activity can be expected include Western White Bay and the general area of the Hope Brook mine.

Thank you, Mr. Speaker.

MR. FUREY:
Mr. Speaker.

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

MR. FUREY:
Mr. Speaker, we on this side of the House welcome the minister's statement. I am told by mining officials that it would take 1,000 Hopebrooks to bring our unemployment rate below double digit figures. We welcome Muscocho Explorations and, indeed, the expenditure of \$2.25 million that they will be spending over the next few years in the Baie Verte area.

Mr. Speaker, we hope that this announcement will also carry with it significant jobs in an area of high unemployment. In fact, we hope that these jobs will go to miners who are suffering in other parts of the Province. I think, particularly, Mr. Speaker, about the miners at Buchans and the miners in my own district, on the Northwest Coast of the Northern Peninsula, at Daniel's Harbour. In fact, I recall in the House last year I think, when the Premier gave a commitment at that particular time to ensure that miners at Buchans did indeed receive priority for employment at places like Hopebrook gold mine on Southwest Coast, but I am told that that has not come to fruition; Buchans miners certainly did not receive priority, but that

is another topic, Mr. Speaker, which we will raise in the House later.

This generally is a positive announcement. We, in the Liberal party, welcome this. We hope there will be thousands of more announcements of gold discoveries so that we can see the direct reflection of jobs proportionate to those discoveries to take us out of this 23 per cent nightmare of unemployment in this Province.

SOME HON. MEMBERS:
Hear, hear!

MR. LONG:
Mr. Speaker.

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

MR. LONG:
We also welcome the minister's statement and thank him for a copy in advance. I would simply say that an exciting announcement such as this, with an expenditure of \$2.25 million over a two or three year period, is going to bring with it not only lots of activity but a question of government responsibility both in terms of employment practices and environmental protection. We would hope that because mining corporations are going to produce such important revenue for the Province they are not seen by government to have the right to conduct their affairs in whatever way they would like. There are serious questions being raised with the gold mining activity on employment practices, patterns and routines that workers will be expected to live and work through, and there are also very serious concerns about environmental hazards across the Province.

Recent information would suggest that the government has not done a good job of monitoring environmental problems and so we would like to raise those two concerns in particular. Beyond that, we congratulate the minister on what is otherwise an exciting development.

Thank you, Mr. Speaker.

MR. SPEAKER:

Just before we come to Oral Questions, I was asked yesterday about Oral Questions, if I would consider having a supplementary question and a final supplementary asked as a routine. I am quite happy to see how this will work out on an experimental basis. I would like to point out to hon. members our Standing Order 31. I refer particularly to section (b), "In the discretion of Mr. Speaker, a reasonable number of supplementary questions arising out of a Minister's reply to an oral question may be asked by any Members."

I would also like to point out 31 (f), "The Speaker's rulings relating to oral questions are not debatable or subject to appeal."

I am just pointing that out. I think the suggestion is quite a good one and we will try it, but that is not establishing any precedent whatever.

Oral Questions

MR. TULK:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Fogo.

MR. TULK:

Mr. Speaker, I have a question for the Premier and it comes out of a concern that anybody must have for the traditions and the principles of this House. It also comes out of a question that I asked the Minister of Labour (Mr. Blanchard), and his response, during last Tuesday's Question Period, a question that I asked him on the Workers' Compensation Board. I want to read the Premier the - So the Premier knows quite clearly where I am coming from, I want to read the minister's reply. The question, as I said, was in relation to the Workers' Compensation Board and I asked him if there had been a settlement with the two gentlemen who were patronage appointments. His reply was, 'There was a proposal and a settlement made before the board was put in place. It was one of the reasons for the delay.'

Mr. Speaker, we have since learned that there is no settlement with those two people at the Workers' Compensation Board, and we have since learned that the Board, of course, is in place. Will the Premier not agree that in view of the fact that the settlement in question is still at issue, that the minister, having months, since last June, to reassess the matter and look at the matter and research the matter, deliberately misled this House?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

I think the hon. minister indicated that as far as the government was concerned there was a settlement in place and we had put our final proposal to the individuals involved, and if some of those individuals now do not agree with that proposal, well,

then they have their rights to be exercised in whatever appropriate fashion they see fit. But from our point of view there was a settlement. We had long and difficult negotiations and discussions with the individuals involved and we believed that we had presented was a reasonable settlement. If, however, the individuals themselves think different, well, that is their right.

MR. TULK:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A supplementary, the hon. the member for Fogo.

MR. TULK:

Mr. Speaker, that is a new definition of the word settlement that we have heard from the minister and now the Premier. Let me say to the Premier that the minister could have very well said that it was his final proposal to the Workers' Compensation Board, but for him to say that there was a settlement of the matter on numerous questionings is not acceptable to this House. Now we have had the example of the Minister of Public Works -

MR. SPEAKER:

Order, please!

MR. TULK:

I ask the Premier, Mr. Speaker, in view of the fact that we have had the Minister of Public Works (Mr. Young) mislead this House, now we have the Minister of Labour (Mr. Blanchard) doing the same thing, has the Premier abandoned the long sanctioned tradition of the House that when a minister deliberately deceives the House he must resign or be forced to resign?

MR. OTTENHEIMER:

A point of order, Mr. Speaker.

MR. SPEAKER:

A point of order, the hon. the Government House Leader.

MR. OTTENHEIMER:

Mr. Speaker, the hon. gentleman's question is out of order in the imputation of motives of deliberately deceiving the House, and I would ask that he be required to withdraw that.

MR. TULK:

Mr. Speaker, to that point of order.

MR. SPEAKER:

To that point of order, the hon. the member for Fogo.

MR. TULK:

The hon. gentleman can stand and try to use points of order to get out from under this, but I, in no way, said in that question that anybody had deliberately misled the House.

SOME HON. MEMBERS:

You did!

MR. TULK:

What I said, Mr. Speaker, is that it was a long-established tradition of this House and of any Parliament that when a minister has deliberately misled the House that he be asked to resign.

SOME HON. MEMBERS:

Hear, hear!

MR. OTTENHEIMER:

Mr. Speaker, further to that point of order.

MR. SPEAKER:

Further to that point of order, the hon. the Government House Leader.

MR. OTTENHEIMER:

Your Honour will find that one cannot say indirectly or imply indirectly what is prohibited directly. I think the hon. gentleman's question, whether intentional or not, was certainly an imputation of unworthy motive.

MR. SPEAKER:

Order, please!

To that point of order, I think there was a clear implication that what the hon. member was saying was not acceptable. It is not parliamentary. Maybe the hon. member would like to reword it, but, in the meantime, he must withdraw that implication.

MR. TULK:

Mr. Speaker, of course I withdraw. Let me put the question to the Premier in another fashion. If it is determined, has he now abandoned the long standing tradition in any Parliament that when facts that are untrue are given to the Legislature by Ministers of the Crown that they must resign or he should ask them for their resignation and they leave the office which they hold? Or are we to see the kind of thing that we have seen going on in this Legislature in the past couple of years?

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, the hon. the member for Fogo is trying to create something out of nothing. He is trying to split linguistic hairs. The long and short of it is that from the position that the government and the minister takes

we thought that we had a settlement with these individuals with whom we were negotiating. We had put a final proposal before them. If the hon. member wants to play ping-pong dialogue or wants to get into some kind of an argument over words, that is fine, the hon. member for Fogo can go ahead and do it.

I think what the minister had to say was quite correct from the government's point of view, because it is our opinion we had a settlement. If, on reflection, some of the hon. gentlemen, with whom the minister was negotiating, saw fit to have another interpretation on it, well that is entirely their right.

MR. TULK:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A supplementary, the hon. the member for Fogo.

MR. TULK:

Mr. Speaker, the ping-pong player sits in the Premier's chair of this Province. Because, in actual fact, the statement is right before his eyes, made on Tuesday of last week, that there was not only a proposal but a settlement before the board was put in place.

Now, I will ask the hon. gentleman once again: To what degree and how many times must a minister - I will not use the words 'deliberately mislead this House' - give false information to this House before the Premier will take action that is dictated by parliamentary tradition, an elementary sense of honour, and force some of the ministers who have misled this House to resign? I ask him once again.

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, that is a silly and foolish question. In the opinion of the minister and the opinion of the government we had a settlement with these individuals. If, in fact, their opinion is that there was not a settlement there, that is entirely their opinion and they are entitled to it. As for any of the other rhetoric and verbosity from the hon. member for Fogo, it does not deserve an answer.

MR. TULK:

Mr. Speaker.

MR. SPEAKER:

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

MR. TULK:

Since the Premier is so adamant in telling us that there was a settlement, would he now stand in his place, give the kind of information that we have been unable to get out of the Premier, namely just what was not a settlement but the final proposal to the Workers' Compensation Board?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Obviously, Mr. Speaker, given that the individuals with whom the minister and the department were negotiating our final proposal, which we thought was a settlement to the issue with these gentlemen, since there may be appeals to the courts and so on, I am not at liberty at this point in time to get into the information and into the facts of our proposal because that could, quite likely, potentially jeopardize the whole legal process. I know the hon.

member is very, very sensitive to ensuring that the rights of individuals are protected, both inside and outside this House.

MR. BARRY:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Mount Scio - Bell Island.

MR. BARRY:

Mr. Speaker, I would like to ask the Premier whether in the position that he took at the recent First Ministers' Conference on aboriginal rights, he considered the very real probability that the courts will now end up defining and entrenching those aboriginal rights which he felt that his position would prevent the entrenchment of?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, the proposals that were presented at the conference would go further than the present provisions that are in the existing constitution, and by going further would increase the risk of court action and court decisions. We will have to wait and see just how the courts interpret what is presently in the constitution and from that we can move on from there. It is generally believed by most people that at the present moment, given what is in the constitution, the courts would be reluctant to impose self government agreements in the present context of the constitution. What was being proposed was to increase and enhance the chances of court action being taken in that regard. There will be obviously

ongoing court action as it relates to treaties and other matters that Native groups think they have a legal right to do, but in our opinion, at this point in time to increase the amount of authority that the courts may have, given some general right of self-government being in the constitution, was not the proper route to go at this time. It was a question of knowing what you now have in the constitution and, if you are going on to put more in the constitution which would increase that risk and increase that chance, that that was an unacceptable way for us to go at this time.

MR. SPEAKER:

The hon. the member for Mount Scio - Bell Island.

MR. BARRY:

I would like to ask the Premier whether he would agree that there will be a delay in any major developments in Labrador, such as the development of a Lower Churchill hydro project, until the rights of the aboriginal peoples in Labrador are settled? And in light of the Premier's position taken at the First Ministers' Conference, is he now admitting that the development of the Lower Churchill or further hydro development in Labrador will be impossible in the time frame when we will need further generation in this Province? Has he now written off Labrador hydro as our next source of electrical power?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

No, Mr. Speaker, I have not.

MR. BARRY:

A final supplementary, Mr. Speaker.

MR. SPEAKER:

A final supplementary.

MR. BARRY:

In light of the terrible social conditions existing in areas where the aboriginal peoples live, particularly on the coast of Labrador, in light of the much higher than average suicide rates, the greater incidence of social problems - alcoholism, infant mortality, terrible health conditions - in light of the terrible social conditions in which the aboriginal peoples, particularly along the coast of Labrador are living, will not the Premier reconsider whether in fact this does not arise from a lack of control over their own destiny? And will the Premier not start looking at a progressive approach where, granted some risks might be taken, but in light of the alternatives and the cost to government of pouring in millions of dollars which do not bring about results, will the Premier commit himself -

MR. TOBIN:

Is that a supplementary, Mr. Speaker?

SOME HON. MEMBERS:

Speech! Speech!

MR. BARRY:

Mr. Speaker, I will finish very briefly, as soon as members opposite give me the opportunity.

- will the Premier look at the necessity of continuing to press for the quickest possible settlement of aboriginal land claims which will include a right of self-government?

PREMIER PECKFORD:

Mr. Speaker, I think in all fairness to all the members of the

House and the other members who want to ask questions that if the member for Mount Scio - Bell Island (Mr. Barry) wants to campaign he should do so outside this House and not do it here in this House. If he wants to ask a supplementary question, ask it directly.

Unknown to the member for Mount Scio - Bell Island, a number of years ago the government took the position that we wished to negotiate land claims with the Inuit of Labrador and with the Innu of Labrador and we made that statement clear and unmistakable about three years ago in writing, to the public of Newfoundland at large and most particularly to the Labrador Inuit Association and to the Naskaupi Montagnais Association. Now unfortunately the hon. member for Mount Scio - Bell Island did not mention that of those two groups in Labrador - we have not mentioned the Labrador Metis Association who also are claiming certain rights in Labrador - the Innu of Labrador, the Naskaupi Montagnais, Davis Inlet and Sheshatshit, do not recognize the government of Newfoundland and Labrador. May I go on to say they do not recognize the hon. member for Mount Scio - Bell Island, they do not recognize the hon. member for St. John's East (Mr. Long), that they will only deal with the Minister of External Affairs for Canada (Mr. Clark) because they are a nation and they will only deal with the External Affairs Minister for the other nation called Canada. We do not exist. I would suggest to the hon. member for Mount Scio - Bell Island it is pretty difficult to negotiate land claims, like we committed to do three years ago, when one of the parties to those negotiations does not recognize

the other.

MR. BARRY:

All words and no action.

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 Finance (Dr. Collins).

I ask the minister, in harmony with the request made by this side for a couple of years now, now supported by the St. John's Board of Trade and many small business groups within the community and thousands of individuals throughout Newfoundland, will the minister indicate whether or not he plans a reduction in the provincial retail sales tax in his budget on Thursday to at least 10 per cent?

MR. SPEAKER:

The hon. the Minister of Finance.

DR. COLLINS:

Mr. Speaker, I mean, there are many remarkable things go on in this House including the wearing of flowers and all this sort of stuff, but I have never heard anyone a day or so before budget day asking what taxation changes are going to occur. This has to come out during the Budget Speech. Why have a Budget Speech if you are going to have little things dribble out every so often?

MR. LUSH:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A supplementary, the hon. the

member for Bonavista North.

MR. LUSH:

True, Mr. Speaker, to Tory form.

Mr. Speaker, the hon. the minister will admit that his government has had the poorest labour relations in this Province that ever existed in our history. In view of this will the minister acknowledge that he does not plan to blame the poor economic condition of this Province on labour in his Budget Speech but put it squarely on the appropriate shoulders, namely, on his government?

MR. SPEAKER:

The hon. the Minister of Finance.

DR. COLLINS:

Mr. Speaker, the hon. member is an expert at asking these questions, you know, 'When did you last stop beating your wife?' that type of question. He sort of sets up a straw man just to knock it down. At no time did I ever give any hint or indication in my whole life that I was blaming anything on labour. I think labour is great and I am sure everyone on this side thinks labour is great. We love labour, and for the hon. member to even suggest that we were going to blame anything of a bad nature on labour suggests that he has got this in his own mind. It is certainly not in our mind.

MR. SIMMS:

He is losing so much weight his mind is going.

MR. LUSH:

Mr. Speaker.

MR. SPEAKER:

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

MR. LUSH:

Mr. Speaker, in view of the financial mess that Memorial University finds itself in, I wonder if the minister will indicate whether or not in the Budget Speech on Thursday there will be a substantial increase to Memorial University to enable it to get out of the financial mess it is in, and to offer our students an affordable and quality university education?

DR. COLLINS:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Finance.

DR. COLLINS:

Mr. Speaker, I hardly need to comment on that because the hon. the Minister for Career Development and Advanced Studies (Mr. Power) only yesterday gave a very full answer to that when he said that we have always had the best interest of the University at heart, and we will continue to have that.

MR. FLIGHT:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Windsor - Buchans.

MR. FLIGHT:

Mr. Speaker, my question is to the Premier. As the Premier knows, Mr. Speaker, the development of Hope Brook is proceeding and production stages are approaching. The Premier made a commitment that workers displaced at Buchans when the Buchans mine closed would get priority to jobs on the Hope Brook site. I have no doubt that the Premier made the commitment for the right reasons and in good faith. I am concerned that BP-SELCO is not aware of that

commitment or that they are certainly ignoring it. I would ask is the Premier prepared to make sure that BP-SELCO is aware of that commitment and that they do indeed honour it?

PREMIER PECKFORD:

Mr. Speaker.

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, I am a little bit surprised at the hon. member. I do not know if he knows or not there are ongoing talks between BP-SELCO and the leadership of Buchans now and have been over the last several months, most recently over the last few days, in which BP-SELCO are going to try to assist the people of Buchans in ongoing work that BP-SELCO hopes to do in the Buchans area. And if the hon. member is not aware of it, I would like to inform him now that there are very important talks going on between the leadership of Buchans and BP-SELCO over work that they hope to undertake this year to help keep the commitment to ensure that the Buchans people are involved with the mining industry.

MR. FLIGHT:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Windsor - Buchans.

MR. FLIGHT:

Mr. Speaker, I am aware of the talks that have been taking place for two years, but my concern is that I see no evidence that there is fruit from the talks. The meetings that the leaders of Buchans are having with the Hope Brook people are based on the

commitment made by the Premier. My question, Mr. Speaker, is: Is the Premier aware that the need to honour that commitment is greater today than it was when it was made due to the disastrous affects that not getting access to some of those jobs will have on the people of Buchans, and the disastrous adverse affect it will have on the ability of the leaders of Buchans to ensure a viable future for that town?

PREMIER PECKFORD:

Mr. Speaker.

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, I have been informed in the last couple of days that the leadership of Buchans are very happy with the relationship that they now have with BP-SELCO, and the ongoing talks they are having with them for ongoing activity in Buchans. I was also alerted to the fact that it was quite likely that whilst the people of Buchans and the leadership of Buchans might be very happy with their relationship of BP-SELCO, that their member might not be.

MR. FLIGHT:

A final supplementary.

MR. SPEAKER:

A final supplementary.

MR. FLIGHT:

Mr. Speaker, when the commitment was made the people of Buchans were not naive enough to believe they would get 300 jobs - and we know there are roughly 300 jobs - but 60, 70, or 80 jobs would have a very stabilizing effect on the town of Buchans. So I would ask the Premier now, Mr. Speaker, would he honour his commitment and

advise BP-SELCO that Buchans is entitled to a fair share of those jobs based on a commitment made by him for all the right reasons sometime ago, the commitment made to the people and leadership of Buchans to the leadership? Let him now tell BP-SELCO.

PREMIER PECKFORD:

Mr. Speaker.

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, I think that I should advise the hon. member for Windsor - Buchans to go back to Buchans and get some information from Mr. Sean Power and the other leadership of Buchans so that he is more informed about what is going on in his own constituency.

MR. FUREY:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for St. Barbe.

MR. FUREY:

My question, Mr. Speaker, is to the Minister of Justice (Ms Verge). The minister will know that politicians from all three parties have complained publicly about the Hickey appointment as Chairman of the Young Offenders' Board. Now we see the legal community, and indeed a judge, complaining that this was an unnecessary and expensive addition to the judicial system.

I want to ask the minister, does the Minister of Justice agree with these complaints made by politicians from all three parties, and lawyers, the legal community, and, indeed, a judge, that this appointment and the creation of this job is, indeed, a

waste of money?

MR. SPEAKER:

The hon. the Minister of Justice.

MS VERGE:

Mr. Speaker, I think the appointment of the Review Board under The Young Offenders Act of Canada, is a very progressive move on the part of this administration, and it shows enlightenment in the treatment of young people convicted of criminal offenses.

SOME HON. MEMBERS:

Hear, hear!

MS VERGE:

Mr. Speaker, the board is made up of three exceptionally well qualified and competent individuals. The Chairperson is the former member of this House and Minister of Social Services, a professional social worker, somebody who has demonstrated a strong and lengthy interest in the field of juvenile corrections. Another of the members is Paul Althouse, an experienced lawyer practicing in Corner Brook with expertise in the area of criminal law, who served as a member of the provincial Association of Youth Serving Agencies and who has been involved in hockey in Corner Brook, and in that way associated with youth. The other member is Sister Marie Ryan, who is an experienced and highly respected educator, a member of the order of Mercy, a former Vice-Principal of Holy Heart of Mercy High School in St. John's, a woman who has her Ph.D. in counselling. It is an exceptionally well qualified board. It is obvious that these three individuals have a strong commitment in the value of the board.

The purpose of the board, Mr. Speaker, is to review the disposition -

MR. FUREY:

Is the hon. minister going to answer the question?

MR. SPEAKER:

Order, please!

MS VERGE:

Thank you, Mr. Speaker.

Mr. Speaker, I was just going to explain, since it is obvious the members opposite do not appreciate this, that the purpose of the board is to review custodial arrangements for young offenders, to look at whether young offenders sentenced by judges to secure custody should not instead be in open custody where there are greater chances for community interaction, attending school, and taking part in community activities so that they can be rehabilitated.

Fundamentally, the appointment of this board reflects on the part of this administration -

MR. FUREY:

Turn off the tape.

MR. SPEAKER:

Order, please!

SOME HON. MEMBERS:

Hear, hear!

MR. FUREY:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A supplementary, the hon. the member for St. Barbe.

MR. FUREY:

Mr. Speaker, there is nobody questioning the credibility nor

the credentials of these people. We are questioning the process. Was it necessary to create this new pork-barrelling job when a judge in the Court of Newfoundland said that it could have been done by the Provincial Court in Newfoundland? Now, that is the question. Instead of skating and sliding, Mr. Speaker, she has to stand here and tell us whether it is justified to pay \$6,500 an hour for a Chairman.

MR. SPEAKER:

Order, please!

The hon. member had asked this question, and his preamble, or at least its follow-up after, was not necessary.

SOME HON. MEMBERS:

Why the yelling!

MR. FUREY:

I was raising my voice, Mr. Speaker, because I could not hear. Did the minister hear my question?

MR. SPEAKER:

Order, please!

MR. FUREY:

My question was, Mr. Speaker, in light of the fact that a provincial judge has now said in a local newspaper this appointment was not necessary, why could not the Provincial Court Judge have done it? There were only thirty-eight cases for ten hours last year.

MR. SPEAKER:

The hon. the Minister of Justice.

MS VERGE:

Mr. Speaker, it is too bad the member opposite did not go to the Stephenville Drama Academy, because perhaps he would have

learned to modulate his voice better when he is asking these questions.

SOME HON. MEMBERS:

Hear, hear!

MS VERGE:

Mr. Speaker, there were thirty-eight applications for review to Provincial Court Judges last year when there was no board. It is projected by social workers in the youth corrections field that there will be 250 next year.

Mr. Speaker, the whole point of the board, as I started to explain earlier, is to look at custodial dispositions made by judges from a social perspective. You see, Mr. Speaker, Provincial Court Judges are not trained as social workers, they are not experienced in the area of community based resources for rehabilitation of young offenders. The function of the board, and this was conceived by the people across Canada who drafted The Young Offenders Act, was to look at custodial dispositions in the case of assignments to secure custody to see if the young people would not better be served by being placed in open custody facilities. And it has to be pointed out that some of our existing open custody facilities are foster homes as well as group homes, where young people are accommodated, six or eight in a house, with group home parents and other group homes workers.

Mr. Speaker, there are many advantages which can accrue from having a Young Offenders Act Review Board constituted with such fine and well qualified individuals who will be able to look at the young offenders with a

holistic approach and to consider fully what is in the best interest of these young people so that they can have the maximum opportunity to be rehabilitated and to get on with having healthy productive lives.

SOME HON. MEMBERS:

Hear, hear!

MR. FUREY:

Mr. Speaker.

MR. SPEAKER:

Order, please!

A final supplementary, the hon. the member for St. Barbe.

MR. FUREY:

A final supplementary. I thank the minister for that brief answer, Mr. Speaker, to that brief supplementary. I would like to ask the minister very simply, does she agree with the Provincial Court Judges making public commentaries as they did this past weekend with respect to this particular judicial matter?

MR. SPEAKER:

The hon. the Minister of Justice.

MS VERGE:

Mr. Speaker, no, I do not. It is my understanding that only one judge made the remark. But I do not agree with Provincial Court Judges making comments on public policy, and I do not agree with the remark made, no matter who made it.

MR. FUREY:

A supplementary, Mr. Speaker.

MR. EFFORD:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Port de

Grave.

MR. FUREY:
Mr. Speaker.

SOME HON. MEMBERS:
Oh, oh!

MR. FUREY:
A supplementary, Mr. Speaker.

MR. SPEAKER:
The hon. member has had three questions.

MR. FUREY:
A new question, Mr. Speaker.

MR. SPEAKER:
I am going to recognize the hon. the member for St. John's East.

SOME HON. MEMBERS:
Hear, hear!

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

MR. LONG:
Thank you, Mr. Speaker.

My question is for the Minister of Social Services (Mr. Brett) and it is in relation to the report tabled yesterday in the House of Commons by the Special Committee on Day Care. In light of the recommendations of the Committee that a new financing system for day care in this country be established in which tax deductions will be changed to tax credits and the provinces will as a result receive new monies, will the Province put money received through tax credits into a child care programme in this Province?

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

MR. BRETT:
Mr. Speaker, I have not received a copy of the report. I have requested one from Ottawa and it is my understanding that it is on the way to me. The recommendations were passed to me about five minutes before I came into the House, I have not had a chance to read them and I certainly would not like to comment on the recommendations or the report until I have seen them.

MR. LONG:
A supplementary, Mr. Speaker.

MR. SPEAKER:
There is just time for a short question and answer.

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

MR. LONG:
Not in reference to the report but to the Minister of Social Services again, a supplementary. Is the minister considering concerns that have been brought forward with the situation in this Province of a lack of criteria and accountable for quality governing day care in this Province? Is the minister considering introducing regulations or criteria to deal with quality?

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

MR. BRETT:
Mr. Speaker, I believe this government has demonstrated over the last two or three years its concern for day care in the Province. As the hon. member knows we have made some progress, I think a fair amount of progress, over the last two or three years. We are looking forward to co-operating with the federal

government once we decide what actions they will take as a result of this report that they have now received.

MR. SPEAKER:
Order, please!

The time for Oral Questions has elapsed.

Notices of Motion

MR. HISCOCK:
Mr. Speaker.

MR. SPEAKER:
The hon. the member for Eagle River.

MR. HISCOCK:
Mr. Speaker, I would like to bring in a motion. I will send a copy to the Premier and the Government House Leader. It is with regard to Confederation, and I ask that the motion be passed. I now ask that the Page give it to the Premier, and then see if it is in order so I could read it later, and hopefully have it passed. If he would like, I could read it now.

MR. OTTENHEIMER:
No, let us have a look at it.

MR. HISCOCK:
Okay. It has to do with Confederation.

PREMIER PECKFORD:
We already have one.

MR. HISCOCK:
Well, this is substantial.

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

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

Government House Leader.

MR. OTTENHEIMER:
Mr. Speaker, we have a resolution from the hon. Leader of the Opposition which we think is substantial. Now, the hon. the member for Eagle River says that he wants another resolution on Confederation to be substantial. We think the Leader of the Opposition's resolution is substantial, and we do not think that the hon. member for Eagle River's resolution is substantial. We do not intend to have resolutions just falling out of the sky like manna from heaven. The hon. gentleman has no leave to present this. When he has room on the Order Paper, he can put it down as a Private Member's Resolution.

SOME HON. MEMBERS:
Hear, hear!

MR. HISCOCK:
To that point of order, Mr. Speaker.

MR. SPEAKER:
To that point of order, the hon. the member for Eagle River.

MR. HISCOCK:
Mr. Speaker, this is the Thirty-Eighth Anniversary of Confederation. We have seen the government -

SOME HON. MEMBERS:
Oh, oh!

MR. HISCOCK:
I am talking to the point of order.

We have seen this government try to negotiate with the Smallwood family. My resolution is that every dollar collected in this Province be matched by this government. I will make it

available to the press.

AN HON. MEMBER:

It is out of order.

MR. HISCOCK:

It is not out of order.

MR. SPEAKER:

Order, please!

The hon. member does not appear to be speaking to that point of order. I would ask him if he would confine his remarks to that.

SOME HON. MEMBERS:

Oh, oh!

MR. TULK:

To that point of order, Mr. Speaker.

MR. SPEAKER:

The hon. the member for Fogo.

MR. TULK:

Mr. Speaker, the Government House Leader seems to be getting awfully excited about something. The two resolutions that have been presented are entirely different resolutions altogether. I am not going to say anything now because I think we have an agreement not to make any public statements about the first one at this time. I think we had that understanding until we have agreed on the wording and so on.

But on the second one, it is entirely different in that the hon. gentleman is saying that there are funds being collected all over the Province and would the government, indeed, agree to match it dollar for dollar for every dollar that is collected in terms of the encyclopedias. Actually, if the Premier looks at it, it is quite praiseworthy of the government anyway.

PREMIER PECKFORD:

To that point of order, Mr. Speaker.

MR. SPEAKER:

To that point of order, the hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, there is no leave for the hon. member to present his resolution.

MR. OTTENHEIMER:

He has one on the Order Paper.

PREMIER PECKFORD:

The substance of his resolution has been dealt with by government weeks and weeks ago.

MR. SPEAKER:

Order, please!

To that point of order, I understand there is no leave for that. I have not had an opportunity of seeing or studying that resolution but there is no leave for same.

MR. BARRY:

A point of order, Mr. Speaker.

MR. SPEAKER:

A point of order, the hon. the member for Mount Scio - Bell Island.

MR. BARRY:

Mr. Speaker, before the Minister of Justice and Attorney General (Ms Verge) leaves, I rise on a point of order. The rules of this House are clear. Judges are not to be criticized by members of the House. It is particularly important that members of the judiciary not be criticized by the Minister of Justice.

I believe Your Honour should either require that the Minister

of Justice withdraw the remarks or else that at least she indicate something more than criticism and that there are measures underway, whether in terms of the approaches to the Chief Provincial Judge - I do not know if she still has an operational Judiciary Review Committee - but in any event; Mr. Speaker, there should be more than just having her criticism of members of the judiciary on the record. There should be a withdrawal of her remarks, or else there should be some indication of substantive action being taken.

MS VERGE:

To that point of order, Mr. Speaker.

MR. SPEAKER:

To that point of order, the hon. the Minister of Justice.

MS VERGE:

The record will show that I did not express criticism of a particular judge. In answer to a question posed, I said that as a general rule I do not agree with judges commenting publicly on public policy, and that, regardless of the individual who has expressed the view being advanced by the Opposition, I do not subscribe to that view. I disagree with the view.

MR. OTTENHEIMER:

Mr. Speaker, to that point of order.

MR. SPEAKER:

To that point of order, the hon. the Government House Leader.

MR. OTTENHEIMER:

If I may on that point of order as well, I think it is totally without foundation. Beauchesne, Page 114 says; "All references to judges and courts of justice of

the nature of personal attack and censure have always been considered unparliamentary." There is no personal attack or censure. Also, there are other references there. The hon. minister was asked the question, 'Do you agree with this?' and the minister answered, 'No, I do not.'

MR. SIMMONS:

Mr. Speaker.

MR. SPEAKER:

To that point of order, the hon. the Leader of the Opposition.

MR. SIMMONS:

Mr. Speaker, the gentleman from Waterford - Kenmount (Mr. Ottenheimer) quotes the same paragraph that I was going to refer to, "All references to judges and courts of justice of the nature of personal attack and censure have always been considered unparliamentary." Now, the gentleman for Waterford - Kenmount is right insofar as his application of that item relating to personal attack is concerned. That is half the provision. The other half relates to censure.

Now, Mr. Speaker, the Minister of Justice (Ms Verge) and the Government House Leader can dance all they want on this one. What she did today was to censure. As the person answering to this House for law enforcement and for the court system, she said very clearly that she 'did not approve.' I hear she is saying is was plural and she is trying to talk generalities but the point remains, Mr. Speaker, that she censured the activity of a judge by her comment today, whether she likes it or not, whether she meant to do it or not. Perhaps, Mr. Speaker, it was completely unwitting but whatever the case I

suggest to you, Sir, that this -

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please!

MR. SIMMONS:

Mr. Speaker, this matter is sufficiently serious that I would invite you, Sir, to take time to deliberate. It is an issue that probably has not arisen in this chamber and that is to the credit of people who have gone before the Minister of Justice, that they have had enough discretion not to make the kind of statement she made in this chamber today. Apart from being a completely shameful statement, a completely irresponsible statement, it is a statement that is unparliamentary and that is the submission from my friend from Mount Scio - Bell Island. I ask you, Sir, before ruling, if necessary, to deliberate on this because it is important and it has precedent setting possibilities.

I say to the gentleman for Grand Falls (Mr. Simms) that if I regard him as my friend, as I surely do, I have lots of friends.

Thank you.

MR. SPEAKER:

Order, please!

To that point of order I would like to just see exactly what was said and also to study the matter further.

MR. TULK:

On a point of privilege.

MR. SPEAKER:

The hon. the member for Fogo.

MR. TULK:

I want to say to you that at the beginning I will get into what I think is the right proceeding here and what has to happen in this particular case. I want to refer, Your Honour, first of all to a statement that has been made by the Minister of Labour (Mr. Blanchard) consistently in this House, that a proposal and a settlement has been made with the Workers' Compensation Board and with the two parties in question with the Workers' Compensation Board which, in fact, is not the case.

Mr. Speaker, I do not need to go into a long harangue for Your Honour about parliamentary privilege and what parliamentary privilege means to this Legislature. The Premier has tried to say that as far as they are concerned, a proposal was made. The minister went farther than that and he said there was a settlement made. Now, Mr. Speaker, I know that the correct procedure that should be followed here in this Legislature is to put down a motion, as was done by the member for Mount Scio - Bell Island in the case of the Minister of Public Works and Services (Mr. Young) last week, to say that the Minister of Labour (Mr. Blanchard) in this particular case has deliberately misled the House. I know that that is the correct procedure and it is a Private Members' motion if it comes from this side.

That, in this situation, is impossible because, as I understand it, every member on this side at this time, unless we get leave from the Government House Leader, has now got a Private Members' motion on the Order Paper. I think the member

for Naskaupi (Mr. Kelland), tomorrow, will then have a slot whereby a motion would come to the bottom of the Order Paper in terms of Private Members' motions. But I have to say to the Government House Leader (Mr. Ottenheimer) and, perhaps, to Your Honour as well, take this into consideration. In this particular case, where the Minister of Labour (Mr. Blanchard) has been given numerous chances to refute his statement that a settlement is made in this particular case and, in this particular instance, where the mechanism that would be in place for me this afternoon to put down a motion speaking against the Minister of Labour or questioning his behaviour in this Legislature is not in place, it is not possible, as I understand it at the present time, unless I have leave of the Government House Leader or the Government side or unless the Government House Leader will rise in his place and put down that motion. Then it becomes, of course, a government motion and it comes further up the Order Paper than would mine.

So I would say to Your Honour that I believe that the privileges of this House and the privileges of this Legislature have been broken in that there has been a statement made in this House which, in my opinion, is deliberately misleading. The statement itself is deliberately misleading. The Minister of Labour I say to you has given us information which, I believe, he knew to be false, he had to know to be false.

MR. SPEAKER:
Order, please!

MR. TULK:
I would ask Your Honour to -

MR. SPEAKER:
Order, please!

MR. TULK:
- at least, look, and see, and perhaps the hon. Government House Leader might rise in his place -

MR. SPEAKER:
Order, please!

The hon. member knows that he cannot state in his House that an hon. member gave misleading information. I ask the hon. member to withdraw.

MR. TULK:
What did you ask me to withdraw, Your Honour?

MR. SPEAKER:
To withdraw that the Minister of Labour gave deliberately misleading information.

MR. TULK:
Of course, I withdraw.

Let me say to you that I think he has knowingly given false information to this Legislature.

MR. PEACH:
You cannot say that.

SOME HON. MEMBERS:
Oh, oh!

MR. TOBIN:
That is shocking.

MR. TULK:
Mr. Speaker, I will withdraw that as well, and I will say to you that I believe we have an instance in this House today that cannot be dealt with under the normal proceedings that I have available to me. The proceeding is that I do want to question in the proper order the motives and what a certain minister of the Crown has

done to this Legislature and to the traditions of this Legislature. I do want that privilege and I believe as it stands now, as it stand immediately, that that mechanism is not available to me.

So I would ask Your Honour to look and see if that is the case, and I say to him, if the Government House Leader will not move the appropriate motion, please accept this as notice. When there is a blank space in the Order Paper, then indeed there will be a Private Members' motion put forward?

MR. OTTENHEIMER:
Mr. Speaker.

MR. SPEAKER:
The hon. the Government House Leader.

MR. OTTENHEIMER:
Mr. Speaker, if I cannot reply to that in 20 per cent of the time he has taken, then I will vacate my place. It is quite obvious that there is no prime facie case of a breach of privilege. It is an analogous to a case decided by Your Honour just a week or ten days ago. It is obviously that we are not going to give leave for government motions to such an effect, and really the whole thing is a waste of the time of the House. I would hope we could proceed, pass unanimously the resolution and get on with the rest of the Orders of the Day.

MR. SIMMONS:
Mr. Speaker.

MR. SPEAKER:
The hon. the Leader of the Opposition to that point of privilege.

MR. SIMMONS:
Mr. Speaker, just very quickly -

SOME HON. MEMBERS:
Oh, oh!

MR. SPEAKER:
Order, please!

MR. SIMMONS:
Mr. Speaker, there are two quick points here that should not be dismissed and I understand where the gentleman from Waterford - Kenmount is coming from, and he wants I am sure to minimize what has been said here, but there is a very serious issue. First of all, it is a matter that is clearly on the record, and it is not a matter of using phraseology that is unparliamentary, and I do not want to do that. My friend has withdrawn when he was directed to do so. But the point is this, Mr. Speaker, on the one hand, you have the minister saying there was a settlement, and the fact is that there is no settlement, and by his admission there is no settlement. Now both these facts -

MR. TULK:
And he said it on numerous occasions.

MR. SIMMONS:
- there is a settlement and there is not a settlement cannot be true. That is the point that my friend for Fogo (Mr. Tulk) is making that there is something at variance there and the onus is on the Minister of Labour to correct that matter.

The second point he makes is that our Standing Orders right now have a constraint in them, which I submit to the Government House Leader was never intended. Because as you see I want as a member of this House to put down

substantive matters. I do not think, Mr. Speaker, as a member of the House I ought to be bridled in my ability to put down substantive matters because I have to reserve a space in case I have to raise the matter of privilege somewhere down the road. I think they are two issues. They are two rights, Mr. Speaker, the right to bring substantive matters before this House on behalf of constituents, be it fishery or unemployment, and the right to ensure as a member of this House that our rights are protected, and there I am talking about the privilege issue. I think there are two sets of rights, one, the protection of procedural rights and the other is the protection of substantive rights. I submit to you that we should not have to trade off one for the other. Now, I am not suggesting that is a matter for the Chair. It is a matter for this House to resolve.

Under the second point I ask the indulgence of the minister to just focus on that one. It is a matter of the rights of Private Members. We might be able to come up with some solution because I do not think it was ever intended that one should be bartered away for the other.

Strictly to the point, I return to it, and it is that there are two statements here that are mutually contradictory and I do not believe they can stand. It is a question of the mechanism to resolve them. Now, the best mechanism, the most honourable mechanism would be for the Minister of Labour (Mr. Blanchard) to stand in the House and say, 'I was wrong and here is the right of it.'

MR. OTTENHEIMER:

Very briefly, Mr. Speaker.

MR. SPEAKER:

I am quite prepared to rule but I will just hear briefly the hon. the Government House Leader.

MR. OTTENHEIMER:

If the Speaker is ready to rule, I will save my eloquence.

MR. SPEAKER:

I think, as far as I can understand, both sides have agreed that the way to deal with this is by a substantive motion, that there is not a prima facie case of breach of privilege and that it is somewhat similar to the case that was ruled on some days ago. Now, if this substantive motion will be brought in and when is not a matter for the Chair to decide.

MR. SIMMONS:

A point of order, Mr. Speaker.

MR. SPEAKER:

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

MR. SIMMONS:

I will not take any more than a minute of the House.

I have just made the arguments and I know the gentleman from Waterford - Kenmount (Mr. Ottenheimer) understands the bind that the gentleman for Fogo (Mr. Tulk) is now in. He has given an indication to the House that he would like to put down a motion. He cannot do so because he has a motion on the Order Paper at this time. We have given notice that at such time as it becomes possible in the rules, we will do so anyway, but I ask the Government House Leader if he would just focus on the issue and perhaps he and the Opposition House Leader could see if there is a mechanism in fairness that would allow a member to have a motion

within the spirit of Private Members' Day items and a motion in the area of addressing privilege or order. I ask him to consider that. He need not respond now. Consider it to see if a mechanism can be found either by leave or by a change of the rules at the appropriate time.

MR. OTTENHEIMER:
Mr. Speaker.

MR. SPEAKER:
The hon. the Government House Leader.

MR. OTTENHEIMER:
Mr. Speaker, I prefer to reply to it now. Obviously I am willing to discuss practically anything but I am willing to reply to it now because I think parliamentary principles are quite clear here.

Procedure shows, in terms of the regular, if you wish, Private Members' motions, there may only be one by any member on the Order Paper at any one time. There is a way for a motion to gain precedence and that is the whole mechanism of the privilege motion because, when and if the Speaker rules that there has been a prima facie case of breach of privilege, immediately that takes precedence over Private Members' motions, government motions and legislation, but that is when it has been found there is a prima facie case of breach of privilege.

The Chair has found that there is no prima facie case of breach of privilege and I could not and would not give leave that the hon. member's private motion or Private Members' motion would be regarded as a privileged one. That would I think be to undermine the process. I think that would be a

radical departure and it would detract from the whole concept of privileged motion which, by its very nature, means it takes precedence over everything. I suppose it takes precedence perhaps over the Lieutenant-Governor if he is in reading the Speech from the Throne in a very real sense. So that would be, I think, a very, very radical departure.

MR. SIMMONS:
Just one more thing, Mr. Speaker.

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

MR. SIMMONS:
That, Mr. Speaker, is one interpretation and I agree with the minister that, by its very nature, privilege has a momentum all its own or a priority all its own. That is not the issue. If the gentleman from Waterford - Kenmount will recall a week or so ago, in ruling on a matter of privilege that I had raised, Mr. Speaker noted that I had proceed improperly. What I understand him to say in effect was that this is a matter of order. I am saying to you that the gentleman from Fogo could proceed on this one as a matter of order. The only thing that prevents him from doing so is not his conviction on the matter, but the rules of the House which constrain him on the issue. I am not suggesting that we in any way minimize the precedent of privilege in the House, what I am saying is that conundrum that he finds himself in is an unfair one because he has to trade off the matter of dealing with a question of order against a substantive matter affecting the fishery or some other issue. I say that is not a fair trade off and he ought

be able to do both. That is the matter I wanted the minister to take under advisement.

MR. OTTENHEIMER:
Mr. Speaker.

MR. SPEAKER:
The hon. the Government House Leader.

MR. OTTENHEIMER:
The hon. gentleman will have to wait until the rules permit him or a colleague to get a motion on the Order Paper.

MR. SPEAKER:
To that point of order. I think it was more a discussion than a point of order.

At this stage I would like to welcome to the galleries, Mr. Stewart Fillier, Mayor of the Town of Brighton in Green Bay.

SOME HON. MEMBERS:
Hear, hear!

Answers to Questions
for which Notice has been Given

MR. TOBIN:
Mr. Speaker.

MR. SPEAKER:
The hon. the member for Burin-Placentia West.

MR. TOBIN:
Mr. Speaker, I would like to table a response from the Premier to the member for Twillingate (Mr. W. Carter) as it relates to the executive stock option at FPI. I have copies, Mr. Speaker, for all the members of the House.

Petitions

MR. BAIRD:
Mr. Speaker.

MR. SPEAKER:
The hon. the member for Humber West.

SOME HON. MEMBERS:
Hear, hear!

MR. BAIRD:
Mr. Speaker, I have great pleasure in rising today to present a petition to this hon. House. It is addressed to the hon. House of Assembly, Newfoundland. The prayer of the petition read as follows: "We, the undersigned, residents of Corner Brook, Newfoundland, wish to voice our displeasure with the existing plan to begin the torch relay in St. John's, departing Newfoundland from Argentina.

"As Newfoundlanders and Canadians we want to share with all of Canada and be part of the Olympics by reaching out our hand to bring the torch to the Olympic site in Calgary. We want to share the flame."

Mr. Speaker, this petition has 275 names attached, all residents of Corner Brook. Further to that, there was an all-party resolution presented in this House of Assembly on March 18, some two weeks ago. The response to that and contacts that were made with various organizations that are involved to date, I am very sad to say, has been nil.

It is ironic that thirty-eight years ago, within six or eight hours from now, became a part of Confederation and we still have to fight, whether it is in sport, business or for dollars, we seem to have to fight and scratch to get our recognition as true

Canadians, which I think we all are.

Residents of the Corner Brook area are extremely upset. Other petitions have come from various parts of the Province, Mr. Speaker. Telexes were sent two weeks ago, one to the Chairman of the Olympic Committee; the Chairman of Petro-Canada, Mr. Hopper; and Mr. Jim Hunter, Chairman of Petro-Canada Torch Relay Committee. I am sad to say that up to this date there has been no response.

Mr. Speaker, when one considers the amount of time that the torch relay will take, and the fact that the beginning of it is to start in St. John's, Newfoundland and go to Argentina, I could understand maybe some problems if it were a late date in the middle of the schedule. However, the torch relay is not due to start until October 17, and I fail to see how one extra day spent throughout the Province of Newfoundland and Labrador could have any ill effects on the whole schedule.

I read just a short time ago that the Newfoundland Amateur Sports Federation made a proposal to change the schedule. There may be some problems that would have to be overcome but I think it was quite reasonable. If the will was there to do it, I am sure that we would be recognized as a people who have contributed, certainly in sports and with other aspects of this great country.

Mr. Speaker, I am sure that the other members of the House of Assembly, as we had an all-party resolution, will certainly support this petition. I would assume and hope that they have gotten letters off to the respective parties.

I am also in receipt of a letter from the City of Corner Brook whereby they are endorsing the position taken by the all-party resolution that all parts of Newfoundland and Labrador should indeed be recognized.

So, Mr. Speaker, I have no intention of letting go of the fight, like members opposite, and including my own colleagues. I think it is about damn time that we stood up and not just wait and wait and wait, maybe they will reply to us. I think we have got a position here that we have taken on it and I have no intention of stepping down until it is finished.

Thank you very much, Mr. Speaker.

MR. FUREY:
Mr. Speaker.

MR. HISCOCK:
A quorum call, Mr. Speaker.

MR. SPEAKER:
Call in the members.

Quorum

MR. SPEAKER:
Order, please!

There is a quorum present.

The hon. the member for St. Barbe.

MR. FUREY:
Mr. Speaker, I would like to rise on behalf of Her Majesty's Loyal Opposition and align ourselves with the comments made by the hon. the member for Humber West (Mr. Baird). He pointed out that it was kind of sad that nobody in mainland Canada took a good strong look at the unanimous resolution sent from this House and, indeed,

the letters and telegrams and support sent from individual members representing their districts in this Province.

It is kind of sad that nobody in mainland Canada took the time to initiate the process whereby the Province in its entirety could have been represented.

I know my colleague from Eagle River and my colleague from the great and historic district of Naskaupi argued vehemently and forcefully for Labrador representation with respect to the Torch Relay for the Olympics, but again we see that there is a kind of convoluted and twisted view or perception of what Canada is about, as seen through the eyes of some people who know nothing or very little about the great Province of Newfoundland and Labrador. Because, how can you make a decision that affects the entire country, from coast to coast, in something as symbolic and as unifying as the Olympics, when you start in St. John's and end in Argentinia? It just does not make sense, Mr. Speaker. It really does not.

Now, I could argue that the Great Northern Peninsula, which encompasses some 420 kilometers of road network, does not get equal representation. But I am not even arguing that, I am arguing the main body as outlined by the Trans-Canada Highway from coast to coast; from St. John's to Port aux Basques there is not even representation there, and, indeed, the other three-quarters of our Province, Labrador, much larger in actual physical geography, has no representation, Labrador is eliminated altogether. That is absolutely absurd, Mr. Speaker. It is outrageous, it is

scandalous, and absolutely uncalled for.

It is about time the federal minister, Mr. Jelinek, stood in and used the powers of his great office in Ottawa as federal Minister of Sport and Recreation for Canada, and that he, perhaps, give a little prod in the ribs to the organizers of the Olympics to ensure that there is equal representation from coast to coast.

On this historic day, where we mark the thirty-eighth year of our participation in the country called Canada, Newfoundland being the youngest cousin in this unified federation, I think it only fitting that all members get a telex off to these people who are running the Calgary Olympics to show once again that we mean business, that at least Labrador should have, in some way, shape or form, this historic Torch for sport reach its shores, Mr. Speaker. I ask and call upon all members to do that, and, indeed, the Speaker himself to do that.

Fair is fair. We are part of Canada. We are honoured to be part of Canada, and Canada should recognize symbolically that they should be honoured that we are part of that great Nation.

SOME HON. MEMBERS:

Hear, hear!

MR. SIMMS:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Forest Resources and Lands.

MR. SIMMS:

Mr. Speaker, I have spoken on this issue on a number of occasions in the past. Indeed, I had the

privilege of presenting the all-party resolution which was passed unanimously. I am delighted to see that petitions are still coming in. I had occasion to present two petitions in the House from my own constituency and general area in Central Newfoundland.

This particular petition, by the way, was sent to me from Corner Brook with no attached letter or anything, so I gave it to my colleague to present, the member for Humber West, who was delighted, and who had also spoken in support of this matter in the past. I know from glancing over the petition that a number of the petitioners have to be young people, because the petition was signed in a fitness centre over there. I think that is pretty important, because it is really the young people who want to participate in this torch relay.

Now, Mr. Speaker, as the member for Humber West and the member for St. Barbe (Mr. Furey) have said, there has to be an effort on the part of all members if we want to try to get this thing changed around. Now, I know a number of us have done a fair bit. Indeed, I have sent Telexes to all of the main players, at least those I consider to be the main players, the Chairman of Petro-Canada, Mr. Hopper, because it is Petro-Canada, a private corporation, which is sponsoring this torch relay not the federal government. It is Petro-Canada that is sponsoring this torch relay and I expressed some concern a couple of weeks ago about whether or not this is being done from purely a commercial point of view, from their point of view. So I sent a Telex to Mr. Hopper on March 18, two weeks ago, asking

him to use some influence in getting it changed. In addition to that, I spoke personally with Jim Hunter, Chairman of the Torch Relay Committee on behalf of the Olympics in Calgary, and he vowed to take the matter under consideration and to get back to me. I have not heard from him since, but I gather he was on CBC and indicated that he was not going to make a change in the route that has been planned.

But, Mr. Speaker, here is the nub of the situation: The torch relay is going to travel all across Canada for a number of days. I forget the total, it may be ninety days or something. The member for Windsor-Buchans (Mr. Flight) quite correctly pointed out that of that number fifty-odd days, I think it was, are being spent in Southern Ontario.

MR. FLIGHT:

Part of two in Newfoundland.

MR. SIMMS:

Well, really there is only one day being spent in Newfoundland, which is really the problem, and it is the first day of the relay. All we have asked, Mr. Speaker, is that the Committee add one additional day to give it two full days in Newfoundland, and take into consideration the proposed route that has been put together by the Provincial Newfoundland and Labrador Amateur Sports Federation, which would see that torch at least touched and carried in the major areas of the Province; we will say East, West, Central and Labrador. There is a part of the programme that would give it a chance to get to Labrador. It is a very well thought out proposed route that would require a little bit of ingenuity and thinking on the part

of the organizers, but I am sure they could overcome any possible difficulties if they consider that particular proposal by the Amateur Sports Federation.

So I trust that all members of the House and all members of all parties will consider seriously the suggestion by the member for St. Barbe (Mr. Furey), a suggestion which I made two weeks ago, that we all send a Telex to William Hopper, and to Jim Hunter, and to Otto Jelinek, and to the Chairman of the Calgary Olympics, Frank King, and to John Crosbie, and anybody else. I would love to see a Newfoundland MP raise it in the House of Commons, come to think of it. Now that just crosses my mind, and maybe we can all use some influence there.

I really think that if we fight it and put enough pressure on - I know Petro-Canada is burning over the issue. I know they are getting some bad publicity which they do not need - if we all took some initiative to do what has been suggested, maybe we might get those who are inflicted with Upper Canadian thinking to somehow take a look at Newfoundland for a change.

Thank you, Mr. Speaker.

Orders of the Day

MR. OTTENHEIMER:
Mr. Speaker.

MR. SPEAKER:
The hon. the Government House Leader.

MR. OTTENHEIMER:
Before calling the order of the day I will inform the hon. Leader

of the Opposition and the House members on both sides that we are in agreement with the resolution with respect to the recognition of Mr. Smallwood's contribution and certainly would feel that it can be unanimously endorsed by the House.

MR. SIMMONS:
Mr. Speaker.

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

MR. SIMMONS:
Mr. Speaker, I very deliberately did not read the wording earlier, you will recall, because I wanted to give the Government House Leader time to scrutinize it. We have made a change. The wording that I am now proposing has the concurrence of all three parties in the House, Mr. Speaker. Of course, for the record and because of the nature of the occasion, I think it is important that we at least read the resolution. It goes as follows:

I would like to move that:

WHEREAS the Hon. Joseph R. Smallwood was the person principally responsible for Newfoundland and Labrador's entry into Confederation; and

WHEREAS he has an unrivaled record of achievement in the public service of Newfoundland and Labrador; and

WHEREAS the Hon. Joseph R. Smallwood has, through his many published writings advanced the knowledge of Newfoundland and Labrador in a very signal manner; and

WHEREAS the Hon. Joseph R.

Smallwood enjoyed a long and distinguished career in this Chamber; and

WHEREAS the Hon. Joseph R. Smallwood is Newfoundland and Labrador's most distinguished contemporary native son;

BE IT THEREFORE RESOLVED in recognition of and in tribute to the Hon. Joseph R. Smallwood's many services to our Province and his contribution to the modern public life of Newfoundland and Labrador that this hon. House of Assembly unanimously salute his outstanding contribution to the political life of the Province and congratulates him on his achievements.

I had much pleasure in moving that, Mr. Speaker.

MR. SPEAKER:

The hon. the Government House Leader.

MR. OTTENHEIMER:

On behalf of the government, I second it. I think we can proceed to vote on it. I think agreement would be without debate. I think by its very nature it is something which would pass without debate.

I move the question.

MR. SPEAKER:

Order, please!

All those in favour of the resolution, 'Aye'.

SOME HON. MEMBERS:

Aye.

MR. SPEAKER:

All those against the resolution, 'Nay'.

On motion, resolution carried

unanimously.

MR. TULK:

Division, Mr. Speaker.

MR. SPEAKER:

Call in the members.

Division

MR. SPEAKER:

Order, please!

All those in favour of the resolution, please rise:

The hon. the Minister of Health (Dr. Twomey); the hon. the Minister of Fisheries (Mr. Rideout); the hon. the Minister of Transportation (Mr. Dawe); the hon. the Minister of Mines (Mr. Dinn); the hon. the Minister of Consumer Affairs and Communications (Mr. Russell); the hon. the President of the Council (Mr. Ottenheimer); the hon. the Minister of Forest Resources and Lands (Mr. Simms); the hon. the Minister of Public Works and Services (Mr. Young); the hon. the Minister of Education (Mr. Hearn); the hon. the Minister of Municipal Affairs (Mr. Doyle); the hon. the Minister of Social Services (Mr. Brett); Mr. Greening; Mr. Patterson; Mr. Tobin; Mr. Hodder; Mr. Morgan; Mr. Warren; Mr. Mitchell; Mr. Woodford; the hon. the Leader of the Opposition (Mr. Simmons); Mr. Hiscock; Mr. Flight; Mr. Tulk; Mr. Lush; Mr. W. Carter; Mr. Gilbert; Mr. Aylward; Mr. Baker; Mr. Furey; Mr. Kelland; Mr. Decker; Mr. Long.

MR. SPEAKER:

Order, please!

The resolution is carried unanimously by thirty-two votes.

SOME HON. MEMBERS:

Hear, hear!

MR. TULK:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Fogo.

MR. TULK:

If I could just express on behalf of the former, former Premier, the

-

AN HON. MEMBER:

The last Liberal Premier (inaudible).

MR. TULK:

The hon. gentleman can carry on his political partisanship all he wants, but I want to congratulate the Government House Leader and members of government who are of a different political stripe than was the former Premier, on their magnanimous gesture this evening to the only living Father of Confederation. Indeed, I am sure, if I can be so partisan, that the Liberal Party of Newfoundland and Labrador would express their gratitude to another political party in this Province as well.

MR. BARRY:

A point of order, Mr. Speaker.

MR. SPEAKER:

A point of order, the hon. the member for Mount Scio - Bell Island.

MR. BARRY:

I was called downstairs, unavoidably missing the vote, not realizing it was going to be called when I went down. I would just like to say that I associate myself fully with the sentiments expressed in the resolution.

MR. OTTENHEIMER:

Order 2.

On motion, that the House resolve itself into Committee of the Whole to consider certain Bills, Mr. Speaker, left the Chair.

Committee of the Whole

MR. CHAIRMAN:

Order, please!

A bill, "An Act To Amend The School Attendance Act, 1978". (Bill No. 5)

MR. CHAIRMAN:

Shall clause 1 carry?

MR. BARRY:

Mr. Chairman,

MR. CHAIRMAN:

The hon. the member for Mount Scio - Bell Island.

MR. BARRY:

On a matter relating to, incidentally, the process of education, Mr. Chairman, and without delaying it unduly, I would like to raise directly with the minister a point that I raised with him across the floor of the House not in debate yesterday. There is a problem which has been brought to my attention with respect to school busing of children and the operation of the school bus system. I mentioned it to the minister. I think initially it was raised with me by a private contractor on the Burin Peninsula last year who was having his operation terminated by virtue of the fact that the school board was taking over the busing of students in that area. I understand now that there are operators in other areas who are experiencing the same problem. I

think there is one down in Bay d' Espoir, for example, who has been informed that his operation will be terminating. Now, it comes about as a result of the payment procedure, where government will supply 100 per cent of the cost of a school bus operation if it is run directly by the school board but they will only pay 90 per cent of the cost of the operation if it is run by a private contractor. Now, I believe even hon. members and members of the Cabinet were not aware of that yesterday. I am sure they were aware of it at one time but it has been something that has not occurred to them. If members opposite believe in the free enterprise system, if members opposite believe that private operators can run school bus operations, or can run any business operation more efficiently than can government, and that is something that is fundamental to the free enterprise approach, one would have to ask why this policy is in effect. Why is there a difference in the amount that government will pay? Because it is a financial inducement to the school boards to remove it from the sphere of the private operator, the private entrepreneur. For the life of me, I have great difficulty in understanding how a school board can operate a fleet of buses and maintain them more efficiently than can a private operator. As you know, in many places around the Province it is a private operator who has a garage, say, for another aspect of business. They may, in some cases, have a different bus operation, a private commercial operation of which part is a school bus operation. How, in that situation, could a school board operate a garage and maintain a fleet of buses more efficiently or more cheaply than

could the private developer?

Now, I think this is a philosophical matter, but it is also a practical matter in terms of the cost that government is eventually going to have to incur. Philosophically I would submit to the minister and to members opposite that it is not right and proper for a party in power which professes to respect the free enterprise system to have financial arrangements in place that would take away from the free enterprise system. And unless there is some overriding consideration which I do not see, which has not been brought to my attention since I first raised this matter in the House of Assembly over a year ago, I would really like the minister to address this directly. Because what I see happening is, by a process of default by the school boards just naturally taking the course, even if they do not want to, which is going to see the highest financial return to them, they are going to eliminate private operators totally around the Province from this aspect of enterprise.

The minister may raise matters such as safety, the maintenance of buses in a safe fashion and so forth. Well, all of this can be done and should be done and will have to be done, in any event, by proper inspections and by proper regulations being in place as to the standards to be employed.

I would submit that this is something that the minister should take a hard look at, because I think that over the long term you are going to see the school boards looking to government for more and more money to run an operation which is not going to be as

efficient; it is going to be more costly than the operation that is in place now where you have private operators, in many cases as I say, being able to operate a garage for their own purposes and, at the same time, have school buses maintained in them. What you see about to happen now is school boards will have to go out and start up their own garages and hire people and put them in the garages, and that is not the business the school boards are in. A school board cannot run a garage as efficiently as can a private operator, and ultimately the taxpayer is going to end up paying more money for the operation of a school bus system as the result of government leaving that approach to the school bus function in place.

So I would ask the minister, will he address this matter so that we can let this bill go through? I will not belabour the point. I would really like to know why he has not changed it. Why did he not change it last year? And why will he not stand up and commit himself to changing it now so that at least, as the school boards would say in a free trade analogy, they are playing on a level playing field, that if they want to go to a private operator it will not cost them 10 per cent by taking that route, and leave it to the school boards, with all other things being equal, as to whether or not they should operate their own school bus system? But do not force them into it by paying them 10 per cent less than they would get if they were running the operation themselves.

MR. CHAIRMAN (Greening):

The hon. the Minister of Education.

MR. HEARN:

Thank you, Mr. Speaker.

The hon. gentleman has made a couple of very valid points in relation to bus transportation. However, I submit to him that the decision by boards to have their own buses and doing their own busing does not really hinge on the 10 per cent. It might be one of the deciding factors, but certainly not the chief factor involved. We have had two boards that I am aware of, in the last couple of years, which have actually - I suppose I should say four boards, because we have two boards in each area which have come together to form a joint operation which is something we like to see happen, whether that joint operation results in public tendering or in getting their own buses. We have been saying for quite some time that we have a fair amount of duplication in the Province, and despite the fact it is decreasing tremendously, there is still some which exists. One of the areas in which it exists is bus transportation. We have often heard the story of a bus from one denominational school going down one side of the street half filled and the another going up the other side of the street half filled in two areas in particular, the Burin Peninsula, which has been highlighted, and Corner Brook. Both these areas this past year came together and are now operating one system, which is a plus in every way around. If you talk to the boards and talk to PTAs and so on, you will find very few who disagree with board operated systems.

I realize, to a point, we can argue that we are infringing somewhat on private enterprise, but, on the other hand, of course, we still have X number of people

employed and what have you. The only difference is the profit factor. If you ask how can boards operate a little more cheaply, well, all other things being even, the profit that a private operator I presume would make - and I am sure nobody is going to operate a bus transportation system without making profit - that in turn is left with the board.

In my short stay in the department, at least, we have not approved any application to change from a private operated system to a school board operated system unless the board can convince us that they can save money. It would be foolish to approve a system, especially when boards are in dire financial straits, if it is going to cost them extra money. Now, the 10 per cent is a factor in that but certainly not a deciding factor.

Some of the other reasons: Just yesterday the member for Eagle River (Mr. Hiscock) talked about students who are bused from small areas to larger centers and cannot participate in any extra-curricular activities because they have to get on the bus to go back home again. That is a legitimate excuse. I mentioned to him that they had it against them both ways: the area in which they went to school originally, perhaps, was so small they could not afford to have the facilities necessary, then, when they were bused to a larger center, they had to get on the bus to go back home so they could not use the facilities there. However, with a board operated bus system there is a lot more flexibility. Quite often, too, boards use people such as janitorial staff, and so on, as bus drivers, providing, of course,

they are capable and competent, and they provide full-time employment instead of two part-time jobs or what have you.

So there are a number of factors involved. It is not as simple as it seems on the surface. There seems to be an inequity there which we will certainly look at, and, of course, to address anything in school transportation or school costs these days costs a lot of money. School bus transportation costs us around \$23 million a year.

The inspections that we instituted last year in conjunction with the Department of Transportation have certainly led to a greatly improved bus service out there. Many buses have been taken off the road, many others have been sent in for repairs etc., and that has alleviated some concerns. However, once again, because of the public tendering system and because people try to make as much money as possible in any kind of a job, there is always the tendency to operate as cheaply as possible. We have had complaints in the past, whether they were legitimate or not, of people who go to the Mainland, for instance, and buy a bus that has been taken off the road up there and put it into service down here - as I say, whether these complaints are legitimate or not is not for me to say at this stage - to compete against somebody who has a new bus, paying a high price, and it is the cheaper bus which operates on the road because the owner can come in with a lower bid. This is a concern. With the school board operated system, certainly much more attention is being paid to the age and the quality and condition of buses.

So there are advantages on both sides to the boards and to the parents, at least those I have talked to. They seem to think the board operated system probably is better and more secure right around. However, I think we also should keep in mind that there are only certain areas in the Province where this could be practical. There are many areas where we have small remote communities with buses stationed all over the place, and I think it would be very difficult for a board operated system to be able to maintain and properly control the buses. So the whole thing is something that is being studied further. We have seen several improvements this past year, and I am sure we will continue to improve the system.

MR. CHAIRMAN:

Shall the enacting clause carry?

MR. BAKER:

Mr. Chairman.

MR. CHAIRMAN:

The hon. the member for Gander.

MR. BAKER:

Thank you very much, Mr. Chairman. I was unavoidably absent from the House yesterday when the minister introduced the bill, and there are some comments I would like to make at this time.

First of all, I am very pleased that I have finally discovered something in this House that the minister does have some control over. He is going to change the school leaving age from fifteen to sixteen years. I read, with interest a few moments ago, the minister's speech in introducing this bill and I realize that this, on the surface, seems to be a rather minor piece of legislation,

a rather minor change. His main reason seems to be that the school leaving age of fifteen was a time where a lot of students would normally look at their lives and say, 'Okay, I am fifteen years old now, I can legally leave school, therefore I will,' and at that point there were a large number of dropouts and that by raising the school leaving age to sixteen you would delay that decision by at least a year.

Mr. Chairman, if this is the only reason for making the change, then it is not a very educationally progressive step. If the solution to our teenage dropouts is to raise the school leaving age one year or two years or three years - now it will certainly keep more students in high school - then I would suggest to the minister that it has to be taken in conjunction with a lot of other things, and I would like to name some of them.

First of all, I would suggest that the real solution to the lack of interest, or whatever, of high school students has to start with course offerings that, number one, are of interest to the students and, number two - this is very, very critical - course offerings that are within the capabilities of the students. We have a universal educational system and we are now requiring students to stay, when this bill passes, in school one year longer, all students. That is really what we are saying. If we are going to do that, then we should not make these students suffer. We should not make this a jail for them, we should make sure that there are courses offered that are within their capabilities.

The minister knows that there have been problems with high school

courses, and there still exist a lot of problems with high school courses for fifteen year olds and sixteen year olds. One of the problems is that so many of the courses offered in our reorganized high school programme are for the - how shall I put it? - average and above average students intellectually. There are not enough credits in the high school programme for students who have a problem in school, a problem learning or are a little bit slower to catch on than others. There are not enough courses in that high school programme for these students to graduate from high school. You can keep them there year after year repeating courses, the same thing over and over again, Mr. Chairman, but that is no good. That is absolutely no good. It is the worst thing in the world you can do. It creates not only problems for the students but problems for the schools.

So, before the minister brings in a bill to raise the legal school leaving age he should make sure that there is proper examination of this problem of adequate courses that the students we are now forcing to stay in school can grapple with and can handle, enough so that they can get credits year after year. Because it is no good to say, 'Well, all right, there are enough courses in the reorganized high school programme for a student in a large school, where they are offering lots of courses I might add, a student who has difficulty learning and is below average, can get twenty credits. But twenty credits is not good enough. That student must see in front of him the possibility of getting enough courses to graduate from high school with enough credits so that he can then go with his classmates

and get his diploma. I would suggest to the minister that that situation at present does not exist in high schools, even in the larger high schools that have a tremendously wide offering of courses.

Now, if we look at most of the schools in this Province, as the minister well knows, most of the schools that do not have the capability of offering a wide variety of courses, then that bottom 15 per cent or 20 per cent of the high school students are absolutely, totally, completely lost. Their time in school is torture, and to keep them in school, Mr. Chairman, one year longer, I would suggest to the minister, is cruel unless we can solve the other problem that I have been talking about for the last few minutes, unless we can offer a programme in all the schools that can retain the interest of all the students and is within the capabilities of all the students. So this particular bill is not as simple as it seems. Changing the word 'fifteen' to 'sixteen' is not as simple as it seems.

If, in fact, we are going to force students to stay in school longer when they might have decided that this is no longer their way of life and so on, we not only have to provide the extra courses and the quality of courses that suits them, but we have to provide more services. We have to provide more services for these students. I am thinking now in terms of the proper guidance services, which, in most cases in Newfoundland, are almost lacking; the proper advice and guidance services, and there are many other services as well, and I am going further down in the system now, in terms of speech

therapists and identification of a variety of handicaps and all this kind of thing, but I am talking now particularly of the high school, where the guidance area is one that is severely neglected.

Also, if we are going to keep these students in school longer, we have to develop the proper centres of learning; library facilities and the books that go along with it so that students' after school time and free time, if they might have any, can be spent properly, with something that is of particular interest to them. As the minister knows, once upon a time there used to be a grant earmarked for library services in the schools. I think it was \$8 a student, although I would have to think about that. And the minister is also aware that schools were not using the \$8 that was earmarked for library services and resource centre services in schools, they were using it to pay for heat and lights and everything else.

So, if there was not enough money to pay for heat and lights, then the obvious solution to that problem was to say to the schools and the school boards, "Look, you cannot use that \$8 per student for your heat and lights, that is designated for libraries. What we will do is we will provide extra money for heat and lights." Do you know what they have done? A couple or three years ago they actually went and changed the legislation so that now it is legal for the school boards to use that \$8 to pay for heat and lights.

Now, I mean, that was an educational decision made by this government. It was before this minister's time, I understand.

MR. TULK:

It was done by the great Minister of Justice?

MR. BAKER:

That is right. That is right. Before this minister's time those changes were made in the legislation. What a tremendous educational decision was made there, Mr. Chairman.

So we have to be careful about changing one word in the legislation without taking care of all the other problems that go along with it.

The problem of wider choices is one that has been brought to the attention of the Department of Education for a couple of years now. As I said at the beginning, Mr. Chairman, finally we have come to something the minister has control over.

This is something else the minister has control over. I know that the minister does not have control over which schools stay open in this Province. He does not have control over which small schools are going to be closed. He does not have control over where the money goes in the system. He really does not have control over where the construction money is spent, the capital money is spent. He has very little control over anything. Once he takes his allocation from the Treasury Board and distributes it to the DECs he then washes his hands of it all and says, 'I have no control over that, somebody else has.'

He is a good minister, I will say that. He is a good minister and I wish he had control over it. He has no control over it, he washes his hands and says, 'This is not

my jurisdiction.'

Even when we talked about the hiring policy the other day in terms of out-of-Province teachers he said, 'Well, that is not my responsibility. It is the NTA's and they have something in their collective agreement which covers that.' In actual fact they do not. There is a clause there as the minister knows, a rather weak clause, which gives the NTA the right to be informed and they can go through a grievance procedure. I know the whole story. If a teacher grieves, then they go through a grievance procedure and they can ask the school board to account for their declaring that a Newfoundland teacher was unsuitable for a position. I understand that. But, I mean, if a school board in St. John's hires from outside the Province, how can a teacher in Gander know about it? Nobody knows about it.

Anyway, that is another issue altogether, Mr. Chairman, which I do not want to get into in detail now. But the minister knows what I am talking about and he knows that there is a weakness here. I hope he will look at it and I hope he will correct it.

The minister, not of his own doing, does not have control over very much, but what he does have control over is a lot of the content - he does not have complete control over that, I will inform my friend from Fogo. As a matter of fact, he does not really have control over what is compulsory in the high school system. He does not even have control over what the students must learn. The Department of Education sets certain regulations with regard to graduation, but it is the local school board which

has the final decision on telling the students what courses they must do, what are compulsory. So the minister really does not have control over that either. But he has control over course development. He has control over whether courses will be developed which are within the capabilities of the students who have difficulty in school. He has control over that. He has control - well, I do not know. I was going to say something there, Mr. Chairman, that I do not know if I should say. I was going to say, Mr. Chairman, that he has control over how teachers are allocated in the Province, the number of teachers the boards are allowed to hire, but I would suggest that perhaps the minister quite often gets overruled by Treasury Board on that. I understand that quite recently he got overruled on a very sensible request he made.

Let me put it this way, Mr. Chairman, the minister should have control over the number of teachers allocated within the school system. Mr. Chairman, one of those days perhaps he will. But at least he has control over curriculum, and I would suggest to the minister that he not treat this lightly, as he seemed to do in his introduction: 'This seems to be a minor amendment. It is only one word.' Then he does point out, 'it might have major repercussions.' I am just pointing out the most major repercussion to the minister.

I would suggest that he seriously look at the curriculum within the high schools of the Province for the fifteen and sixteen year olds, in that area, the beginning of senior high school years, and that he seriously look at that curriculum with a view to using

the curriculum, and using the course offering, and using the special services offered by schools to try to keep people in school, rather than legislate that they be kept in school. The simple fact that you legislate is certainly not good enough.

Thank you, Mr. Chairman.

MR. TULK:
Mr. Chairman.

MR. CHAIRMAN (Mitchell):
The hon. the member for Fogo.

MR. TULK:
Mr. Chairman, on this bill, I really had not intended to say anything about it, but there is something in this Province which I brought to the attention of the former Minister of Education, and I do not know whether my friend for Gander (Mr. Baker) discussed it or not. Perhaps he might not even want me to discuss it, but I have a concern as a former school supervising principal in the Province, who was responsible for some seven -

MR. SIMMS:
(Inaudible) in politics.

MR. TULK:
Mr. Chairman, could you keep the former Speaker quiet down there?

MR. CHAIRMAN:
Order, please!

MR. TULK:
He is talking about our leadership convention, and I always get frightened to death when I hear people talking about that because I have to pick the right choice.

Mr. Chairman, I want to address something to the Minister of Education (Mr. Hearn) concerning

the structure of school boards in the Province. I know that the former Minister of Education tried to make some changes by saying that at least two-thirds of them should be elected. But more than about how people are elected, I am more concerned about the control that I believe that Superintendents of Education have over school boards and just what goes on in our schools. I say that with all due respect and without taking away from any particular superintendent, although I do have a few choice ones in mind that I might like to point out to the minister privately.

Now, I know he was not the Minister of Education at the time, and I know it was a good Liberal who wrote the Royal Commission, or at least he was suppose to be a good Liberal, that brought in the Ontario model of education into this Province. Basically that is what the Royal Commission on Education some years ago did in Newfoundland. It changed our basic structure of education in terms of school boards into the Ontario model. But I do have a concern because it seems to me many of the superintendents in this Province have the capability - I want to get the minister's attention. The Minister of Forest Resources and Lands (Mr. Simms) should look after his budworms.

MR. SIMMS:
Unlike the hon. member, I can hear.

MR. TULK:
He can chew gum and walk at the same time. That is more than the Minister of Forest Resources and Lands can do.

MR. SIMMS:
It is very boring.

MR. CHAIRMAN:
Order, please!

MR. TULK:
It is very boring, but it is very informative for the hon. gentleman. I would not expect you to understand it, because the most you understand is taking the legs off a few budworms and going out and spraying all over the Province. I would say to the hon. minister that what he should do, Mr. Chairman, is go out and spray himself all over the Province and cut his forty-one vote majority down to fourteen. Spray himself all over the place, I say, spray himself out of a gun, if nothing else, shoot himself out of a canon, and put some holes in the rocks with his head.

Mr. Chairman, what I want to say to the Minister of Education is I believe that we are seeing develop in the Province thirty-five or forty-five little empires. Really the Minister of Education has very little control, as the member for Gander was saying. I do not say that to him in a personal sense or on the basis of his own competence, but what you have developing -

AN HON. MEMBER:
(Inaudible).

MR. TULK:
Well, Mr. Chairman, I am going to have to ask you to translate, write it down and take it down to the hon. gentleman, because we just had the old patronage dealer walk in in front of the Minister of Education, so I will have to talk to the Chairman and ask him if he will write it down and take it down to the Minister of Education. I do not think he wants to hear what I am saying.

MR. CHAIRMAN:
Order, please!

MR. BAKER:
He is not going to stand anyway.

MR. TULK:
I know he wants to hear.

My concern is, and I bring it up to the Minister of Education again and I am going to leave it at that point, that I think many of the superintendents in this Province, because they have control of many of the board members and how they are appointed and the election process and so on, and they have control, of course, over the professional people that come directly under their control as the chief executive officers of the boards. So what we are seeing in Newfoundland is the removal, I think you can name a number of instances where this is happening. In my own community, for example, the communities of Ladle Cove and Aspen Cove, a decision was forced upon the people of those two communities that they did not want to live with, but yet it was forced upon them. What you are seeing is a superintendent, because he has all of the information and because the school boards are not as strong as we would like to see them in this Province, with all due respect to them again, but what you are seeing are those little empires being built where really the superintendent becomes not only the chief executive officer, but he becomes the director of education as well. That, I say to him, is a dangerous situation because if education is to be anything in a democracy then it, itself, must be democratic. There must be, I believe, a community-based education system. I do not see that happening in

this Province. As a matter of fact I see authority for education in the Province and decision making for education in the Province being removed from the Department of Education and taken to another level but perhaps far more undemocratic than it was when I went to school with ten classes in one room. I do not believe that the process at the community level is as democratic now as it was at that point.

Of course, the minister knows what I am talking about. We discussed it before. I would like the minister, when he stands in his place, to perhaps share his concerns that I know he has with that process. Tell us that indeed, as the member for Gander (Mr. Baker) says, not only does the Minister of Education (Mr. Hearn) have no control over most things, you could almost have a computer pass out the few dollars that is passed out in the Department of Education and that would be it, that is about the extent of the control that the minister has. When we bring in the budget next week, this will be the Minister of Education's job and that will be it for the year, that will be his final job.

He will pick up the estimates and he will see - and he is being told how much he can spend on that - but he will pick up the budget estimates and he will go through it and he will say, 'I got \$450 million of \$500 million to spend on education and this much goes here.' He does not get that chance because really that is decided in the budget and in the estimates by the Minister of Finance (Dr. Collins) and Treasury Board. So all the minister can be, really - and he is very good at it - all he be is just an

ombudsman or an ambassador from the Department of Education to the NTA, to the school boards and to some of the teachers in the Province.

I suppose his prime job is to get on television, look good, sound good and say nothing, make no decisions, just look good, sound good and say nothing. The hon. gentleman knows his looks are not going sell him. Rostotski will have to spend months to do anything with the hon. gentleman but that is not his fault, he cannot help it, he ws born like that.

MR. BAKER:

Make him the Minister of Forest Resources and Lands.

MR. TULK:

The Minister of Forest Resources and Lands, no, no. He has had every hair style that is possible in Newfoundland and still he comes across, you know, the picture that you get of the Minister of Forest Resources and Lands is like that of a bulldog. A bulldog with different hair styles.

MR. SIMMS:

The Incredible Tulk.

MR. TULK:

The Incredible Tulk, yes, and it could have been Hulk, no problem.

MR. SIMMS:

It is Hulk.

MR. TULK:

The hon. gentleman comes across like a bulldog with several hair styles.

MR. SIMMS:

Mr. Chairman, what has that got to do with this important education bill?

MR. CHAIRMAN:
Order, please!

MR. TULK:
It is very important because we are saying that we want a Minister of Education that fulfills the role that is designed -

MR. TOBIN:
We have got the best Minister of Education.

MR. TULK:
I got very few disagreements with the hon. gentleman but the problem is, as I was telling him, although the Minister of Education is a very competent fellow, there is no doubt about that, but the problem is that he got a department, as the member for Gander told him and as I am in the process of telling him about school boards and superintendents in the Province, he has got a department where he has got no control. He has got no control, no decision making ability and all his job really is is to look good, sound good - he failed on the first one, but he does sound good - look good and sound good and not even divvy up the cash any more. He has got to look good, sound good to the NTA and to a few teachers and a few superintendents in the Province. That is where it ends. He has been a fairly good ombudsman, he has been a fairly ambassador, but I say to him it is about time -

MR. TOBIN:
I was talking to a teacher there who said she loves him.

MR. TULK:
Oh, my, Mr. Chairman, take the member for Burin - Placentia West. I am trying to make a point. He grates on my nerves. Get him out of here. He is always at it.

MR. CHAIRMAN:
Could we have order, please? The hon. gentleman is trying to make a point.

MR. TULK:
Now, that is once. I am soon going to do as the former member for LaPoile did to the hon. gentleman one time and see how many times the Chairman will call him to order. You have done it once, Mr. Chairman, and we will just see how many times the gentleman is going to show his lack of parliamentary sense and go on in the way that he is going.

Mr. Chairman, I was making a point -

MR. TOBIN:
You did not show much parliamentary sense when you knifed your leader.

MR. CHAIRMAN:
Can we have order, please?

MR. TULK:
Twice. How many times does he have to put you down to get you down?

MR. TOBIN:
Time is up.

MR. TULK:
There he goes again.

MR. CHAIRMAN:
Can we have order, please? The hon. the gentleman from Fogo is trying to make a speech in the House. I think that we should give him the courtesy of hearing him. Could we have order, please?

MR. TULK:
Mr. Chairman, I say to the Minister of Education that I would like, in particular, for him to address the issue of where he

believes the structure of education at the board level in this Province is taking us, whether he believes it is going to give us a better educational system, whether the children that go to school all over the Province are going to have the kind of educational system, and whether indeed the parents -

MR. TOBIN:
(Inaudible).

MR. TULK:
The member for Burin - Placentia West (Mr. Tobin) is interrupting my little conversation I am trying to have with the minister again to make some sense. When he cannot do it one way, he will do it another. That is all right, Mr. Chairman. Whether, indeed, the parents of those children are going to have some say about the type of education that their children get.

Now, I will give the minister an example. In 1982, the superintendent of the Terra Nova Integrated School Board decided that he was going to eventually close down, but that he was going to start busing kids initially between Ladle Cove and Aspen Cove. He was going to take my daughter, when she was in Kindergarten, and bus her three miles to Aspen Cove, take a Grade I and bus them three miles to Ladle cove, so that he could have some sort of system - and it was my former school system, which I was very proud of because those two schools were two of the best schools, in spite of the fact that they were two room schools. They had good teachers, small classes, and they were good schools. But this gentleman, for administrative purposes, and, of course, to build his own little empire, I believe -

I would name him as I did in front of his face - believed that he had to have those buses crisscrossing, Kindergartens, Grade I's, Grade II's, Grade III's, Grade IV's and Grade V's, in order for the kids in those two communities to get a good education.

I can tell you that the went through the process. I have had my daughters go through that school system and they were doing very well indeed before he made the changes. They did very well afterwards. I have got my son now going through the same school system where he is doing no better, and I know that the rest of the kids in that area are doing no better. We see little administrative changes to that system. It is supposedly more efficient. Not more effective, mind you, but more efficient for that superintendent to carry on his own little dreams.

I ask the minister, when he gets up to reply, as I know he will, to the member for Gander and to myself, to address the questions of control, as the member for Gander so well put in front of him, that he does not have, and then to address this issue of just what is happening at the school board level to the structure of education and just how much say the communities that are affected by the educational system have in the type of education that their children are getting.

MR. EFFORD:
Mr. Chairman.

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

MR. EFFORD:
Thank you, Mr. Chairman.

Unlike my colleague from Fogo, I am not going to start attacking the Minister of Education. I have a couple of suggestions and a couple of points that I want to make because I think it is very important that each of us have an opportunity to express our views on the educational system at this time in the House of Assembly. When we get the time to do that, we should be allowed the courtesy without interruption from hon. members opposite.

Taking into consideration that the young people of today are, I would say, the most productive and the most natural resource of our future, it is very important that we take an attitude towards correcting the system by taking each others advice.

One of the things I recognized when I was going around during Education Week, Mr. Chairman - I spoke at several schools - was that in rural Newfoundland, especially in some of the smaller outports, you have to recognize the ability of the students and their inability in the conditions that they have to work under.

One example is one school in an area out in Bay Roberts, an amalgamated school that teaches up to a Grade VIII or Grade IX level of education. The classrooms in that particular school, Mr. Chairman, are absolutely unbelievable, especially for the year 1987. The schools are over crowded, the schools are outdated, the facilities in the school are, I would say without exaggeration, forty to fifty years behind the times. It is only what you would expect some forty to fifty years ago. But one of the things I noted and some of the comments that we got from the students and

from the teachers themselves was the little amount of money that the schools had per student per year to work with. In fact a sum of money was quoted to me. It was in the area of approximately \$3 per student per year they were allowed for supplies in an elementary school. That was going to things like scotch tape, glues and essential things that a student needs for his day to day work in a classroom.

Finances certainly play an important part in every government's administration and especially in this day and age. We all recognize that there has to be restraints put into areas where government have to curb and cut back, but there are two areas where I totally disagree with cutting back as much as we are and one of those is in the education. The other is in the health system.

The other major problem that I can recognize and have recognized from what many people have come forward to say is the parents ability to keep or to advise their children to stay in school. This is a recognizable fact all over the Province, not only in rural Newfoundland, but in the cities. In the social sector, a lot of the people whom we know, or the greater percentage of Newfoundlanders are from a generation which was educated probably to an average of Grade V, I am not sure, or Grade VI. They themselves are not in the position or probably are not knowledgeable enough to encourage their children to stay in school and that is one of the reasons we tend to get a lot of drop outs in rural Newfoundland.

There are many areas where we can overcome this without spending a

lot of money. One of the things is, we already have guidance councillors involved in our schools, but we also have in the Department of Social Services a lot of social workers whom I think, if the time was taken by those people to themselves put on some kind of a programme to talk to the parents of the children who are in this particular position, it would help. We have a great, great many families, scattered all over Newfoundland, who do not and have not got the ability to explain to their children that they do need an education. This is the only way that the students can get out of the Social Service environment in which they are living, and the ten week syndrome. Once they get into the work force, they go to the Social Services Department and you are allowed to go on Social Services or a make-work ten week job. Those families have to be educated to the point where they must understand that there is a way out of this system.

If our Department of Social Services social workers took more time in counselling those families than they are in the day to day routine of just getting their financial positions straightened out, and even to the point of not only counselling them in education but also in counselling them in their financial expenditures, I would see a generation down the road, ten, fifteen, twenty years, the next generation, where we could greatly cut back on the cost of our social services. One of the major problems behind why we have so many people walking around today, youth, not employed, is because of their inability or their lack of training. It starts right down at the lower levels in the schools.

I know one particular area in my district where children are dropping out of school with Grade IV or Grade V education and they are never forced or never encouraged by their parents to complete their education. This is not done intentionally. This is just done because of the lack of the parents understanding of the education system and the understanding of what the future means without an education.

So this is one of the points I wanted to make to the Minister of Education. Not only is there a need for counselling the students, but there is also a need for counselling the parents in those particular areas. They must inform their children and must put special emphasis on education so as to encourage their children to stay in school at all times.

I think my colleague for Gander (Mr. Baker) wants to speak so I will just ask the Minister of Education if possibly in the future he could take this under consideration and make some steps to improve that area.

MR. BAKER:
Mr. Speaker.

MR. CHAIRMAN (Mitchell):
The hon. the member for Gander.

MR. BAKER:
Thank you, Mr. Chairman.

Before I begin my comments I would like to say that you are doing a remarkable job in the Chair. I commented once before when I got up to speak. You had been in the Chair but the member for Terra Nova (Mr. Greening) was back in his place so I pointed out to him that he had better be very careful because you were coming up behind

him. I warned him that he might be replaced. I would like to say to you that you are doing a marvelous job in the Chair and I am glad to see you there. The member for Terra Nova, of course, also does a wonderful job, but it is good to see competition between hon members for the Chairman's job.

The Minister of Education, I know, has an awful lot of notes there, a lot of things, I understand, he will respond to. There are a few other matters, Mr. Chairman, that I would like to bring up.

The changing of the school leaving age has implications in a lot of areas of the Province. I pointed out to the minister when I spoke previously that one of the problems was in the smaller high schools and it brought to mind the fact that the minister has had for quite some time now, a small school study. I understand as well that the minister has also sent out, or somebody from the department, to the school boards, or superintendents, well, perhaps it is the Minister of Education who has told school boards that there are areas where they have to cut back a certain number of teachers this coming year. There was an article in the paper from the Roman Catholic School Board of St. John's which pointed out that they have been told that they have to cut back ten teachers and they had a choice to make between cutting services and increasing already overcrowded classrooms.

The point that I want to make, Mr. Minister, and it is through you, Mr. Chairman, is that this is the time of the year when staffing decisions are being made in all the schools of this Province, now, not three or four months down the road, but right now. As a matter

of fact in high schools right now they are making their decisions on course offerings for next year or already have them made.

If school boards are to make decisions regarding the schools that they control for next September, they obviously must know at this point what the minister is going to recommend and what he is suggesting with regard to the small schools of the Province. He has a number of options. The minister, as I pointed out earlier, cannot designate that certain schools stay open. That is the job of the school board. He cannot tell the school board how to designate staff. That is their job and he has no business telling them, apparently.

However, he can make certain recommendations. He can say to school boards, Look, because you have ten small schools in your district, if you provide these extra services for these small schools and try to make them viable, then on that basis we will provide extra teachers.' That is one thing he can do. He can suggest to school boards how he will respond if they, in fact, try to make necessary changes in the small schools of this Province. He can suggest to boards that instead of closing down a school in Main Point, Davidsville or somewhere like that, that he will, if the board keeps the school open, provide some extra funds as well as extra teacher help to keep that school open and to make that school effective. He can suggest all those things.

In his consideration of his small school study I am sure that a number of these options are discussed. I am sure that the

committee which made recommendations with regard to small schools in this Province have discussed a lot of those factors in terms of changing curriculum and in terms of extra teachers. I am also certain, and this is where I cannot quite understand the approach that the minister is taking, I also understand that the minister has discussed a lot of the recommendations in the small schools study with the superintendents and with a lot of people in the various school board areas, and that, in fact, there are hundreds of people that have either some or all of the recommendations.

I asked the minister on a couple of different occasions in the House. I am sorry, I believe I asked him on one occasion. On another occasion, he was absent and the Minister of Finance (Dr. Collins), I believe, handled the question for him. I asked him about the small schools study and the fact that we would like the study tabled in the House and so on.

The minister has refused to do that. My problem is simply if he is willing to discuss the recommendations with many other people throughout the Province, then why will he not provide copies of that small schools study to the House, as I requested in Question Period?

All right, the minister will have his say. I hope the minister is not suggesting that during Question Period he was simply playing games with the House, and that the Minister of Finance, who promised to check into the matter for me with the Minister of Education (Mr. Hearn) when he was

absent, that he was playing games with this House.

MR. TULK:

I suppose that is another one of them misleading the House now is it?

MR. BAKER:

I would not be very happy if, in fact, these games were being played. I had thought the minister was a little more straightforward than that and a little more careful with - oh, it was the Minister of Intergovernmental Affairs who gave the answer, I believe. Oh no, the Government House Leader (Mr. Ottenheimer), that is what he is now. I think it was the Government House Leader who gave that answer that day. He was going to check with you and see when copies would be available and so on. I would hate to think that the minister is simply playing little games with this small schools study, and that he will provide copies to the House. It is something that was paid for by the House and I think he owes it to the House to provide these copies to us so that we can have a look at what the recommendations are and all of the recommendations and then made decisions on them.

I would like to adjourn the debate, Mr. Chairman.

MR. SIMMS:

Order 3.

A bill, "An Act To Amend The Newfoundland Standard Time Act". (Bill No. 14).

Motion, that the Committee report having passed the bill without amendment, carried.

MR. SIMMS:

Back to Order 2.

MR. CHAIRMAN:

The hon. the member for Gander adjourned the debate.

The hon. the member for Gander.

MR. BAKER:

Thank you, Mr. Chairman. I understand we are continuing on with the same order that we left previously.

MR. TULK:

There is a bit of collusion there.

MR. BAKER:

Yes, a little bit of collusion. Thank you very much, Mr. House Leader.

I was concluding my comments on the small schools study, Mr. Chairman, if you remember, and the fact that it seemed to me that there were some games being played for the last couple of months. I hope the minister now would change his mind and release copies of the study to the House as he should have a couple of months ago.

I have a number of other comments, Mr. Chairman, but I would really like to hear the minister's response to a number of these items. I do not want to load up his paper there and he only has a certain amount of time. I know he has a lot of points that he has to respond to. So I would really like to hear the minister's response in terms of the points raised about the changing of fifteen to sixteen in this piece of legislation.

MR. HEARN:

Mr. Chairman.

MR. CHAIRMAN (Mitchell):

The hon. the Minister of Education.

MR. HEARN:

Mr. Chairman, I will certainly also take the opportunity to congratulate you on the way you have handled yourself in the Chair. I am very impressed. In fact, you impressed me much more than the gentlemen opposite. It is no wonder that nobody wants to lead them.

I heard, just a short while ago - I do not know how true it is but maybe one of the gentlemen can confirm it for the House - that a federal representative who came here yesterday with the intention of running came in and he sat over there. After observing the gentlemen opposite for an afternoon, just decided it was not for him. He is going to get out. That may or may not be factual, but we will find out tonight.

MR. TULK:

A point of order, Mr. Chairman.

MR. CHAIRMAN:

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

MR. TULK:

That just goes to show how informed the hon. gentleman is again. He should know that, unlike his colleagues on the other side, the MP for Burin - St. George's (Mr. Tobin) does not necessarily run off at the mouth as soon as he has made his decision. He should know that he made the decision a week ago before that happened. So the hon. gentleman is as ill-informed about that as he is about education in the Province.

MR. HEARN:

Mr. Chairman, I do not think there is a point of order there.

MR. CHAIRMAN:

There is no point of order.

MR. HEARN:

I only said I had heard it. Of course, knowing the hon. gentlemen over there and how confident they are, I did not believe it for a minute. Anyway, we have more important things to do.

SOME HON. MEMBERS:

Oh, oh!

MR. CHAIRMAN:

Order, please! Could we have order?

The hon. Minister of Education is speaking.

MR. HEARN:

Thank you, Mr. Chairman.

First of all I will start at the last list of accusations from the member for Gander. In relation to the small schools study, the hon. member should remember that the small schools study initiated last year by our department was an internal study, done for the purpose of looking for possible solutions to some of the problems faced by schools in the Province and by the teachers and students and parents associated with such schools.

The final report was not submitted to my department until the end of January. At that time we took it under assessment. We assessed it for financial implications, etc. Then we distributed, a short time ago, copies of the report to the various school boards throughout the Province and the other educational agencies. I have personally discussed the report, since it went out, with some of the boards and even, just recently, with a number of other educational agencies, including

the Newfoundland Teachers' Association. We were told yesterday by another hon. member that they did not have a copy which was certainly not correct.

As I said in the beginning, we have no objections at all with making the report public but I did not think it would be proper to make the report public until we passed it on to the different agencies and gave them a chance to assess it, because they might be getting calls quickly from parents, etc., saying, 'The report recommends such a thing. Does that mean our school closes?' It is only a report listing recommendations, good ones and perhaps ones that may be not so good. That will depend upon how they are assessed. Of course, it depends on what will happen in the future as to how many will be implemented. In the meantime, the report has been circulated to all educational agencies and, in a few days time, we will make the report public. I suppose we could say it is public now because school boards are representative of all the members opposite as well as all the people in the Province and they have copies of the report. So, what we have said about the report all along still holds true. The hon. member can get his copy anytime at all.

The other point he mentioned, which I covered yesterday and I will cover again for his sake, was the item in The Telegram, I believe, Wednesday or Thursday last, that dealt with cutbacks. The statement - I tabled it yesterday in the House, in fact, - if I remember correctly, stated, "The St. John's Roman Catholic School Board has been told to cut back ten teachers," whatever, "because of a cut in the budget of

the Department of Education." That is certainly not factual in any way because any cuts or any additions to the Education budget has nothing to do with the allocation of teachers to the St. John's School Board or any other school board in the Province. Teachers are allocated on a certain formula, twenty-three to one, plus other allocations for small schools and Special Ed., etc., to the point where we have a teacher out there for every 16.7 - that was last year, it is a bit better now - 16.7 students in the Province. There is a teacher allocated and a teacher salary provided for, on average, every 16.7 students.

As our school population has been decreasing over the years, our teacher population has been increasing significantly. Now, as the school population continues to decline, we can only continue to keep putting so many teachers into the system. Undoubtedly there is going to come a time when the teacher population also declines somewhat. We are very cognizant of that and we realize that there are needs out there yet. We will be taking steps, Mr. Chairman, to try to address these needs as responsibly as possible.

Having said that, I will address a point raised by the member for Fogo (Mr. Tulk) when he talked about the superintendents and the local school boards. I would suggest to him that perhaps it is much better for boards to be making certain decisions at a local level than somebody situated in Confederation Building or some other building in St. John's, who is removed from the scene.

MR. TULK:
A point of order, Mr. Chairman.

MR. CHAIRMAN:
A point of order, the hon. the member for Fogo.

MR. TULK:
Perhaps the hon. gentleman does not understand what I am saying, because I would not suspect that the hon. gentleman would twist it just for the politics.

MR. BAKER:
Oh, no.

MR. TULK:
You mean he has gone downhill too.

MR. BAKER:
Oh, yes.

MR. TULK:
What I want to say to the hon. gentleman is I recognize fully that a decision should be made at a lower level and what I am saying to him is that while all the authority has been taken from the hon. gentleman's department, it has come this far and yet the ability to participate from down has is come up here, so what you have is a meeting in the middle and really there is perhaps less local participation in education now than there was ten to fifteen years ago.

I would ask the hon. gentleman not to play any politics with it at all. It is a very serious matter.

MR. CHAIRMAN:
The hon. the Minister of Education.

MR. HEARN:
To the point of order, Mr. Chairman, there is no point of order.

MR. CHAIRMAN:
There is no point of order, just a difference of perspective between two hon. gentlemen.

MR. HEARN:

Mr. Chairman, really, I did not mean to accuse the hon. gentleman of saying that boards should not have local autonomy because everybody knows, especially in a Province like Newfoundland, we are so remote and so far removed from the centre of decision making usually, the more decision making we have at the local level, the better it is. Nothing has been taken from us in relation to power or jurisdiction or decision making, we have given it to the various groups and agencies who have handled it very responsibly. Two-thirds of the schools boards at least now are elected by the very people in the areas concerned to make decisions which they best know about.

The position of the superintendent was certainly questioned and I am certainly not twisting anything here, in fact the hon. member said that the superintendent possibly interferes with the people who are elected or appointed to boards.

MR. TULK:

That is right.

MR. HEARN:

That is a very unwise statement perhaps to make because a superintendent is only an employee of a board and is directed by the board.

Now one might question, does the board run the superintendent or the superintendent run the board? This is what the hon. member was asking.

MR. TULK:

The superintendent is running the board in many cases.

MR. CHAIRMAN:

Order, please!

MR. HEARN:

That is certainly the opinion expressed by the hon. gentleman from Fogo when he said the superintendent is running the board. I would suggest to you that the boards elected out there, one-third appointed, two-thirds elected, would not feel very good if they were being told by anybody, especially the hon. the member for Fogo, that they were being manipulated by a member of their professional paid staff.

MR. TULK:

I will be quite frank with you, I have no hesitation in telling them, unlike the hon. gentleman.

MR. CHAIRMAN:

Order, please!

MR. HEARN:

I have visited most of the boards in the Province this year and, I must say, especially since we have gone to the two-thirds elected, we have some very high caliber boards out there, many of whom will take a back seat to nobody when it comes to decision-making.

However, some of the other points made: The member for Port de Grave talked about the conditions of schools that he visited. I would suggest to him that perhaps he was invited to certain schools, as he has been invited to certain other social institutions, for a specific purpose. Because if one travels our Province these days, it is much harder to find an overcrowded, poorly conditioned school than it is to find a modern, well-ventilated, well-regulated facility. With the amount of money, \$20 million a year, going into school construction for the past number of years, we are certainly catching up in relation to the

condition of our schools and facilities throughout the Province. We are very, very proud of how far we have come in that area and, of course, we intend to go on from there.

Getting back to the member for Gander's original points I must say his first point about course offerings, not a large number of courses being available to small schools and so on, I have to agree with wholeheartedly. Certainly his statements are a vindication of what we are trying to do within the department. We are very, very conscious of the fact that we must introduce courses to encourage people to stay in school, more relevant courses, more practical courses. The Throne Speech, I think, indicated that we are looking at new initiatives in that direction.

In relation to courses for the average or below average student, we are also aware of that. Just recently I had some discussions on that very topic. We have to provide, within our curriculum, courses which are relevant for all students who come through the school system. I certainly agree with him on that, because that is a direction in which we are already headed.

Services provided: Guidance and librarians, etc., are very important components in the educational system, and once again we are very much aware of it. In discussions just this morning we covered a number of those topics and, as I say, once we become aware that there is a problem, we look for a solution. Hopefully in the foreseeable future I will be making some statements which the hon. gentlemen will get up and applaud.

We talked about teachers being hired from outside the Province. Last year we had fewer than sixty teachers hired from outside the Province, and the Newfoundland Teachers' Association and our own department both agree that of the fewer than sixty - I am not sure of the exact number but I can get it - many of these might be people from the Province originally who were away and are coming back to teach. How many are outsiders just coming in to take up a job we will try to get handle on. But all the agencies involved, the boards, our own department certainly, and the Newfoundland Teachers' Association, I have suggested to all of them to watch this very, very carefully because no job should be provided to anybody from outside the area if there is somebody in here looking for it.

Mr. Chairman, there are a number of other things I could probably get into, but we will have time at a later date.

MR. BAKER:
Mr. Chairman.

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

MR. BAKER:
Thank you, Mr. Chairman. I thank the minister for his answers to a number of the questions that have been posed in the last half hour or so. I would say to the minister that with regard to the small schools study I know where the list of recommendations is. I know people who have copies of the small schools study, or say they have, and it is simply a matter of me asking them, not sitting in their office saying, 'Well, could I have a copy of that?' I am too honourable a gentleman for that.

I do not want to compromise anybody and I do not want to ask them to do something that they feel they may not have permission to do. I did, however, over the phone, request from his department a copy of the small schools study and so on.

The minister said to me that the hon. member can get his copy any time at all, as if that was available at any point, at any time, in the past. I point out to the minister that that impression is not quite correct.

MR. HEARN:
As of today.

MR. BAKER:
You are saying as of today I can get it any time at all.

MR. HEARN:
Yes.

MR. BAKER:
Thank you, Mr. Minister. I will certainly avail of that opportunity.

I would have thought, in the interest of co-operation and so on, that a copy would have been made available automatically to the Official Opposition spokesperson on Education, and I was surprised that it did not seem to be so automatic.

I would like to explain to the minister one of my comments concerning the newspaper article that he referred to, and what the minister is saying is correct; he is saying that there are cutbacks in teachers that are automatic, depending on last September's enrollment, and if last September's enrollment were at a certain level, then next September we can do an easy calculation on

the number of teachers a board can hire and boards find themselves having to layoff teachers.

But I would like to tell the minister, if he has a minute, exactly what the rumour is that is going around regarding this cut in educational spending, and the reason the newspaper article related the layoff of teachers to the cut in educational spending. The rumour went something like this, and it concerns the minister: It is a kind of substantive comment that I have heard a couple of times in educational circles and I just wanted to tell the minister. He, apparently, put in a request, I believe, that guidance personnel be not considered in the regular allotment of teachers - there may or may not be any truth to this, simply a rumour - thus, the effect of this would be that there would be more teachers available to teach in the schools. If the minister did this, then it is a move in the right direction. I am told that he received a memo back which told him that they could not possibly do that, and not only that, but he would have to cut his request for educational funds by \$8 million.

Now, that was the rumour that was going around and I can easily see how, in some people's minds, that got to be a cutback of \$8 million in the education budget. Because obviously the minister would not allow a cutback of \$8 million in the education budget. There would have to be a certain increase to at least account for inflation. I do not really expect, when the estimates are tabled, to see a cutback of \$8 million in the minister's budget. I do not expect that at all. I expect to see an increase in the minister's

budget, as he so richly deserves.

Mr. Chairman, that is where the rumour came from. I just want to point out to him that it surprised me to see in the newspaper the association with layoffs. Somebody got it confused. The rumour was something else.

The difficulty that he refers to in terms of finding schools which are rundown in the Province: There are not a lot of very seriously rundown schools in the Province, but there are a lot of schools, Mr. Chairman, which are understandard. Perhaps the reason you cannot find a lot of rundown small schools in the Province is because so many of them have been closed. The tendency is to build a new school, bus students in, and close down the older, rundown schools, and there are pros and cons to this, I recognize.

With regard to providing courses which are relevant to all students, I do realize that there are courses in the high school curriculum that are relevant to all students, but, Mr. Chairman, my real concern is that there are not enough of them at the present time and a student who is considered below average intellectually should be able to look forward to getting a Grade XII diploma. I think this is the philosophy that the new system was introduced under, yet the philosophy and the action in the first three or four or five years of the high school programme, the two have not matched: The philosophy said one thing, the implementation of that philosophy meant that a lot of students were becoming frustrated and confused and everything else, and they really had nothing to attend school for because they could not

see that diploma at the end. There were not enough courses for them to get enough credits to get a graduation diploma. There are a number solutions, by the way, to that. One is to have two classes of diplomas. You could do that. In Ontario they have done this for years. They have their academic diploma. And we had this. Once upon a time, we had a school leaving diploma that the schools could give out - there were two classes of diplomas. I do not happen to agree with that. I think that when a student enters high school that student should be able to see something at the end, a diploma that everybody else has.

But my concern is that there are not enough courses being developed at the present time, and that there are bottlenecks in the minister's department which perhaps prevent the development of new courses to suit the needs of the lower students intellectually.

I might also add before I finish, because I would like to let this go in one minute, that there should also be great concentration on providing courses for the intellectually gifted, special emphasis. The minister knows that a fairly large number of dropouts are intellectually gifted. We also have to look at that aspect of the drop-out problem and provide all the way up through the school system special things for the intellectually gifted students.

Mr. Chairman.

MR. CHAIRMAN:

The hon. the Minister of Education.

MR. HEARN:

Mr. Chairman, just very briefly on a couple of points. Back on the Small School Study again, as I

mentioned, it had been circulated to different agencies and it was the intention to make it public next week. I had put aside a copy for the hon. gentleman and I will make sure that he gets it. I will even autograph it for him.

Very, very quickly, in relation to the last point he made about the courses for the below average or average students, I agree with him, as I did earlier, but there are two ways of looking at that. Number one, for people who are having a problem getting through, is to make the courses easier, and the other way is to give them extra help to be able to handle the harder courses, if that is possible. Certainly when you look at the movement that has taken place in just the last two or three years in the field of special education, where we have over 1,000 teachers now out there, many of them helping people who need extra help. With the new special education policy manual directing people to give as much help to students in areas where they need it, like letting them stay part of the regular stream where possible and just give them the help in the areas of need. It is received very, very positively in the field and it is coming up with very positive results. On the other hand, there are other courses needed. It does take time, as the hon. member, I am sure, is very much aware, to develop a course. First of all you determine the need, and then you have to develop a suitable course or you are right back to square one. These issues are being looked at.

In relation to the mix-up, as he mentioned earlier, from the statements in the paper I can see how it could come about as rumour

spreads, but I assure him that it is certainly rumour and any transactions between my department and Treasury Board, anything that is heard about that will certainly be rumour. Because, first of all, it would not be Treasury Board that would decide whether or not the counsellors go inside or outside a ratio. We will be deciding that. They might be deciding on funding, but certainly anything that is transacted between us would not be known publicly, and anything that he has heard, I can assure him, is certainly rumour and only time will tell what the results will be.

A bill, "An Act To Amend the School Attendance Act, 1978." (Bill No. 5).

Motion, that the Committee report having passed the bill without amendment, carried.

On motion, that the Committee rise, report progress and ask leave to sit again, Mr. Speaker returned to the Chair.

MR. SPEAKER:
Order, please!

The hon. the member for LaPoile.

MR. MITCHELL:
Mr. Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report having passed Bill Nos. 14 and 5 without amendment, and ask leave to sit again.

On motion, report received and adopted.

MR. OTTENHEIMER:
Mr. Speaker.

MR. SPEAKER:
The hon. the Government House

Leader.

MR. OTTENHEIMER:

I understand there is leave to have these two bills read a third time now, in which case I move Bill No. 5 for third reading.

On motion, a bill, "An Act To Amend the School Attendance Act, 1978", read a third time, ordered passed and its title be as on the Order Paper. (Bill No. 5).

On motion, a bill, "An Act To Amend The Newfoundland Standard Time Act", read a third time, ordered passed and its title be as on the Order Paper. (Bill No. 14).

MR. OTTENHEIMER:

Mr. Speaker, I move that the House adjourn until tomorrow at 3:00 p.m.

On motion, the House at its rising adjourned until tomorrow, Wednesday, April 1, 1987, at 3:00 p.m.

Index

Answers to Questions

tabled

March 31, 1987

STATEMENT BY THE PREMIER
RELATIVE TO THE FPI
EXECUTIVE STOCK OPTION PLAN

FPI has adopted an Executive Stock Option Plan under which eligible executives will be entitled to receive options to acquire Common Shares of the Corporation. The purpose of the Plan is to advance the interests of FPI by providing executives with a performance incentive for continued improved service and encouragement to remain with the Company. The Executive Stock Option Plan will be administered by the Board of Directors of the Corporation who shall establish the option price at the time options are granted, with the proviso that in all cases the option price be not less than 100% of the fair market value for the Common Shares at the date of granting.

The aggregate number of FPI Common Shares reserved for issue under the Stock Option Plan will be limited to 2.5% of the Common Shares outstanding. A total of 400,000 shares has been reserved for the plan but only 53,500 Common Shares is being made available to 13 executives at this time at an option price of \$12.50 each. Other Common Shares may be made available by the Board of Directors from time to time to executives. Executives will have to pay the market price of the shares at the time the Board of Directors elects to grant them. There is no designated time frame in which these options must be exercised.

The Government of Newfoundland and Labrador wishes to reiterate that there is nothing unusual about the Stock Option Plan granted or reserved for executives of FPI. In

many respects the Option Plan is more modest than that normally associated with companies as large as FPI and is being provided in part to ensure continued senior executive stability within FPI. Such stability is critical to the Company's ongoing performance.