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Speaker: Honourable P.J. McNicholas

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The House met at 3:00 p.m.

MR. SPEAKER (McNicholas):
Order, please!

There was one item I said I would look over during the weekend, which was the matter of lying to the House. The statement here by the hon. the member for Bonavista South (Mr. Morgan), 'Mr. Speaker, I rise again on a point of privilege Sir, and I will keep rising from now until kingdom come.' That is not an acceptable way to address any member of this hon. House, and I think it is an abuse of the privileges of all other members.

I have looked in detail at Hansard just to see exactly what the hon. member said. He did on a number of occasions say that an hon. member lied. "Mr. Morgan: The evidence shows he lied. The evidence shows it." The hon. member again repeats, "The evidence shows it. The evidence is clear. The man lied to the House." I note here that I said, "The hon. member clearly has said now that a member lied to the House. I ask him now to withdraw that."

The hon. the member for Bonavista South, "Mr. Speaker, no, Sir, I did not say that. I said the evidence in this House today, in debate, shows that the man lied to the House. Somebody lied to the House."

Now, this took up an awful long time of the House and I think I was wrong in not cutting it much shorter at the time.

Then the final statement by the hon. the member for Bonavista South: He said, "I stand by that. Somebody lied to the House

of Assembly today, somebody!" And then he goes on, "I withdraw saying a member lied, but somebody lied to the House."

Now, that is not a very satisfactory withdrawal but it is one that I accept.

Statements by Ministers

PREMIER PECKFORD:
Mr. Speaker.

MR. SPEAKER:
The hon. the Premier.

PREMIER PECKFORD:
Mr. Speaker, I believe it is urgently necessary to address this Hon. House on a matter of great importance.

It has been suggested for several days now that this Government and Newfoundland Enviroponics Limited have been engaged in some sort of insidious plot to take over Maritime cucumber markets through a systematic dumping effort aimed at bankrupting the Maritime greenhouse industry.

Mr. Speaker, there is not now nor has there ever been any such plan. Such a plan would be totally inconsistent with the policy positions of this Government which have been to strengthen the free flow of goods and services between Provinces in a fair and open manner. Newfoundland Enviroponics has absolutely no intention of unfairly competing in any marketplace. Indeed, the facts are just the opposite.

Newfoundland Enviroponics entered the Maritime marketplace on a fair and reasonable basis. It is

probably the most cost-efficient producer in Canada today and we make no apologies for that. As well, it is producing product that is herbicide and pesticide free and is of the highest possible quality. We make no apologies for this either. Newfoundland Enviroponics can and will compete on that basis.

The fact, Mr. Speaker, is that Newfoundland Enviroponics has done nothing wrong. It is not a case of Government subsidy competing with private enterprise. Newfoundland Enviroponics is financed on a business-like basis and will have to pay its own way. It is no more subsidized by Government than are greenhouse growers or, for that matter, any other agricultural producer in this country. Again, Mr. Speaker, we must consider the facts. In an interview published in the May 21 edition of *The Globe and Mail*, the Vice-President of Clover Produce in Halifax indicated that he would be making up the shortfall caused by cancelling orders with Newfoundland Enviroponics by purchasing from Ontario producers at lower prices. Does this sound like a dumping situation or a situation in which local Maritime growers are being unfairly competed with? The answer is clearly no.

Mr. Speaker, I feel it is important that the record be set straight on this issue. I would like to quote from Hansard of May 20 and the statement of the hon. the Minister of Rural, Agricultural and Northern Development:

"Mr. Speaker, it is not the government's intention, or Newfoundland Enviroponic's intention to deliberately put

anybody out of business. It is not our deliberate intention to dump so that we can up prices afterwards. It is our deliberate intention to be very, very aggressive in the marketplace and to make sure that we are there in a price competitive situation." Still quoting the minister: "We are not going to be competitive in a quality situation because nobody can compete with us on quality. There is nobody who produces a cucumber like we do, that is herbicide and pesticide free, packed fresh and gets to the market as quickly as ours can. On quality we have no concerns at all because we are going to be the best by far in the marketplace." Still quoting the minister: "When it comes to price, we are going to compete in any marketplace we choose to be in and we are going to do very, very well in those marketplaces."

That is what the Minister said on May 20.

Mr. Speaker, notwithstanding what I have just said, in the minister clearly articulating government policy, if there has been a misunderstanding created through a misinterpretation of the hon. minister's comments, I feel compelled to apologize. My apologies go to the local Maritime growers, to the governments of our sister provinces, to the consuming public, and, perhaps most importantly, to the employees of Newfoundland Enviroponics. They are doing their best to create a successful enterprise.

This government will be making appropriate contacts over the next day or two with neighbouring governments and others to reassure them on these points and to hopefully repair some of the

damage which has been done.

Mr. Speaker, there are a number of other related misconceptions about this project and the occurrences of the past few days which need to be cleared up.

First of all, Newfoundland Enviroponics has not, as I stated earlier, been dumping produce on the Nova Scotia market. Any suggestion to the contrary is totally without foundation. Newfoundland Enviroponics has not sold produce outside of this Province at any time at a price lower than it was then offering to its local customers.

Second, there has been discussion about smaller cucumbers being produced by Newfoundland Enviroponics. For the record, Newfoundland Enviroponics is currently producing a variety of grades of cucumbers to cater to the preferences of its customers. These different grades are characterized by different sizes and are packaged and designated as such. The different sizes of product command different prices. To put it simply, Newfoundland Enviroponics sells the smaller cucumbers for less than the larger ones and of course this is reflected to a degree in the ultimate retail price. It must be reiterated, however, that the retailer controls the final price and therefore it is difficult to make generalizations about pricing issues.

Third, it has been suggested that Newfoundland Enviroponics is marketing its produce at prices significantly less than its costs. This appears to stem from information released some time ago which suggested that at output levels in the order of seven

million pounds annually, Newfoundland Enviroponics would require average prices in the order of \$1.08 per pound to be viable. The suggestion seems to be that if Newfoundland Enviroponics sells at prices lower than \$1.08 per pound it is dumping. Again this is simply not the case. To begin with, the \$1.08 was clearly an average price. We are entering the season of the year when prices in produce markets will be at their lowest. Clearly Newfoundland Enviroponics has to compete in these produce markets and price is certainly a primary criteria. It also has to be remembered that Newfoundland Enviroponics has to break into new markets. It is accepted business practice to offer some price incentives to establish new products. Is this dumping? I think not. I would also add that the \$1.08 figure was preliminary and premised on an annual output of 7 million pounds. Newfoundland Enviroponics is currently producing at rates which are far in excess of our original projections. This allows Newfoundland Enviroponics as an extremely efficient, low-cost producer, to charge lower prices because our volumes are up. The \$1.08 figure has absolutely no relevance in this type of environment, therefore.

Mr. Speaker, I think all hon. members need to reflect on this situation. My administration believes that this venture can succeed but it has to be given a chance to succeed. It has to be given a chance to operate without its every business transaction being subjected to microscopic scrutiny by the media and in this hon. House. Newfoundland Enviroponics has to compete in the marketplace; it can and it will.

However, we are subjecting this business to untenable pressures which severely hamper its ability to compete. Its suppliers, its customers and its potential customers are constantly being harassed. It makes it difficult to be a supplier or customer of Newfoundland Enviroponics because of the attention one gets. This is patently unfair. Mr. Sprung himself has been called a crook, a liar, and a cheat. I have found him to be an honourable, hard-working man, who has perfected a technology significantly ahead of anything else in the horticultural world today. Time will prove this to be correct.

My administration has taken a great deal of criticism over our decision to invest public funds in this project and over the so-called secrecy which surrounds it. During my nine years as Premier of this Province I can recall no other government decision about which more information has been made available to the public. Some, however, will not be satisfied until we totally destroy the ability of Newfoundland Enviroponics to compete in the marketplace.

Mr. Speaker, government has therefore decided that we will make no further comment on day-to-day operational and marketing decisions of Newfoundland Enviroponics. A Board of Directors is in place and it has our confidence. We will of course continue to report to this hon. House and to the people of the Province on a regular basis on factual occurrences such as production levels and financial performance, but we are going to give the management of

Newfoundland Enviroponics the opportunity to run this business as any other and an opportunity to compete on a fair and even basis in the marketplace.

My administration takes full responsibility for the decision to invest public funds in this project, just as we have done in numerous other business enterprises in this Province. My administration will also answer criticism directed at this decision. However, I implore this hon. House and members of the media to focus their criticisms on the government and to allow Newfoundland Enviroponics a fair chance to succeed. I would remind hon. members that there are 200 people employed in full-time jobs at Newfoundland Enviroponics; people who would be unemployed were it not for this project; people who will be unemployed again if it fails. Surely we owe them the opportunity to make this project a success. They will take no political satisfaction from its failure.

Thank you, Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. WELLS:

Mr. Speaker, I am pleased indeed with the Premier's statement today. I commend him for the statement. I am sorry I did not have it in sufficient time to prepare a full response, and I will probably issue a more full response at a later point.

I am pleased, really, for two reasons: Perhaps the first and

primary reason is the fact that it is an impossible position for us to be in, where we appear to be bitterly competing with our sister Atlantic Provinces, with the government of one province appearing to have the stated intention of driving producers in another province out of production. We would resent any effort by Nova Scotia or New Brunswick or anybody else aimed at producers in this Province, and I am delighted to hear the response of the Premier that makes it clear that that is not the policy of this Province. I am pleased to hear it. That is one reason.

The second reason is, of course, that following that stated policy would, in fact, I believe, constitute a criminal offense under the provisions of The Competition Act, and clearly nobody in this government should be involved with basing government policy on actions that constitute criminal offenses. So we accept the apology that I think has been graciously offered by the Premier in the circumstances, and I think all members of this House ought to accept that apology.

Mr. Speaker, the fact is this thing has become extremely political and I suppose that is why the issue got derailed. As this side of the House becomes critical of government position in the matter and either the Premier or the minister concerned responds, positions tighten and positions get taken and stated that perhaps on more mature reflection would not be stated. And to give the hon. minister full credit, I doubt very much whether he ever intended to state in any manner that that was the policy of the government. So I give him full credit for it. But we do,

Mr. Speaker, have a serious situation in the Province, as far as the operation of the Sprung facility is concerned, that the Opposition will continue to address responsibly. On the best of the information that we have available to us, and I am the first to admit that it is not perfect information, I do not put it forward as absolutely perfect information, but on the basis of the best information available to us, it seems very clear that the cost of production at that facility must be somewhere in excess of \$1.25 per pound.

Now, maybe that is in error because we do not have full information. I am prepared to acknowledge that there might be some doubt there, unless and until we are provided with the full information. But we can only operate on the basis of what is available, and on that basis we cannot see any justification for having those cucumbers sold in circumstances where they could be delivered at a wholesale price that would enable them to be sold in Nova Scotia on a retail basis at fifty-nine cents when they were one dollar and thirty-nine, or one dollar and nineteen, or one dollar and fifty-nine, whatever they were being marketed for in Newfoundland at the time. Clearly, clearly it creates a situation that invites severe criticism, and that is exactly what happened in this particular instance.

Mr. Speaker, I commend the government on one other particular statement in this. It is on page 5. The Premier read: 'Mr. Speaker, Government has therefore decided that we will make no further comment on day-to-day operational and marketing decisions of Newfoundland

Enviropionics. A Board of Directors is in place and it has our confidence.' I find it quite unusual for spokesmen for a government, whether it is a minister or the Premier, to be making announcements in the House of Assembly, or in a public manner at any time, on the day-to-day business operations of such an enterprise, even though the government does have a 50 per cent shareholding interest in it. I think that is probably a sensible approach. But, Mr. Speaker, we will not refrain from ensuring that the government account politically to the people of this Province for their decision to commit at least \$15 million of public funds to that venture in light of facts that indicate clearly that there is no sane, sensible commercial basis for it on the base of which it is being operated now.

Thank you, Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear!

MR. FENWICK:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Menihek.

MR. FENWICK:

Thank you, Mr. Speaker.

Just to correct the Premier's statement, he says on page three, 'There has been a misunderstanding created through a misinterpretation of the hon. Minister's comments, I feel compelled to apologize.' I think it is correct that he should apologize, because clearly something went wrong there. But I do not think it is a misinterpretation that occurred.

The statements were not made in the House anytime during the week. The statements that were the damaging statements were made by the minister to the media when he said I will paraphrase because I do not have the exact words - It is a well thought-out plan. The design is to sell them at that price, and the reason for that would be to eliminate some of the competition in Nova Scotia and then raise the price at a later date.

Mr. Speaker, that is the comment that caused the problem, not the comments the minister made in the House, because those were reasonable comments that were supportable and were reasonable in terms of trying to get into a marketplace. So when the Premier apologizes for the comments, I am assuming that he is apologizing for those which were the damaging ones; those were the ones that the Ministers of Agriculture in Nova Scotia and New Brunswick took exception to, and quite rightly took exception to.

Quite frankly, I asked the Minister of Agriculture on Friday morning to confirm whether or not his comments of the previous evening were accurate, because I realized, and I think everybody else did, how damaging they could be. At that time, the minister did not apologize for the comments, which is really what should have been done at the time, because we now have had three or four days in which considerably more damage has been done to the operation.

I think everybody in this House knows that I have serious reservations on this operation, Mr. Speaker.

The fact of the matter is, Mr. Speaker, I think it is important that the operation be given the best possible opportunity to show whether or not it can perform and, on that basis, the statements by the minister were so inflammatory and caused so much damage to the orderly marketing of the produce here that the Premier has now had to apologize for them. Personally, I do not believe that that is enough.

MR. SPEAKER:
Order, please!

MR. FENWICK:
I absolutely, categorically believe that it is up to the minister now to resign his position in order to put a degree of credibility in the apology that we just heard today. Without that, how can we expect the word to be accepted in the other provinces?

SOME HON. MEMBERS:
Sit down! Sit down!

MR. SPEAKER:
Order, please!

Before recognizing the hon. the Minister of Finance, I would like to welcome to the House His Excellency Eric Lang, the Ambassador to Canada from Switzerland, and Consul General Portier.

SOME HON. MEMBERS:
Hear, hear!

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

SOME HON. MEMBERS:
Hear, hear!

MR. WINDSOR:
Mr. Speaker, at the appropriate

time it will be my pleasure to introduce in this House today on behalf of myself and my hon. colleague, the Minister of Development, two bills to enact the Newfoundland Stock Savings Plan, and the Venture Capital Tax Credit Programme.

SOME HON. MEMBERS:
Hear, hear!

MR. WINDSOR:
These bold new programmes have been designed to improve the equity capitalization of companies in the Province, particularly small and medium-sized firms, thereby facilitating sustained economic growth in the Province and creating new jobs.

These seven year programmes, which will be delivered by the Department of Finance and the Newfoundland and Labrador Development Corporation, are intended to encourage Newfoundlanders to invest directly in Newfoundland businesses, thus broadening the public understanding of equity investments, and encouraging entrepreneurial thinking and entrepreneurship.

Before getting into the details of the programmes, I would like to take this opportunity to thank the members of the Newfoundland Stock Savings Plan Task Force for their valuable contribution. The success of this task force exemplifies what can be achieved through active dialogue between the private and public sectors. We have implemented the recommendations of the task force with only very minor modifications.

In preparing its recommendations to government, the task force noted the comments of the House

Royal Commission on employment and unemployment regarding the problems with investment capital in the Province. The Royal Commission stated that not only do Newfoundlanders have less money to invest than other Canadians but also that their most accessible, and most secure, investment outlets are national banks and finance companies through which local capital flows out of the Province. The Royal Commission further stated that Newfoundlanders would invest more in their own province if it were financially attractive for them to do so. One of the suggestions in the report was that the Newfoundland Government offer an investment tax credit to persons for arm's length equity investments in small businesses in our Province.

Both the Newfoundland Stock Savings Plan and the Venture Capital Tax Credit Programme will offer residents of the Province tax credits against their Newfoundland personal income tax payable through the co-operation of the Government of Canada under the Canada - Newfoundland Tax Collection Agreement. These tax credits will become available when taxpayers file their 1988 tax returns. Depending on the nature of the corporation issuing a particular stock, the rate of tax credit will range from 10 per cent to 30 per cent of the investment made in qualifying shares.

As an added incentive to invest in certain enterprises under the Newfoundland Stock Savings Plan, and in venture capital corporations, government will also be providing a cash grant equal to a further 20 per cent of an individual's investment. The incentive rates under both

programmes will be applied to a combined maximum annual investment per investor of \$10,000. For the 1988-89 fiscal year, we have committed \$3 million for investor incentives under these programmes; comprised of \$2 million in tax credits, and a further \$1 million in grants.

Under the Newfoundland Stock Savings Plan, new equity issues of corporations which have a permanent establishment in the Province and pay at least 25 per cent of their total wages and salaries to employees resident in Newfoundland and Labrador, will be eligible investments. These corporations must first apply to government for a certificate of eligibility, which will be granted if the total assets of the corporation and any associated corporations at the close of the most recent tax year do not exceed \$500 million, and provided that the corporation has not been established primarily for purposes of re-lending or wide scale investment.

The types of shares eligible for investment under the Newfoundland Stock Savings Plan will include common shares which are voting and non-redeemable, and preferred shares which can be converted into common shares. The shares can be either listed on one of Canada's stock exchanges, or unlisted but publicly traded. Only newly issued shares qualify under the plan.

Four categories of companies have been identified for the purposes of the Newfoundland Stock Savings Plan, with an incentive rate structure based upon the value of company assets and sales:

Senior companies - would include

those companies listed on a Canadian stock exchange and having total assets of between \$300 million and \$500 million. A purchase of eligible shares from this category would entitle a taxpayer to a tax credit equal to 10 per cent of the investment.

Mature companies - would include those companies listed on a Canadian stock exchange and having combined assets and sales of at least \$25 million, but total assets not exceeding \$300 million. A purchase of eligible shares from this category would entitle a taxpayer to a tax credit equal to 20 per cent of the investment.

Expanding companies - would include those companies listed on a Canadian stock exchange, and having combined assets and sales of less than \$25 million. A purchase of eligible shares from this category would entitle a taxpayer to a tax credit equal to 30 per cent of the investment. Government will also top up the tax credit with a grant equal to 20 per cent of the investment.

Emerging companies - would include all those companies which are publicly traded but are not listed on a stock exchange, provided that after the eligible share issue there will be a minimum of 25 arms-length shareholders. Investors in eligible shares from this category would be entitled to the 30 per cent tax credit and the 20 per cent grant.

Government recognizes the important contribution of the co-operative and credit union sector to the economic development of the Province. As such, we would like to see them participating in the Newfoundland

Stocks Savings Plan as well. There is a fundamental problem, however, in that these organizations historically have allowed their members to redeem their shares on demand, effectively reducing most of the risk from the investment. My officials have held consultations with the associations representing these sectors regarding this problem, and as a result, government expects a proposal from co-operatives and credit unions in the near future on a mechanism that would enable these groups to partake of the Newfoundland Stock Savings Plan, as eligible issuers of shares.

Individuals wishing to participate in the Newfoundland Stocks Savings Plan will be able to do so through an authorized dealer. The authorized dealer will be required to hold the shares purchased under the programme in the individual's stock savings plan for a minimum of two full calendar years following the year of purchase. If the investors wishes to sell the shares within the required holding period, he or she must replace them with other qualifying shares under the programme for the balance of the period. The network of dealers is in the process of being established, but government proposes that it be as broad as possible, to make participation in this programme accessible to all Newfoundlanders and Labradorians.

Government will also be providing an incentive to companies which have never made a public share offering to do so under the Newfoundland Stock Savings Plan. We recognize that the tangible costs of going public are substantial and may be an impediment for some companies. We

will thus be providing a subsidy of 50 per cent of certain tangible costs of preparing a first issue - excluding underwriters fees - to a maximum of \$50,000. We have budgeted \$250,000 for this subsidy in this fiscal year.

Under the Venture Capital Tax Credit Programme, government will be encouraging the formation of private pools of investment capital through new venture capital corporations to provide equity contributions to those businesses in the Province which, because of their size, would be unlikely to do a public share offering under the Newfoundland Stock Savings Plan. These Venture Capital Corporations would be required to have a minimum equity capitalization of \$100,000, and a maximum of \$5 million. The Venture Capital Corporations must also have a minimum of 10 shareholders.

Investors in Venture Capital Corporations would receive a tax credit against Newfoundland personal income tax payable equal to 30 per cent of their investment, plus a cash grant of a further 20 per cent, for a total incentive of 50 per cent.

The Venture Capital Corporations under this programme will be required to register with the Department of Finance. Upon the completion of the first full year of operation, these corporations must have at least 70 per cent of their equity capital invested in eligible small businesses in the province. Venture capital corporations registered under this programme will not be permitted to take a controlling interest in the enterprises in which they invest.

Small businesses in which a

Venture Capital Corporation may invest must pay at least 75 per cent of their wages and salaries to employees resident in the province. The small businesses should be primarily engaged in one of the following activities:

Manufacturing and Processing; tourism; research and development; farming, fishing, forestry or aquaculture; geological, geographical and seismic services; printing and publishing; mineral exploration; or other prescribed business activities.

The draft legislation contains provisions to ensure that the funds invested in small business by Venture Capital Corporations are not used by these businesses for the purposes of relending, real estate investment, reinvestment outside of Canada, purchasing securities or any other activities that are contrary to the spirit and intent of this programme.

The Venture Capital Tax Credit Programme will operate in parallel to the existing Venture Capital Program offered by NLDC which provides interest free loans for seven years to match new equity raised by Venture Capital Corporations. Corporations which are currently registered under the NLDC programme will also be eligible for registration under this programme. These VCCs, however, will not be able to apply to NLDC to match newly raised equity for which investors have received incentives under the Venture Capital Tax Credit Programme.

I am sure that all members of this hon. House will agree that these exciting new programs will provide a tremendous contribution to the

further development of an enterprise culture in Newfoundland and Labrador, and will remove many of the barriers to the realization of our vast economic potential. The Newfoundland Stock Savings Plan and the Venture Capital Tax Credit Programme are further examples of our significant commitment to, and confidence in, the private sector of our Province.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the member for Gander.

MR. BAKER:

Thank you, Mr. Speaker.

This is truly a statement of substance; it contains quite a lot of information, a lot of material, quite unlike most of the Ministerial Statements we are used to hearing from many ministers opposite. It is a statement of substance that has been hinted at and alluded to and announced many times before, and I can understand the minister's enthusiasm in making this major statement on the day he introduces the legislation.

There are some things I would like to point out about it, Mr. Speaker. It seems as if there has been a great deal of consultation going on with regards to these two programmes. There was a task force that studied the Stock Savings Plan, and the minister says that most of the recommendations are being followed. He refers to the House Royal Commission and the need identified by the House Royal Commission to get more Newfoundland money into Newfoundland businesses. All of these things are very commendable, and the minister obviously has not

rushed into this like he did with the part-time pensions announcement a few days ago.

There are a few things I would like to point out to the minister. These programmes are good. The need for more investment in Newfoundland is obvious.

In Quebec, a number of years ago, they had a tax credit plans whereby investments in wholly owned Quebec companies would receive tax credits in the province of Quebec. This need is recognized, and the minister has finally got along to addressing the need.

But some things I would like to point to him: First of all he says, 'For the 1988-89 fiscal year, we have committed \$3 million for investor incentives under these programmes; comprised of \$2 million in tax credits, and a further \$1 million in grants.'

I would say to the minister that he does not have, it seems to me, high expectations for the programme. Perhaps because it is only just announced, and perhaps he sees this as the start of something; there would be a small amount of money this first year, but it would expand tremendously in the years to come. But I would like to point out that this would amount to, as I read this, because I do not have the detailed information, total investment of about \$15 million, which is not a great deal of money in terms of the potential in this Province for investment money.

I would also like to point out to the minister that he says in terms of this stocks savings plan, 'New equity issues of corporations

which have a permanent establishment in the Province' - that is fine - 'and pay at least 25 per cent of their total wages and salaries to employees resident in Newfoundland and Labrador.' The minister must have had a reason for the 25 percent. I would like to suggest to him that this would open the door for a great deal of money being given as tax credits in Newfoundland which would be used to expand businesses outside the Province. So it does open that door, and I hope that when the minister presents his legislation we will see that that loophole is not there, and that is it not possible under the expanding businesses to get investment money from Newfoundlanders, give them tax credits and this will be used to create jobs in other provinces. So I look forward to reviewing the legislation to ensure that that loophole is closed.

The minister correctly recognizes that the ordinary person in this Province, the very small investor, has a great stake in the co-operative development - I am thinking in terms of the Fogo Island Co-op, the various co-operative stores, the Co-op Credit Union and so on - and the real vehicle through which the ordinary man can put money into the development of this Province is through the co-operative movement. This has tremendous potential, it has only just begun, and if we look at the development of co-operatives in this Province, we will see that they have been invaluable.

So I am glad that the minister recognizes this, and that he is now in the process of trying to find a mechanism whereby investments in co-operatives will

also be eligible for these credits. I am very pleased about that.

In regard to the Venture Capital Tax Credit Programme:

MR. SPEAKER:
Order, please!

MR. BAKER:
In conclusion, Mr. Speaker, that seems to be a mechanism to develop a pool of money. This seems to be primarily for the large investors and of not much concern to the smaller investors.

Mr. Speaker, we welcome the initiative and we look forward with enthusiasm to seeing the legislation when the minister presents it. Thank you.

SOME HON. MEMBERS:
Hear, hear!

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

MR. FENWICK:
Mr. Speaker, we have been waiting anxiously for this particular initiative since it was announced, I think, last Fall.

We are disappointed that a programme, which has clearly been stolen from the Province of Quebec, and stolen appropriately because it was not a bad programme overall in the Province of Quebec, has not blocked the serious flaws that the Province of Quebec found when it implemented a programme very similar to this. I just want to mention, too, the very serious limitations in the proposal as it is currently being put out.

The first is, if you look at the first three categories, and I forget what they are called, but

the publicly listed companies, you will find, Mr. Speaker, as you know, looking at the newspaper, there are only about seven or eight companies in this Province, all of them quite large, which will be now eligible for putting out new equity issues, and for people to get their tax credit and their grants as a result of it, so we end up with Newfoundland Capital Corporation and Fortis, the newly released Newfoundland Light and Power Company, and a number of other companies which are quite large. Quite frankly, although it is appropriate for them to raise new money and to develop it, we must clearly understand that those are the seven companies that will benefit to the large extent.

Now there are two other groups which are provided for which are not listed companies, and that would be for the majority of the smaller companies in this Province. But the problem was, as they found in Quebec, that there was no guarantee that these companies were living up to proper accounting procedures, were properly managed, and were in a situation where people's money had at least a modicum of hope of being invested properly. What happened in Quebec, Mr. Speaker, and what I predict will happen here, is a tremendous amount of money will be generated in it and we will end up with rogues taking the money and investing it in new businesses and ending up in a position whereby the individuals who invest in it will end up losing a lot of their money.

I refer back to one of the classic cases. George Rideout, an individual in Corner Brook whose company is in bankruptcy, his company lost several million

dollars - and I am not going into the circumstances - because our Department of Consumer Affairs had no control whatsoever over the investment decisions being made. Mr. Speaker, if we are going to encourage people to invest in our own local companies, it is extremely important that the Minister of Consumer Affairs and Communications (Mr. Young) bring in some legislation so that we have some guarantees that widows and orphans and other people who are going to try to invest under this scheme are not dumping their money to rogues and buccaneers and other people whose major interest is collecting the money and not in providing the kind of jobs that we want here.

Mr. Speaker, although we approve of the general format, we have some serious reservations about how it is being implemented here.

MR. MATTHEWS:

Mr. Speaker.

MR. SPEAKER:

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

MR. MATTHEWS:

Today I am pleased to announce the approval of 189 more projects under the government's Private Sector Employment Programme. These projects involve a provincial contribution of \$1,024,789, employing 293 employees, and an additional \$179,314, employing 127 students.

PREMIER PECKFORD:

How many students?

MR. MATTHEWS:

One hundred and twenty-seven students.

PREMIER PECKFORD:

One hundred and twenty-seven students.

MR. MATTHEWS:

Mr. Speaker, at this point in the programme government has spent approximately \$2.6 million of the \$7.5 million allocated for the Private Sector Employment Programme to create to date 850 jobs, 196 of which are student positions.

I would like to point out for the hon. the member for St. John's East that the youth component is much greater than 196, that is students only.

To date, Mr. Speaker, my department has received over 1300 applications for this programme and approvals will continue to occur on a regular basis until the total funds for the programme are expended.

MR. DECKER:

Mr. Speaker,

MR. SPEAKER:

The hon. the member for the Strait of Belle Isle.

MR. DECKER:

Mr. Speaker, I think it would be appropriate for me to congratulate the 850 people in this Province who, at a cost of \$2.6 million, have gotten what the minister euphemistically calls jobs. I would have thought that a job was similar to a career. I think it might be more appropriate to call these assignments, because it is a bit of short-term work to take people through so they can get their unemployment.

MR. MATTHEWS:

So you are against the students.

MR. DECKER:

My congratulations to the students who got jobs. My condolences, Mr. Speaker, to the 25,000 young people who do not know what it is to have a real job in this Province.

SOME HON. MEMBERS:

Hear, hear!

MR. DECKER:

My condolences to the 18,000 people who had to leave this Province in the last three years to go to the mainland to look for work, Mr. Speaker. The whole problem is the economy of this Province has been brought to its knees and private enterprise is no longer capable of employing our people. The government has no choice but to get in there and try to encourage the private sector to employ our people. Mr. Speaker, am I misreading this when I see the same names turning up year after year, the people who are receiving these grants? I am wondering if we are not creating a syndrome, just as in welfare there is a syndrome, where people get dependent on welfare and they cannot survive off welfare? I am wondering if the minister is not creating a private sector where our private enterprise, our companies are now becoming so dependent on those government hand-outs that they cannot even carry on unless they get government help? This, Mr. Speaker, is no more than a -

MR. SPEAKER:

Order, please!

MR. DECKER:

- stop-gap measure, and I call on the minister to find a long-term solution for the 25,000, and so the 18,000 can come home.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

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

MR. LONG:

Thank you, Mr. Speaker.

Very briefly, we have already said that from our own experience the programme is working fairly well. I know private employers in my district, and staff in the department, are working hard to turn the applications around as quickly as possible. I beg of the minister some further details if we are going to have further announcements, in particular questions of relative merit in the applications.

We have no indication as to how many applications were not approved. And I am wondering about the training component. As we see more and more applications to what is, according to the minister, becoming a very popular programme, there will need to be certain standards of quality in the applications applied. So could the minister advise us on how they determine successful applications?

The other thing I would like to say is the duration of the programme is unclear, when deadlines might be put in place for a cutoff point, or does it just go until the money is exhausted? Mr. Speaker, we went through last Summer with announcements being made regularly, and there seemed to be a need for monies in the public sector which was not available because all the money was put into the private sector programme.

What we see now, Mr. Speaker, for

instance, is this past weekend the parks opened and this government does not have a programme within the Department of Culture, Recreation and Youth for keeping the parks clean because we have lost the government public sector programme, job creation for students and young people in the Summer, and everything has gone into the private sector.

I would suggest, Mr. Speaker, if, within the next few weeks, we do not see all this money used, we put it into these programmes which have been cut back. Thank you, Mr. Speaker.

MR. SPEAKER:

Order, please!

Before recognizing the hon. minister, I welcome to the galleries fourteen students from Glovertown High School and fifteen students from Quebec, with their teacher, Sherman Wiseman.

SOME HON. MEMBERS:

Hear, hear!

The hon. the Minister for Education.

MR. HEARN:

Mr. Speaker, I am pleased to advise the House that Dr. Robert Crocker has been appointed as a one person task force on Mathematics and Science.

Dr. Crocker will be assisted by a steering committee of government officials, Chaired by the Clerk of the Executive Council, Mr. Hal Stanley. The steering committee will facilitate Dr. Crocker's work and be able to appoint task force co-investigators and/or research assistants as required.

You will recall that the decision

to create a task force on Mathematics and Science was announced by the government in the Throne Speech. The Task Force was deemed necessary to study all components of the elementary-secondary and post-secondary systems which might have an impact on the achievement of students in Mathematics and Science courses. Such a study is prompted by statistics showing a high failure rate in first year Mathematics at post-secondary institutions, and a low participation rate in physical sciences in both secondary and post-secondary institutions. A strong linkage was noted between achievement in these areas and the economic well-being of the Province.

Since the announcement of the government's intention to establish a task force on Mathematics and Science there has been a broad recognition across all economic and social sectors of the need for this study and the need for effective solutions to improve participation and achievement in Mathematics and Science.

Dr. Crocker's terms of reference are as follows:

(1) Determine the extent of problems in Mathematics and Science achievement at both the elementary-secondary and post-secondary levels;

(2) Determine the causes of the problems which have been identified in Mathematics and Science achievement; and

(3) Recommend specific actions to improve participation and achievement rates in Mathematics and Science at both the elementary-secondary and

post-secondary levels.

The Departments of Education, Career Development and Advanced Studies and the Executive Council considered a number of qualified individuals for this task force before agreeing that Dr. Crocker was the best qualified to investigate the problem. The consensus was unanimous that he was the person for the job.

Mr. Speaker, the Steering Committee will consist of the deputy ministers from five government departments and the Secretary of Treasury Board. They are Dr. Keith Winter, Career Development and Advanced Studies; Mr. Clyde Granter, Development; Mr. Gilbert Pike, Environment; Mr. Lew White, Secretary of Treasury Board; Miss Elizabeth Marshall, Social Services; and Mr. Lorne Wheeler, Deputy Minister of Education. This Steering Committee, chaired by Mr. Stanley, will be available to the task force for consultation on specific areas of investigation in order to ensure that the study stays within its intended mandate. It will also review costs and recommend revisions to the task force budget as required. As well, the Committee will assist the task force gain access to achievement data and other information from government, schools and post-secondary institutions.

Mr. Speaker, Dr. Crocker is a highly skilled researcher. He is recognized nationally and internationally, and was recently one of the chief Canadian investigators who worked on an international study on science achievement in elementary and secondary schools.

Dr. Crocker has been until

recently Director of the Institute of Research and Development at Memorial University. He will report to the Planning and Priorities Committee of Cabinet, and it is expected that the comprehensive study will be completed within a six to eight month time frame.

I am pleased to table a copy of this statement, along with the attached information sheet giving further background on Dr. Crocker's professional qualifications and experience. I thank you and the hon. members of the House for your attention on this matter.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the member for the Strait of Belle Isle.

MR. DECKER:

Mr. Speaker, Dr. Crocker's resumé is impeccable. The hon. minister could not have chosen a better person in the Dominion of Canada to carry out this one-man task force.

I am surprised that it took the hon. minister so long to get Dr. Crocker to go ahead with this task force. Only after we attacked the minister and asked him when he was going to put this task force in place, did he finally decide to take some action on it. I am pleased he finally went ahead with it.

I must confess, though, Mr. Speaker, I am somewhat surprised. When this was announced in the Throne Speech, I was expecting a task force almost synonymous with a Royal Commission into the problems with Math and Science,

and now I discover it is more like the old song, One man and his dog went to mow the meadow. It is a one-man task force but, nevertheless, if anyone can do it, I am sure Dr. Crocker will, in spite of the Department of Education.

I will make a few predictions, Mr. Speaker. Dr. Crocker is going to find that there is not enough time spent on Mathematics in the school system today. That is going to be one of his findings, I can tell the hon. minister that. The hon. minister will know that the junior high school system is also being revamped, and he will know, if the recommendations are carried out, the time spent on Mathematics in junior high will also be cut down. The minister will know that.

Now, if he is seriously concerned about the Math problems in those schools, he will stop that recommendation here and now so that Math will not be scaled down in junior high, and he will also see that more time is spent on Math and Science in the high school programme, as well.

I also predict that Dr. Crocker is going to find that there are schools in rural Newfoundland which are trying to teach Science but do not have labs. I can tell him that, and I am a lot less qualified than Dr. Crocker. There are not enough labs.

MR. SPEAKER:

Order, please!

MR. DECKER:

Thank you, Mr. Speaker.

It all adds up to not enough funding, Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

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

MR. LONG:

Thank you, Mr. Speaker.

We welcome the initiative by the minister and we certainly applaud the commitment the minister has given today, that this report will be delivered in six to eight months.

The minister made no reference to any support staff Dr. Crocker will have, but presumably he will not be without the necessary resources to get the job done.

We are also pleased to see that deputy ministers and officials from other government departments will be involved, which makes it a cross-departmental investigation.

Mr. Speaker, I would say to the minister that when he says the terms of reference are to determine the extent of the problems and determine the cause of problems, the minister must realize, in striking this one-person task force, the problems with Math and Science are not unrelated to the other fundamental problems the entire educational system in this Province is facing. They have to do with the very structure of the educational system, the difficulties inherent in the denominational structure of the education system and, of course, as the member for the Strait of Belle Isle says, the lack of facilities; some of these schools are without the necessary tools to teach Math and Science properly.

Further, Mr. Speaker, I would just

like to say that if the minister can take such an initiative and promise a report in short order dealing with Math and Science, he should be able to do the same for literacy. In some ways the problems with Math and Science are tied very clearly to basic problems of literacy and illiteracy in society in this Province, which must be brought back to the very early stages in which people entered the school system.

I look forward to some commitment and some initiative, a new undertaking, by the government to deal in a comprehensive way with the problems of illiteracy as a potential solution in linking answers to the problems of Math and Science that young people in the Province are facing. Thank you, Mr. Speaker.

Oral Questions

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. WELLS:

Thank you, Mr. Speaker.

My question is for the Minister of Rural, Agricultural and Northern Development (Mr. Power). I did have some other questions for him today, but in view of the statement made by the hon. the Premier I will settle for one particular question.

Would the minister, in light of that statement, now explain to the House the position attributed to him by the CBC on Friday, that it was the stated aim of Newfoundland Enviroponics to push the Nova Scotia growers out of business?

Would he affirm that that is not a correct statement of his position, or at least repudiate the position?

MR. SPEAKER:

The hon. the Minister of Rural, Agriculture and Northern Development.

MR. POWER:

Mr. Speaker, it is not a correct statement of our position. The correct statement of our position, as I said in this House on Friday morning and was mentioned in the Premier's Ministerial Statement, I just read again: "It is not the government's intention or Newfoundland Enviroponics' intention to deliberately put anyone out of business." That is government's position.

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. WELLS:

I will assume from that that statement attributed to him by the CBC did not quote him correctly.

Would the minister, in light of this, now table the full study from which the marketing programme was developed that the hon. the Premier referred to in this House last May?

MR. SPEAKER:

The hon. the Minister of Rural, Agriculture and Northern Development.

MR. POWER:

Mr. Speaker, I realized in the last week or so there are an awful of people, in this Province and outside this Province, who would love to see Newfoundland Enviroponics fail. Giving him our market study would simple assist some of those devious persons in

that goal, and we are not going to do it.

What we will table, Mr. Speaker, are the financial statements for Newfoundland Enviroponics next year, and we will prove to everyone that it is a very successful venture.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the member for Waterford - Kenmount.

MR. GULLAGE:

Mr. Speaker, my question is to the Minister of Justice, (Ms Verge). Given the fact that over the last several years there has been considerable abuse of The Lord's Day Act, with Sunday shopping, and business opening in defiance of the Act, would the minister assure us that we can look forward to new legislation being put in place to provide that retail workers would be provided with at least one day of rest per week?

MR. SPEAKER:

The hon. the Minister of Justice.

MS VERGE:

Mr. Speaker, that sounds like a question that should probably be put to the Minister of Labour (Mr. Blanchard).

MR. GULLAGE:

Mr. Speaker, would the hon. Minister of Labour like to answer the question?

MR. SPEAKER:

The hon. the Minister of Labour.

MR. BLANCHARD:

Mr. Speaker, some two or three years ago there was some question about The Shop Closing Act and

companies were testing the validity of that Act. Our act is called The Shop Closing Act, and it is predicated on the jurisdiction of the Province to make legislation concerning hours of work and labour standards, that type of thing.

Some of the acts that have been stricken down in the courts, or are under tests, according to my information, Mr. Speaker, are based on The Lord Day's Act and are thought to be unconstitutional. Our Act, as it stands now, we think will stand the test. We do not think there is any necessity to do anything about it at the present time, based on those facts.

MR. GULLAGE:
Mr. Speaker,

MR. SPEAKER:
A final supplementary.

MR. GULLAGE:
Would the minister assure us that new legislation will be put in place to ensure that municipalities, and regions if they come to be, will not be given the option of opting out of the Act, but in fact it will be strictly provincial jurisdiction and no opting out provision allowed at all by municipalities or regions?

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

MR. BLANCHARD:
Mr. Speaker, I thought I just made it clear that our Act takes in provincial jurisdiction and incorporated cities or towns have the right to make their own regulations within the framework of the Act. But to my knowledge, Mr. Speaker, no community or city

or town in this Province has opted out of a day of rest per week, namely, Sunday.

MR. LONG:
Mr. Speaker,

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

MR. LONG:
Mr. Speaker, today I put my question I put to the President of Treasury Board (Mr. Simms), Government House Leader and President of the Executive Council, who has most recently also taken on responsibility for the portfolio of the Status of Women. I ask the minister, in his capacity as a gentleman whom I am sure brings a strong commitment to this new area of responsibility, could he give the House an assessment of negotiations with the federal government on the very important issue, to working women in this Province, in particular, on the issue of child care?

The minister will know that we have had some discussion in the House recently, but I would ask the minister if he could speak to the current status of the Province's plans with respect to bringing in initiatives on child care?

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

MR. SIMMS:
Mr. Speaker, that kind of question obviously begs a very lengthy response. I was only appointed to the portfolio on Thursday past, I only had Friday to delve into a lot of matters dealing with the Status of Women, and I have a meeting on Thursday morning with

the Provincial Advisory Council on the Status of Women, as a matter of fact, which is only another day or two from now. I have already had discussions on the issue with my colleague, the Minister of Social Services (Mr. Tobin), I can tell the hon. member. And in the same genuine way that this government has brought forward legislation and dealt with issues concerning women, such as the establishment of the Women's Policy Office itself, such as the establishment of the Provincial Advisory Council on the Status of Women, such as initiating equal pay for work of equal value, such as initiating pension plans for part-time workers, all of which will be beneficial to women, in that same way we will continue to deal with the issue of day care, which is a very, very important issue. And I will tell the hon. member that I will be aggressive in dealing with it, working with my colleague the Minister of Social Services and indeed the entire government.

SOME HON. MEMBERS:

Hear, hear!

MR. LONG:

Mr. Speaker.

MR. SPEAKER:

A supplementary, the hon. the member for St. John's East.

MR. LONG:

Mr. Speaker, in view of the initiatives brought in by this minister with respect to both pay equity and the part-time pension plan, where in both cases we have seen groups out there which felt they were not adequately consulted, on the issue of child care, will the minister give an undertaking, as the Minister responsible for the Status of

Women, to hold broad consultations to determine not only the needs for child care in this Province but to determine the agenda that women's groups and day care advocates in this Province have been putting forward to government for some time?

MR. SIMMS:

Mr. Speaker.

MR. SPEAKER:

The hon. the President of the Council.

MR. SIMMS:

Certainly, Mr. Speaker, that would be my intention, is the government's intention, and was my predecessor's way of dealing with matters related to these particular issues. To say and to suggest that the consultative approach was not used in initiating the equal pay for work of equal value issue and the part-time pension issue is not quite accurate. The hon. member may wish to say there may be some out there who did not think that consultation was extensive enough, but to suggest that we did not consult is not quite accurate. In fact, I personally had meetings on the equal pay for work of equal value issue with the president of one of the major unions involved in this issue, NAPE, on two or three occasions. So to say there was no consultation is incorrect; we did consult, we did talk about it, I did give them an indication of what we were trying to do. The same thing applies to the groups involved in the issue, so that would be a bit of an unfair criticism to make. But I understand if the hon. member wants to make it he can make it, but it is not going to hurt us too much, we are not going to cry over that.

However, to the guts of his questions, yes, we will consult with the groups involved, naturally, because that is the way in which this government operates and, in fact, we have done it already. I understand, on this particular issue through the Department of Social Services.

MR. LONG:

A final supplementary.

MR. SPEAKER:

A final supplementary.

MR. LONG:

Mr. Speaker, to the minister again, it is actually with some urgency that I ask the minister about the question of child care, not to suggest that a long process be taken to consult. Mr. Speaker, I would like to ask the minister if in considering his new responsibilities as Minister Responsible for the Status of Women, given his own busy personal and political agenda, would he see to it that the Women's Policy Office be given resources, above and beyond what has already been earmarked in this year's current estimates, to allow them, in particular, to take the necessary initiatives on the issue of child care? To free up the minister from his other many responsibilities, is the minister committed to expanding the actual -

PREMIER PECKFORD:

A point of order, Mr. Speaker.

MR. SPEAKER:

A point of order, the hon. the Premier.

PREMIER PECKFORD:

I think this is the hon. member's final supplementary and it is very, very long. As a matter of fact, as a result of some of your

rulings last week, Mr. Speaker, I have spent the weekend researching this matter, what has happened over the last several weeks, and I will be tabling tomorrow, as part of my point of order to be enlarged upon tomorrow, examples of where in this House, since it opened this Spring, questions have been longer than answers. There have been many questions asked that have been longer than answers given, and this is a prime example now of what is occurring at the present moment. The hon. member has already had two questions, and on a final supplementary he should be very brief and to the point, because now he is zeroing right in on what it was he wanted to ask in his first question in any case. I think it is incumbent upon this House to ensure that when we get to the final supplementary stage that hon. members are short and to the point, and that ministers, also, in their responses are short and to the point.

MR. SPEAKER:

To that point of order, I agree with the hon. the Premier. I was about to check the member on one or two occasions, but he seemed to just ask a question and keep expanding it. So I ask him to ask his final supplementary very briefly.

MR. LONG:

Thank you, Mr. Speaker.

Sometimes a minister looks with a quizzical eye to the question and you are trying to explain it as quickly as you can.

MR. SPEAKER:

Order, please!

MR. LONG:

Mr. Speaker, my question to the minister is will he see to it that

the Women's Policy Office has the necessary resources to do its job with particular reference to the issue of child care?

MR. SPEAKER:

The hon. The President of the Council.

MR. SIMMS:

Yes, Mr. Speaker.

MR. DECKER:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for the Strait of Belle Isle.

MR. DECKER:

My question is to the hon. Minister of Environment and Lands (Mr. Russell).

The minister is aware that now that the snow is gone there is a ribbon of glass from St. John's to St. Anthony, on both sides of the road. I ask the minister: Does he have plans to address this environmental problem by banning the non-returnable soft drink bottle?

MR. SPEAKER:

The hon. the Minister of Environment and Lands.

MR. RUSSELL:

Mr. Speaker, I was out for a minute and I did not quite get all the question, but I gather the question is, "Do we have any plans to ban non-returnable bottles?" Is that the gist of the question?

MR. DECKER:

Yes.

MR. RUSSELL:

Mr. Speaker, there is a bit of concern out there about the bottles and things that are being

left on the roadways, in the parks, in the forests, and everywhere else.

I can say to the hon. member, Mr. Speaker, that we have gathered a lot of information from soft drink companies and from interested groups who have written us expressing their concern about it. All I can say to the hon. member at the present time, Mr. Speaker, is that there is something in the system from my department with some recommendations that hopefully government and Cabinet will deal with in the not-too-distant future, and when that is dealt with I will be in a better position to make known what the government has decided.

MR. DECKER:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A supplementary, the hon. the member for the Strait of Belle Isle.

MR. DECKER:

Could the hon. minister be a little more specific? Should we expect to see an announcement before this session of the House closes, or will it be sometime within the next couple of years? This problem is urgent enough to know when he intends to take action on it.

MR. SPEAKER:

The hon. the Minister of Environment and Lands.

MR. RUSSELL:

Mr. Speaker, I do not know exactly when the Cabinet, with all the other things, including this, on its very busy agenda, will get to this. I would like to have the matter dealt with one way or the

other before the House closes. If that is so, then I will certainly make known to the hon. members what the decision is. I really cannot be more specific than that. I hope it is sooner rather than later.

MR. GILBERT:
Mr. Speaker.

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

MR. GILBERT:
Mr. Speaker, I have question for the Minister of Forest Resources (Mr. R. Aylward).

It was reported that there was a delay in a water bomber assigned to a forest fire in Goose Bay involved getting there on Friday, May 29. Now, this delay was caused, supposedly, due to the fact that the water bomber was employed in conveying private cargo. Would the minister confirm that this was indeed the case? Also, is it government policy to have water bombers involved in carrying private cargo during the fire fighting season?

MR. SPEAKER:
The hon. the Minister of Forest Resources.

MR. R. AYLWARD:
No, Mr. Speaker, it was not private cargo. It was normal cargo that was needed in the Goose Bay area for regular maintenance on the water bombers, as they stay up there for the fire fighting season for the rest of this year.

MR. EFFORD:
Mr. Speaker.

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

Grave.

SOME HON. MEMBERS:
Oh, oh!

MR. SPEAKER:
Order, please!

MR. EFFORD:
Mr. Speaker, my question is to the hon. the Minister of Health (Dr. Collins). I refer to a copy of a letter that was sent to the minister by Dr. J.L. Patriquin, O.D., from Corner Brook, May 19, in which he stated very clearly that they requested meetings with the Minister of Health concerning the cutback in care for vision of the children and the people of this Province, where they requested a meeting, prior to the budget cuts and since the budget cuts, and the minister has not agreed to meet with them.

MR. SPEAKER:
Order, please!

MR. EFFORD:
Would the minister confirm that this is indeed a fact, of the truth?

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

DR. COLLINS:
Mr. Speaker, apparently the optometrists of the Province have some issues quite apart from the point that was in the budget, and they wish to bring those forward, and I have indicated to them that they should bring them forward in the forum of a meeting with officials in the department to have these processed, and they would, as is necessary bring them to the minister's attention.

MR. EFFORD:
Mr. Speaker.

MR. SPEAKER:

A supplementary.

MR. EFFORD:

In other words, Mr. Speaker, the minister will not agree to a meeting. The committee of Surgeons at the Health Sciences Centre, which includes an ophthalmologist on that particular board, has asked for a meeting with the minister. Will the minister tell this House if he has agreed or disagreed to meet at the request of the Surgeons Committee of the Health Sciences Centre to clearly state the very serious problems taking place at the hospital because of bed closures and the lack of operating facilities?

MR. SPEAKER:

The hon. the Minister of Health.

DR. COLLINS:

Mr. Speaker, I would hope that the hon. member would make the point he is trying to drive at. If he is trying to drive at the point that concerns should be expressed over the operation of the hospital, I have to tell him that the way that is done is through the administration of the hospital, the management of the hospital. They are responsible for running the hospital for its various operations, and that is the way it is done.

Now, if he wants to know if I talk to doctors, I can tell him, yes, I talk to a lot of doctors. As a matter of fact, I am going to talk to several hundreds of doctors this weekend when I meet with the NMA. So I meet with doctors all the time. If the hon. member has a particular point, I wish he would bring it out. If the point is, does the hospital want to talk to us about the operation of the

hospital, I say they do it all the time, and we do it in the proper forum, i.e., we meet with the administrator and sometimes we meet with the board members.

MR. EFFORD:

A final supplementary, Mr. Speaker.

MR. SPEAKER:

A final supplementary.

MR. EFFORD:

I ask the minister very clearly, because apparently the Minister of Health did not understand the question, has he refused meetings with the Surgeons Committee of the Health Sciences Centre and the Optometrists Committee of the Province? Has he refused to meet with them?

SOME HON. MEMBERS:

He already answered that. Go on with Question Period.

MR. SPEAKER:

The hon. the Minister of Health.

DR. COLLINS:

I already answered those questions.

MR. SPEAKER:

The hon. the member for Stephenville.

MR. K. AYLWARD:

I have a question for the Minister of the Environment. It concerns the storage of PCBs in the Province. I would like to know what his department's policy on the storage of PCBs in the Province in various locations, and specifically Stephenville. Would the minister give us a report as to the storage of PCBs in the Stephenville area, where there is supposed to have been a gathering up of PCBs from a variety of areas, put in the one location?

And there was also supposed to have been a report done on a couple of rivers.

MR. SPEAKER:
Order, please!

MR. K. AYLWARD:
I ask could the minister give us a response to those questions?

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

MR. RUSSELL:
Mr. Speaker, I do not have all the locations at my fingertips, but I do not think there are very many, just the same, where PCBs are stored. I understand there are some stored at Goose Bay and there may indeed be some stored at Stephenville. They are checked, as I understand, on a regular basis, and I have not received any reports from any officials in my department that there are any problems. One of the problems, Mr. Speaker, in getting rid of PCBs is the technology required to burn them or to destroy them in other ways. I understand that there is only one province in Canada which has the technology at the present time to burn off PCBs, and that is the province of Alberta. They are stored under very strict conditions and regulations and I am not aware of any problems.

MR. K. AYLWARD:
Mr. Speaker.

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

MR. K. AYLWARD:
I would ask the minister if he could check into that matter because there have been some

concerns expressed to me about health concerns in the area. Also, is his department considering the use of mobile destruction units in this Province? A number of other provinces are now looking at that for the destruction of PCBs. I would like to know if the minister's department is looking at this matter and if they are going to have a decision on this matter in the near future?

MR. SPEAKER:
The hon. the Minister of Environment and Lands.

MR. RUSSELL:
Yes, Mr. Speaker, we along with other provinces are looking at mobile technology and mobile units to get rid of PCBs. I can assure the hon. member that there has been no decision made on this as yet. Certain pieces of this equipment, as I understand it, have not been officially certified for use in burying off or getting rid of PCBs, and, of course, until that is done we are not going to have anything to do with it whatsoever.

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

MR. FUREY:
Mr. Speaker, I have a question for the Minister of Forest Resources.

Last Wednesday and Friday in the House I asked the minister whether he has received recommendations from the Pesticide Advisory Board recommending 50 per cent use of Bt, and on both occasions the minister said he had not. I would like to ask the minister today whether he has received that board's recommendation of using 50 per cent Bt in the spray programme this year? If he has received the

recommendation, what action will he take to ensure that they are carried out?

MR. SPEAKER:

The hon. the Minister of Forest Resources.

MR. R. AYLWARD:

No, Mr. Speaker, I have not received such a recommendation.

MR. FUREY:

Mr. Speaker, a supplementary to the Minister of Environment and Lands.

MR. SPEAKER:

A supplementary.

MR. FUREY:

The Pesticide Advisory Board has finished its meetings and I ask the minister has he received a recommendation from that body recommending a 50 per cent use of Bt instead of fenitrothion this year?

MR. SPEAKER:

The hon. the Minister of Environment and Lands.

MR. RUSSELL:

Mr. Speaker, one day last week in this hon. House, I think it was on Wednesday but I could be wrong on that, hon members opposite posed questions pertaining to recommendations made by the Pesticide Advisory Board. At that time I indicated that I had not seen the minutes, and I had not.

On Thursday, I believe it was, there was a question on the Late Show pertaining to it. Prior to coming to the Legislature on Thursday, I went looking for the minutes to find out specifically if there was a recommendation to that effect, and I indicated to the House on Thursday that there

was a recommendation to be made to me. What I had on Thursday was not a complete transcript of all the minutes of the meeting, and up until today I had not seen the total transcript of the minutes of the meeting. But I understand that recommendation was made and will be in the official copy of the minutes when I received them.

MR. FUREY:

A supplementary, Mr. Speaker, to the same minister.

MR. SPEAKER:

A final supplementary.

MR. FUREY:

Mr. Speaker, will the minister, now that he has confirmed to the House that he has received a recommendation from the Pesticide Advisory Board to use 50 per cent spray of Bt, ensure the House that he will not issue licences to the Department of Forestry -

MR. SPEAKER:

Order, please!

MR. FUREY:

Mr. Speaker, will he ensure that licences will not be issued until such time, Mr. Speaker, as the minister commits to follow those recommendations? Is this board just a sham?

MR. RUSSELL:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Environment and Lands.

MR. RUSSELL:

Mr. Speaker, the Pesticides Advisory Board is no more of a sham than the hon. member.

SOME HON. MEMBERS:

Hear, hear!

AN HON. MEMBER:
Not as much.

MR. RUSSELL:
They have a very important job to do and they are doing it very well. Mr. Speaker, if the hon. member was listening on Thursday, in the Late Show I indicated, in response to the hon. member for St. John's East, that the licence does not contain a regulation which specifically says that there has to be a fifty/fifty mix or a seventy-five/twenty-five mix. In the licence which has been issued, which I am prepared to table here, Mr. Speaker, are seventeen stipulations. It is not required that we put in the licence what the mix will be. That is done in consultation by officials in the Environment Department with officials in the Department of Forest Resources.

MR. W. CARTER:
Mr. Speaker.

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

MR. W. CARTER:
Mr. Speaker, my question I guess goes to the Minister of Finance (Mr. Windsor) in the absence of the Minister of Fisheries (Mr. Rideout). Mr. Speaker, now that the St. Lawrence fish plant owned by one Rose Ting has gone into receivership, with the same lady owning the company that operates the plants in Port aux Basques and Rose Blanche, I wonder can the minister tell the House, Mr. Speaker, what is going to happen to those plants? A great deal of fear has been expressed by people in the area as to what the future holds for them. I wonder can he allay the fears of the people in that area and tell the House

exactly what is going to happen to those two plants?

MR. WINDSOR:
Mr. Speaker.

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

MR. WINDSOR:
Mr. Speaker, first of all nobody in this government has ever indicated that those plants are in receivership. That is a decision that will be made by the creditors of that corporation at some point in time perhaps - or perhaps they will not. Perhaps the creditors are prepared to put up the financing that is required to operate the plants, and until that time obviously we cannot deal with something as a receivership if it is not in receivership. What we are doing is we have established a committee of ministers and officials to work with the companies, and the legal and the financial advisors and the creditors of those companies, to see if it is possible at all to get those plants activated as quickly as possible.

In the event that there is a receivership, then we will deal with that.

MR. W. CARTER:
Mr. Speaker, a supplementary.

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

MR. W. CARTER:
Mr. Speaker, I did not suggest that the plants in Rose Blanche and Port aux Basques were in receivership. I did suggest that the one in St. Lawrence is about to be placed in receivership, and according to the Minister of

Fisheries that is so.

Mr. Speaker, do I take it, then, that the processing plants of the Eldorado Fish Company in Port aux Basques and in Rose Blanche will not be affected by the financial problems that are being encountered now by the same owner in the St. Lawrence plant?

MR. SPEAKER:

The hon. the Minister of Finance.

MR. WINDSOR:

Mr. Speaker, obviously I cannot answer that question. All that we have dealt with as government is a request to provide some financial assistance to the St. Lawrence plant. We could not find a basis to do that, and the Minister of Fisheries announced that we have refused to provide financial assistance for all the right reasons. What happens with the companies from here on in depends upon the companies. They may well be able to operate. Maybe the two plants under Eldorado can continue to operate. Maybe the owner is prepared to put some more of her own resources into those companies to operate them. Maybe they can find other financial backing. I do not really know. All that I want to assure this House is that government will do everything possible to get those plants reactivated as quickly as possible.

MR. W. CARTER:

Mr. Speaker, a final supplementary.

MR. SPEAKER:

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

MR. W. CARTER:

Mr. Speaker, then the announcement this morning that there is a million dollar grant from, I believe, Ottawa under the ACOA

programme to enable the Eldorado Company to build a fish

MR. SPEAKER:

Order, please!

MR. W. CARTER:

Mr. Speaker, my question to the minister: The fish sausage plant that was mentioned on the news this morning, are plans progressing and will they go ahead by the Eldorado Company in Port aux Basques to construct that plant?

MR. BARRETT:

You should ask the owner that.

MR. SPEAKER:

The hon. the Minister of Finance.

MR. WINDSOR:

Mr. Speaker, I cannot answer that question. That is not an answer for which I have the information, nor is it a company with which we have any financial involvement, so, therefore, we would not have the information.

MR. SPEAKER:

The hon. the member for Gander.

MR. BAKER:

Thank you, Mr. Speaker.

A question for the Premier, who has been largely ignored today, and it has to do with Capital Canada, the company that is the agent for selling Terra Nova Tel.

It has now become public knowledge that the one identifiable owner of Capital Canada was very closely connected as a fund raiser to the then Minister of Transport (Mr. Crosbie) when he was given this particular job, that he is very closely tied to fund raising for the Federal Tory Party, and it seems as if that is the reason he

was given the job of being the agent for the sale of Terra Nova Tel.

I wonder does the Premier see any kind of a conflict here, and would he ask the federal government to halt, or at least stop the sale until there is an investigation done of this company?

MR. SPEAKER:
The hon. the Premier.

PREMIER PECKFORD:
I would suggest to the hon. member that he consult with his brother and ask him to ask the question in the House of Commons.

MR. BAKER:
Mr. Speaker.

MR. SPEAKER:
There is just time for one short question.

The hon. the member for Gander.

MR. BAKER:
Thank you, Mr. Speaker.

I say to the Premier, the reason I am asking him the question is I am asking him to do it on behalf of the people of Gander. I will ask him again: In view of the conflict not only with the ex-Minister of Transport but business dealings with other people who may be bidding for Terra Nova Tel, in light of that, would the Premier, on behalf of the people of Gander, ask the Minister of Transport to look into this matter?

MR. SPEAKER:
The hon. the Premier.

PREMIER PECKFORD:
Mr. Speaker, I have enough on my plate now without taking on his

problems.

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

MR. SPEAKER:
At this stage I would like to welcome and introduce our new Page, John Fitzgerald. He is a third-year student at MUN and he is a double major in history and English.

SOME HON. MEMBERS:
Hear, hear!

Orders of the Day

MR. SIMMS:
Mr. Speaker.

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

MR. SIMMS:
Mr. Speaker, we are going to carry on with legislation and, I guess, Order 4, second reading of a bill, "An Act To Amend The Internal Economy Commission Act." (Bill No. 16).

Motion, second reading of a bill, "An Act To Amend The Internal Economy Commission Act."

MR. SPEAKER:
The hon. the President of the Council was concluding the debate.

MR. SIMMS:
Mr. Speaker, as I was saying the last day, several weeks ago -

PREMIER PECKFORD:
You were interrupted by the May 24th weekend.

MR. SIMMS:
No, this was several weeks ago, I

think. This is to close debate -

PREMIER PECKFORD:

How do you remember it? You must have some memory.

MR. SIMMS:

It is a job, Mr. Speaker, I tell you. It is only because I have the Premier to my left to keep reminding me of these things.

Anyway, Mr. Speaker, I was about to close the debate on the Act To Amend the Internal Economy Commission Act, and I will do so quickly.

I will just summarize. I cannot summarize all the comments that were made by members opposite. That is all in the record. Anybody who wants to know what all the members over there said can read Hansard. I listened to everything, but I will now summarize the act in moving second reading.

This bill, Mr. Speaker, has two main clauses to it. One will restructure the composition of the Internal Economy Commission so that it will specifically include the Speaker and Deputy Speaker, as it does now, two members of the House of Assembly, who are members of the Executive Council, and also the Government House Leader who will automatically be a member now. In the past it was just three members of the Executive Council. It will also include the official Opposition House Leader and it will also include one member of the House of Assembly who sits in opposition to the government to be designated from time to time by members of the House of Assembly who sit in opposition to the government. So whenever they tell us, that person will also be appointed to the

Internal Economy Commission.

Mr. Speaker, the second major part of the bill, I guess, and most significant part, or other significant part, is Clause 2 which would establish a Commission of Inquiry to review members remuneration. This provision will come into force, of course, after the dissolution of the Fortieth General Assembly which could be any minute now. Members opposite may want to make arrangements, make plans. This Section 2 will come into force immediately after the dissolution of the Fortieth General Assembly which could come into effect any second now or any time.

SOME HON. MEMBERS:

Hear, hear!

MR. SIMMS:

Mr. Speaker, it is as I said the other day, it took the members opposite practically one full year now to try to convince themselves that maybe they are an alternate government. So they have another year at least to try to convince the people, because I guarantee you they are not convinced now, brother. You might think they are, but they are not.

Anyway, Mr. Speaker, it could come into effect, of course, any minute now or any time between now and the next two years, because there are still two years remaining in the mandate of this particular government.

When it does come into effect, Mr. Speaker, it tells Your Honour to, within sixty day so a general election, "appoint an independent commission of not more than three persons to make an inquiry and a report respecting the indemnities, allowances, and salaries to be

paid to the members of the House of Assembly." They shall have all the powers and privileges, as people appointed as commissioners under The Public Enquiries Act. They shall deliver their report containing the recommendations to the Speaker within ninety days of the Commission's appointment.

MR. LUSH:
(Inaudible).

MR. SIMMS:
The hon. the member for Bonavista North (Mr. Lush) need not worry anyway, he probably will not be here. I understand he may be up in Ottawa. That is the latest rumor about the member. Perhaps next time he gets a chance to get on his feet, he can either confirm or deny whether, in fact, he is a candidate potentially for the federal riding of Bonavista - Trinity - Conception.

Mr. Speaker, upon receipt of that report by the Internal Economy Commission and the Speaker, the recommendation shall be implemented.

And most important of it all, I think, is that, and I will conclude with these few brief remarks, "The recommendations contained in the report...shall be final and binding." So whatever the independent commissioners say to salaries and allowances and indemnities and so on, will be final and binding.

So it taken out of the hands of the members of the House. We will no longer ourselves be accused of, I suppose, trying to look after our own little nests. It will be done by an independent commission. I think that is the right way that it be done.

Mr. Speaker, while Your Honour is getting some continuous briefing, as I say the member for Bonavista North (Mr. Lush) may not be too interested in this anyway, he will be able to probably draw his pension, I guess, pretty soon now anyway. He must be getting up there. He has had off and on from the times he quit, the times he came back, and the times he may quit in the future, he might have enough time accumulated.

Anyway, Mr. Speaker, now that I have your attention, can I move second reading of this particular bill? Your Honour has the appropriate references. I move second reading.

MR. SPEAKER:
All those in favour, 'aye'.

SOME HON. MEMBERS:
Aye.

MR. SPEAKER:
Contrary minded, 'nay'.

Carried.

This bill is now read a second time. When shall it be referred to a Committee of the Whole House, now?

MR. SIMMS:
No, tomorrow, Mr. Speaker.

MR. SIMMS:
Mr. Speaker, we will move on now then to Order 5, Bill No. 3.

Motion, second reading of a bill, "An Act To Amend The Trustee Act." (Bill No. 3).

MR. FENWICK:
On a point of order, Mr. Speaker.

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

member for Menihek.

MR. FENWICK:

I am not sure what I heard there. On the second reading on The Internal Economy Bill, is the Clerk not expected to get up and actual read the title or something?

MR. SIMMS:

She did.

MR. FENWICK:

No, she did not. As far as I know she did not anyway. She went to get up and then all of a sudden she was run right over. So I am not entirely sure we have actually done the second reading on that if that formally was not performed, any maybe the Clerk would be -

MR. LONG:

It would kill the bill. You would not want to see the bill killed.

MR. FENWICK:

I do not think it is through second reading without that.

MR. SIMMS:

To the point of order, Mr. Speaker.

I suppose it is possible the Clerk did not have a chance to move on it. I do not know. If she did not, perhaps she can stand up and do the second reading. That is all. That will clear that up.

On motion, a bill, "An Act To Amend The Internal Economy Commission Act," read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill No. 16).

MR. SIMMS:

Now it is done.

MR. YOUNG:

Mr. Speaker,

MR. SPEAKER:

The hon. the Minister of Consumer Affairs and Communications.

MR. YOUNG:

This bill, An Act To Amend The Trustees Act, Mr. Speaker, is one of the older court statutes and this bill will amend Section 3 dealing with the investment by trustees, and section 53, dealing with remuneration of trustees.

Section 3 is to be amended to permit trustees to invest in the various saving deposits audited by credit unions. Such credit union must be approved for this purpose by the order of the Lieutenant-Governor in Council.

This amendment has been requested by the Credit Union Council of Newfoundland and Labrador and will also, being approved, treat credit unions equally with other financial institutions in the Province to assess trust deposits.

Section 53 of the Act is to permit the courts to approve fees for the continuing care and management of trust estates. This amendment is being proposed as a result of representation by the Newfoundland section of the Trustees Companies Association of Canada and it is in line, Mr. Speaker, with legislation in other provincial jurisdictions. Section 53, as amended, will permit the court, or a judge, to allow a person entitled to remuneration an annual care and management fee not exceeding one two hundred and fiftieth, or two fifths of 1 per cent of the average market value of the assets on the administration.

Mr. Speaker, for the benefit of the House, the fee as now in effect for care and management in

other provinces of Canada are as follows: British Columbia, 2/5 of 1 per cent; Saskatchewan, 2/5 of 1 per cent; Ontario 2/5, of 1 per cent; Nova Scotia, 2/5 of 1 per cent; PEI, 2/5 of 1 per cent; Quebec, 1/2 of 1 per cent; Alberta 3/5, of 1 per cent; Manitoba, 3/5 of 1 per cent on the top of the scale; and New Brunswick, 3/5 of 1 per cent. It will be noted, Mr. Speaker, that the rate of remuneration for care and management provided for this section in Section 53 of the Trustees Act, as amended, that is 2/5 of 1 per cent, is the lowest of the fees provided for in legislation in any province of Canada.

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

MR. GULLAGE:
Mr. Speaker.

MR. SPEAKER:
The hon. the member for Waterford - Kenmount.

MR. GULLAGE:
Mr. Speaker, it appears that the bill is in order. I would like to comment though that it is probably long overdue that credit unions be allowed to invest in all share deposits, savings and checking deposits, certificates, debentures and so on, to bring them in line with other groups that are allowed to invest in all of the various debt instruments or securities that are available in the marketplace. We see that as a good amendment to the Act.

The two-fifths of 1 per cent change seems to be in order. Certainly, other provinces have a very similar amount which, on \$100,000, is only \$250 so it is probably a reasonable amount for a

trustee to charge for a continuing trust. That seems to be just a housekeeping item as well.

The only other comment I would like to make is that probably the Act could possibly be looked at in terms of determining whether the definition of a trustee and whether certain individuals should be allowed to act in that capacity and entrusted with funds as we have seen examples over the last couple of years.

I realize that this particular amendment to the Act does not deal with that section but, I am sure we would rather see amendments come forward as well insuring that corporate trustees, or individual trustees, that particular part of the Act be tightened up so that some of the situations and problems we have seen will not occur and only those by strict regulations and strict definition be allowed to act as a trustee in the future, whether it be an individual or a corporation.

Thank you, Mr. Speaker.

MR. WELLS:
I would like to speak briefly, Mr. Speaker.

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

MR. WELLS:
As the hon. the member for Waterford - Kenmount (Mr. Gullage) indicated, we support the Bill. There are a couple of things I would like to say.

The purpose of this is to give trustees, who have responsibility for properly managing funds that they are holding in trust for the benefit of people who are not able

or are not permitted to manage it themselves, to give them a certain level of confidence as to the kind of investments in which they can invest.

If the government is going to approve of a credit union in which they can invest, what I would like is have the minister give some indication to the House as to the standard by which the government intends to determine what credit unions might or might not be permitted and how they are going to determine what credit unions are an acceptable or an unacceptable investment. There could be very substantial pressure brought to bear on government by the members of a particular credit union, or by a group of supporters for a particular credit union, to make it a trustee investment, but that may not necessarily be in the best interest of the people whose funds are being invested.

We would like to hear from the minister as to the basis on which the government intends to pass regulations or the standard they intend to apply in determining what credit union is or is not an appropriate investment.

The other thing I would like the minister to indicate to the House, when he speaks in closing, is whether or not they have ever given any consideration to the appointment of a public trustee. Most provinces have provision for a public trustee, operated by the government, whose office would be largely paid for out of the fees collected for the services the trustee would provide.

Here, the Registrar of the Supreme Court ends up being saddled with the responsibility of being the public trustee and that takes a

great deal of his time away from the proper discharge of his duties as Registrar of the Supreme Court.

So I would like to hear the minister's views and comments on the desirability of appointing a public trustee, and when we can expect the government to give some consideration to that. But in particular, I would like to have some level of assurance from him on behalf of all persons who would be investing in credit unions as to the means by which they can feel confident that the credit unions in which they would be investing funds, that they are holding as trustee, would be safe and secure investments.

Thank you, Mr. Speaker.

MR. YOUNG:
Mr. Speaker.

MR. SPEAKER:
If the minister speaks now, he will close the debate.

The hon. the Minister of Consumer Affairs and Communications.

MR. YOUNG:
Thank you, Mr. Speaker. I would also like to thank the hon. member for Waterford - Kenmount (Mr. Gullage) and the Leader of the Opposition.

It is my understanding that it will be approved by Cabinet and not every small credit union in the Province they will be allowed to be invested in. The decision is with the Lieutenant-Governor in Council.

As to the public trustee, to my knowledge it has not been discussed, but I will probably give an answer for you in third

reading or probably when we go into committee. I will have my officials outside and they will gladly do it. Is that okay with the hon. the Leader of the Opposition?

I move second reading.

On motion, a bill, "An Act To Amend The Trustee Act," read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill No. 3).

MR. SIMMS:
Order 6.

Motion, second reading of a bill, "An Act Respecting Judgment Recovery (Nfld.) Ltd.," (Bill No. 37).

MR. YOUNG:
Mr. Speaker.

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

MR. YOUNG:
Thank you, Mr. Speaker.

Bill No. 37, "An Act Respecting Judgment Recovery (Nfld.) Ltd.": At present, Mr. Speaker, two provincial statutes govern the the recovery of compensation for Judgement Recovery Newfoundland Ltd. by a person who has suffered injury or loss as the result of an accident involving an uninsured motor vehicle.

The Judgement Recovery (Nfld) Ltd. Act, administered by the Department of Consumer Affairs and Communications, provides for the incorporation of Judgement Recovery (Nfld) Ltd., whose members consider of all insurance companies writing automobile insurance in this Province. The

Highway Traffic Act, Mr. Speaker, administered by the Department of Transportation, contains a provision for the accurate recovery of the compensation.

The purpose of this bill, Mr. Speaker, is to consolidate all existing provisions governing Judgement Recovery (Nfld) Ltd. into one act, the Judgement Recovery (Nfld) Ltd. Act, 1988, administered by the Department of Consumer Affairs and Communications.

There are no substantive changes in provisions affecting judgement recovery, Mr. Speaker, as a result of this consolidation. A minor amendment, Mr. Speaker, provides for the holding of the annual meeting on a date to be determined by the directors of the company, instead of what they are doing now, the first Monday in May of each year.

As hon. members are aware, the law requires that all vehicles be insured so as to protect the rights of the innocent victims of automobile accidents. Because it is not possible, Mr. Speaker, to devise a way to make compulsory insurance foolproof so that innocent victims are always protected, a company known as the Judgement Recovery (Nfld) Ltd. has been established to provide protection to the innocent parties who are the victims of hit-and-run drivers, drivers of stolen vehicles, drivers who ignore the law regarding compulsory insurance, and tourists who have no insurance.

Mr. Speaker, judgement recovery is not a substitute for, nor does it replace, compulsory insurance, but it is designed to protect innocent victims of automobile accidents

when for reasons, Mr. Speaker, insurance does not apply.

Mr. Speaker, I move second reading.

MR. GULLAGE:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Waterford - Kenmount.

MR. GULLAGE:

Mr. Speaker, the real problem is with the uninsured vehicle driver who continues to drive his vehicle. The government, at least at present, seems to have no way of knowing when this individual is on the road.

I am wondering, Mr. Speaker, if the minister would like to give consideration to putting some sort of a system in place where, if a pattern of accidents and a pattern of bad driving is evident, that the problem be caught at the level of the insurance company and certainly at the point of registering a vehicle or applying for a drivers license.

I think we should try to tighten up this particular act and the government should place all the emphasis on identifying these drivers who continue to be causing problems and, of course, causing the existence of Judgment Recovery itself.

Mr. Speaker, I would like the minister, when he speaks again on the matter on final reading, to report to the House what in fact the government plans to do as far as identifying these particular drivers, whether it be by identification at the time of registering the vehicle, or applying for a drivers licence, or, in fact, perhaps the insurance

companies themselves could notify the appropriate department when cancellation of insurance takes place because I understand that there is no mechanism currently in place to identify those drivers who continue to operate vehicles and have cancelled their insurance in the previous year or in previous years, and continue to operate without at least public liability.

So we would like to see better regulations put in place, and, in fact, the Act tightened up to ensure that the regulations are in place to catch at the source these drivers who are, in fact, operating vehicles without public liability.

MR. J. CARTER:

Mr. Speaker.

MR. SPEAKER:

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

MR. J. CARTER:

Mr. Speaker, I would like to pick up on something the member for Waterford-Kenmount (Mr. Gullage) just said. I agree with him, but I just like to broaden it a bit.

When a person applies for a licence to drive, and presumably he must have some vehicle in mind, he must have that vehicle insured and that is quite right and proper.

But a lot of people get insurance for a very short period of time, and quite understandably, may decide to change their insurance company. They might shop around. They have to get insurance right away to get the vehicle licenced initially, but having achieved that, they may think, 'This is kind of expensive, so I will shop around.' Therefore, they cancel

that particular insurance policy but not because they are cancelling it to get away from insuring their vehicle, but merely to change from one company to another.

I suggest, Mr. Speaker, that what should be done in all cases, whenever an insurance policy is cancelled, for whatever reason, that it should be reported to the registrar of motor vehicles, and then the matter should be investigated. If the insurance has, in fact, been cancelled, then I think the licence should be lifted.

I think there should be no such thing as an underinsured driver or an uninsured vehicle on our highway, and yet I am told by reliable people, by people who work with the motor registration, that somewhere between ten and fifteen per cent of drivers on the road at present are not properly covered by insurance.

We talk about all kinds of safety measures for drivers, but I think this is probably the one that is most abused, and the one that can cause the greatest misery.

I have personal knowledge of a person who had a collision, not injured seriously, but there was a tremendous loss of property involved and the fellow was left out in the cold. He just lost his vehicle. There was nothing he could do. There was no one that he could collect from and his own, I think he only had public liability himself and his own public liability did not come into force.

I do not think that you can require a person to carry collision insurance, but you must

require him to carry public liability, and this particular driver, an acquaintance of mine, did have an accident with someone who did not have public liability insurance, and was left completely out in the cold.

Now, that is bad enough if there is just a loss of property, but when a bodily injury takes place, then the person can be seriously harmed for life. If this House does nothing else this session but insist that everyone who drives should carry a certain reasonable minimum amount of public liability insurance, I think we will then have earned our salary in spades.

MR. DINN:

Is that not done now?

MR. J. CARTER:

No, it is not. There is no proper mechanism at the present time for reporting a person who has cancelled his insurance. Sure, it is illegal to drive without insurance, but there is no mechanism in place and that is what I am suggesting should be done, because the total number of people driving without insurance is somewhere between 10 and 15 per cent and that is too high, 10 or 15 per cent too high.

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. WELLS:

Mr. Speaker, just a quick word on the basic legislation itself. As I understand it, and on the basis of the assurances that we have from the minister that this is so, we have no problem with the bill, that this is simply a consolidation of the existing provisions of the Highway Traffic Act and the Judgement Recovery

Newfoundland Limited Act to put all those provisions into one Act relating to judgement recovery, and there is no change in the existing legislation other than the fixing of the date for the annual meeting. On that basis, we have no problem supporting the legislation.

I might just add to the comments recently made by the hon. member for St. John's North, he is quite right. It is a relatively simple matter for government to introduce legislation, or perhaps they can do it now by regulation - I would have to have a look at it - to ensure that insurance companies reported cancellation of automobile insurance, either non-renewal or cancellation of automobile insurance, and give the Registrar fourteen days within which to cancel a licence and send out notification of cancellation of any licence that did not have viable automobile insurance in place at the time.

It is not beyond our capability, surely. It is important that people who drive on our highways, or who are subject to being hit or injured by persons driving on the highways, have a reasonable level of confidence that they will be compensated, at least to a certain basic level, in the event of an accident. It really should not be beyond the capability of us to devise a method whereby that can be achieved. As the hon. member says, it would largely eliminate the need for Judgement Recovery Newfoundland Limited; it would certainly greatly reduce the burden of it. I would recommend that consideration be given to it, Mr. Speaker.

MR. SPEAKER:
If the hon. minister speaks now,

he will close the debate.

The hon. the Minister.

MR. YOUNG:

Mr. Speaker, I thank hon. members for their comments. As I said in my opening statement, it is almost impossible to make it foolproof. This, Mr. Speaker, is just more or less consolidating the Act we now have in Consumer Affairs with the Highway Traffic Act, which was under the Department of Transportation. There is a possibility that other rules could be added to it as we go down through the legislation and amendments are made to the Highway Traffic Act. All we are doing now is transferring the Recovery Judgement fund to the Department of Consumer Affairs whereby we can administer the claims.

I move second reading, Mr. Speaker.

On motion, a bill, "An Act To Respecting Judgement Recovery (Nfld) Ltd," read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill No. 37)

MR. SIMMS:

Next we will call Order No. 7, Bill No. 5, "An Act To Amend The Consumer Reporting Agencies Act," which is also the minister.

Motion, second reading of a bill, "An Act To Amend The Consumer Reporting Agencies Act." (Bill No. 5)

MR. SPEAKER:

The hon. the Minister of Consumer Affairs and Communications.

MR. YOUNG:

This bill, Mr. Speaker, is "An Act To Amend The Consumer Reporting Agencies Act." The purpose of the

amendment is to amend Section 21 (d) of the Consumer Reporting Agencies Act to clarify its intent.

The intent of the legislation is that the due date of a debt should commence from the date of the last part payment or written acknowledgement by a consumer. If no acknowledgement or part payment is received within a six-year period, then the debt is no longer to be reported on a consumer report.

As a result of the interpretation of the above-noted section, a number of consumer reporting agencies do not report information of debts six years after they become due, even though the debt has been acknowledged in writing or by part payment during the six-year period.

Omitting to report such debts has the effect of disregarding delinquent accounts. The failure to report this information to a lender provides the lender with a false reporting of a debtor's obligation, and unknowingly lenders are advancing loans or credit to debtors who may be overextending their debt load and this affects a debtor's ability to repay such debts.

Mr. Speaker, I trust that this amendment will enable Consumer Reporting Agencies to provide lenders with a more adequate reporting of a person's debts.

I move second reading.

MR. SPEAKER:

The hon. the member for Waterford - Kenmount.

MR. GULLAGE:

Mr. Speaker, it appears that the spread between monies collected

through saving accounts and various debt instruments and loaned out to the public seems to be adequate.

If we look at the profits of the various financial institutions involved in the lending business, none of them seem to be suffering terribly under present legislation as to being allowed to operate with an adequate spread to cover their expenses and make profits.

With this particular amendment I would question the minister as to whether we should allow a further extension of six years. In fact, it seems to be discouraging, if anything, a person from having his record or his slate wiped clean. Because as of the six year point, as it presently reads - it seems to read that way, unless the minister would like to further clarify it - if you have a particular debt in place, then the debt you had incurred is wiped off. But what we are now saying is that if you make any kind of a partial payment, a payment of any kind on the debt, then the six year period starts all over again.

If, for example, you made it in the fifth year of the first six year period, you are now stuck with eleven years before you can have a clean credit record. Now, that may seem to be improving the legislation to encourage people who have serious problems with credit and seem to be adding to credit on a consistent basis, but I would wonder whether it might be more important to provide a proper definition in the Act so that debtors can, in fact, not be obligated with a debt beyond six years. And encouragement from government should be to tighten up the legislation so that the debt can be eliminated in the six year

period and not further extended for another six years if the debtor has come forward and made a payment, triggering a new six year period. To me, that seems to be counterproductive. Perhaps the content of the Act should be looked at to strengthen the legislation as far as the first six year period is concerned, to confine it to six years in the hope that the debtor will eliminate his debt and be encouraged to make payments, and such payments would not further add to the problem by adding six more years that he would be obligated to the creditor.

MR. SIMMS:
Mr. Speaker.

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

MR. SIMMS:
I just want to speak for a -

MR. TULK:
He has not answer the question.

MR. SIMMS:
No, I think the minister is just gone to check on the point the hon. member for Waterford - Kenmount raises. Just before the minister closes the debate on the bill - if someone would get the minister -

MR. DINN:
Yes, I will do that.

MR. SIMMS:
- I will just briefly explain as best I can what I understand to be the purpose of this bill: It would be to permit the consumer reporting agencies to report on a debt for up to six years from the debtors most recent acknowledgement of the debt rather

than up to six years only from the time that the debt became due. I think there is a difference there, a fairly clear difference. The hon. member reads into that something else.

AN HON. MEMBER:
I read the same thing.

MR. SIMMS:
Anyway, those are my few brief remarks. Perhaps the minister in closing the debate could explain it and respond to the question. Thank you, Mr. Speaker.

MR. FENWICK:
Mr. Speaker.

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

MR. FENWICK:
Thank you, Mr. Speaker.

It is not very often that we actually agree with the member for Waterford - Kenmount on a particular piece of legislation like this. But the wording, as you look at it, seems to penalize those who are making sincere efforts to pay their bills and to allow to go free those who totally repudiate them. I am not quite sure why we are passing legislation that works in this particular manner. If I read the amendment correctly, and maybe the Minister of Consumer Affairs could correct me afterwards if we have misinterpreted it, but say that I accumulated a debt today and the Minister of Consumer Affairs also accumulated a debt the same day, and it was \$1000 for whatever, if two years later I made a \$100 payment on it, then another two years later made another \$100 payment on it and was trying to pay it down, in four or five year's time the consumer reporting

agencies would be reporting on both our debts that the Minister of Consumer Affairs still owed a \$1000 and I owed, maybe, \$800. But after six years had elapsed, the Minister of Consumer Affairs debt would be dropped completely while mine would continue on for six years past the last time I paid any money on it.

To me, that seems to be an unusual way of doing things, where people who are trying to pay their bills and acknowledge them are penalized over those who just completely wash their hands of the debt itself.

Now, if that is what it means, clearly I am not very supportive of that. If I have misinterpreted it, then maybe the minister could say so and we could look at it differently. But at this point I do not think I would be particularly interested in voting for an amendment like this, which clearly penalizes those who are responsible and allows those who are irresponsible to get away without having their debts reported by the consumer reporting agencies.

MR. SPEAKER:

If the minister speaks now, he will close the debate.

The hon. the Minister of Consumer Affairs.

MR. YOUNG:

My understanding is more or less like the President of Treasury Board said, that this is to extend the time for reporting and it is more or less to protect the customer when they are in debt. The licenced consumer reporting agencies have requested this extension, Mr. Speaker, which is to protect not only the lenders

but the consumers, themselves. My officials are listening outside and I can get more information on the third reading and clarification for the hon. the member for Menihik. Mr. Speaker, I can assure the hon. member that I will get him the information he requested. I move second reading.

On motion, a bill, "An Act to Amend the Consumer Reporting Agencies Act," read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill No. 5)

MR. FENWICK:

A point of order, Mr. Speaker.

MR. SPEAKER:

A point of order. The hon. the member for Menehik.

MR. FENWICK:

I heard a lot more 'nays' than 'yeas'. Did you report that that was passed? I did not hear you say that the bill was passed.

MR. SIMMS:

To that point of point of order, Mr. Speaker.

MR. SPEAKER:

To the point of order.

MR. SIMMS:

Everybody is well aware the Speaker's job is not to look out and count the members here. That is not the Speaker's job. Everybody understands that.

SOME HON. MEMBERS:

Hear, hear!

MR. TULK:

The member for Burgeo - Bay d'Espoir seconded it.

MR. SIMMS:

Oh, is that right? Anyway, Mr.

Speaker, with regard to this frivolous point of order raised by the member for Menehik, it has been raised on occasion before and we all know that it is not the Speaker's job to look out and count.

Anybody who has any sense at all knows that members often are in the common room meeting with groups. They are on the floor. While they may not be physically here, they may be returning telephone calls, obviously the Speaker knows without having to turn around and count that the government has a majority. If the hon. member wants to challenge a vote, let him do it the proper way and call for a standing vote. Do not try this silly little thing about 'we got ten over here and you only got nine over there in your seats, so it do not count,' or something foolish like that.

Mr. Speaker, if your Honour wishes to take the time to count the House he will see there is clearly a majority over here. It is my recollection that his Honour did say 'Carried' when he put the vote. So I do not think there is any big deal, and even the Opposition agrees.

MR. LONG:

It was big enough to bring up in the common room.

MR. SIMMS:

There is no point of order.

MR. SPEAKER:

There is no point of order. The 'ayes' have it. That was my understanding.

MR. SIMMS:

Order No. 8.

Motion, second reading of a bill,

"An Act To Amend The Fisheries Loan Act," (Bill No. 13).

MR. SIMMS:

Mr. Speaker.

MR. SPEAKER:

The hon. the President of the Council.

MR. SIMMS:

Mr. Speaker, I wish to move second reading of this Bill on behalf of my colleague, the Minister of Fisheries, who is unavoidably absent. In fact, he is out in Grand Falls, that great historic fishing constituency.

MR. WELLS:

(Inaudible).

MR. SIMMS:

Well, there was a small fish plant in the hon. member's district, Windsor - Buchans, at one time, owned by Tom Chow.

Mr. Speaker, the Minister of Fisheries, I understand, is enroute to the House, but unfortunately is not here at this time. So rather than delay it, it is a rather simple amendment and it really is a request, I think, from the Auditor General, in that the Fisheries Loan Board presently is required to submit its financial statements and its report not later than the 30th day of May. I think the accounts close the 31st. of March. The Auditor General felt that that was not really enough time for him to do a proper audit on the accounts and so on, and asked if it could be extended in some way. Apparently, the only it can be extended is by this amendment. It is a very minor amendment, Mr. Speaker, and I so move it on behalf of the Minister of Fisheries.

AN HON. MEMBER:
Hear, hear!

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

MR. W. CARTER:
Mr. Speaker, this is hardly a world-shattering amendment to the Fisheries Loan Board Act. I do not think there is any need for the minister to wait until the New York Stock Exchange closed before announcing it. It is not going to have that big an effect on the Dow Jones or the Nikki or some of those other world trading centres.

I would like to have seen the minister introduce an amendment to the Act having to do with some of the problems fishermen are now experiencing who have occasion to apply for and receive loans from the Fisheries Loan Board.

Let me brief the House, Mr. Speaker, on a couple of those problems. I have encountered it in my district and I have heard of cases in other parts of the Province, where fishermen who need a certain type vessel, the type vessel that cannot be built in this Province - in fact, I have one case in my own district, in Cobb's Arm, where one of the more successful fishermen on the Northeast Coast had need for a certain type vessel, a vessel of a certain width, in order to successfully prosecute the caplin fishery, the herring fishery and other bulk fisheries, and that vessel could not be built in this Province; it was a fiberglass vessel that could not be built in this Province. When the gentleman in question applied for financial assistance, as is his right to do, he was refused assistance on the basis that it contravened a

regulation within the Fisheries Loan Board which states that loans will be made available only on vessels which are built in this Province.

Now, I can understand the need for that kind of a regulation. In fact, I believe it was during my tenure as minister that that regulation was brought in, and it was done then for a very good reason. I suppose the same reasons exist today. In those days Newfoundland fishermen developed a liking for the Cape Island type vessel and it was often the case that they would come to the loan board, borrow money which was being subsidized by the people of this Province, and then go to Nova Scotia and have a Cape Island type vessel built, even though our own shipyards were, in some cases, teetering on bankruptcy for lack of work. It was then found necessary to impose regulations which would require people to have vessels built in this Province if they wanted to avail of the funds of the Fisheries Loan Board, and it is a good regulation.

But, Mr. Speaker, there is an exception, I believe, the exception being that in cases where a fisherman requires a certain type boat and that certain type boat cannot be built in this Province, as is the case with my constituent in Cobb's Arm, New World Island, then I believe that person should be eligible for the same benefits from the Fisheries Loan Board as he would receive were it a fact he was getting the boat built in this Province.

That, I believe, would probably require an amendment. Certainly it is the type of amendment I would like to have seen the

minister introduce in this session rather than this - to call it housekeeping. I suppose, I almost stretching the imagination - simple bill that makes it mandatory that the financial report of the board be deferred for two or three months. It is hardly worth spending the time of the House on. That is one little amendment I believe should have been brought in, and it is certainly necessary.

The other one, of course, is the regulation having to do with the same kind of situation, where a fisherman in the Province, through no fault of his own, is required to go to the mainland, or go somewhere, to have a boat constructed, and then he again faces the problem of not being able to qualify for financial assistance to buy the necessary equipment for that vessel. Now, again I can quote here from an experience that I have had with a constituent.

The same person who had to go to Nova Scotia to have the wider than usual fiberglass boat built had the same problem when it came to purchasing equipment to put on that boat. So, Mr. Speaker, what has happened is that that fishermen - I suggest there are probably a number of others in the same situation - is now at a disadvantage in that he is fishing alongside and competing with fishermen who have had their financing arranged through the banks, or through the Fisheries Loan Board at subsidized interest rates, and have had their equipment purchased on the same basis, whereas this person, as I said, has had to borrow his money from the bank at the regular going rate of interest to purchase his boat and to purchase his fishing

gear. That is a major complaint from the people affected, and it is one I have heard expressed in recent days.

Mr. Speaker, I would like the minister to be here to take advantage of this occasion to give the House some more information on his recently announced restructuring of the Fisheries Loan Board and the inshore fisheries. We all it is causing a lot of questions to be raised as to who will qualify for it, exactly how they go about getting it, and exactly how much they will get once they know they qualify. We know a problem could be looming in the background, having to do with the payment of taxes on that interest write-off. The minister, in this House and in Committee, was unclear as to what effect it might have on a person's income tax at some future date. I think at the time, upon being questioned by somebody as to what extent he had this matter cleared with National Revenue, he admitted that he had not had any communication whatever with the Department of National Revenue, but instead talked it over with a number of private tax consultants who assured him that, at least in their view, no such problem would occur.

If I were a fisherman today, Mr. Speaker, taking advantage of that interest write-off, and in some cases that could be considerable, then I would not rest easy until I was given some kind of an assurance by somebody that at some future date the tax collector would not be coming with his hand out to collect taxes on that interest write-off.

Not only that, if the Province is going to spend \$10 million of the

taxpayers' money to facilitate the fishermen and to streamline their operations and make things easier for them, then surely it is not in the Province's interest to have part of that \$10 million end up in the coffers of the Minister of National Revenue. So I would have expected the minister to have gone a little further, Mr. Speaker, in seeking a clarification of that matter than merely talking to two or three private tax consultants. Tax consultants do not make the laws. They endeavour to interpret the law, but sometimes their interpretation of the law, certainly in tax matters, is hardly consistent with the intent of the law, and usually it is the tax collector who wins out.

Mr. Speaker, the Fisheries Loan Board is playing a major role in the fishing industry today and, as time goes on, it will continue to play a major role. Indeed, it might even play an even greater role in the future, therefore, I think the operation needs to be somewhat streamlined. Because I am hearing of cases where, and I am not saying this in a derogatory sense in terms of the staff or the officials, I think they are a hardworking conscientious group of people doing their best, but I have reason to believe that all is not well, that it takes maybe a bit too long -

DR. COLLINS:

The Loan Board (inaudible) the hon. member was minister.

MR. W. CARTER:

I am sure the Minister of Health knows a lot about the Loan Board when this member was then Minister of Fisheries. He was then too concerned trying to carve a niche for himself as a Deputy Speaker, I think it was, or Chairman of

Debates in the House.

Mr. Speaker, as I have said, the amendment is hardly worth discussing. It is so minor and so insignificant it is hardly worth a second thought. We have no objection to it. I was saying a moment ago I would have preferred that there be amendments brought in which would have had the effect of making the Fisheries Loan Board more efficient and making it, in some cases, easier for fishermen to avail of their services. Anyway, Mr. Speaker, maybe another day we will have a chance to discuss this with the minister. It is a very minor amendment and is hardly important enough to waste time on.

MR. SPEAKER:

If the minister speaks now he will close the debate.

The hon. the President of the Council.

MR. SIMMS:

Mr. Speaker, I appreciate the comments of the member for Twillingate and I will refer them on to my colleague, the Minister of Fisheries; I will let him read in Hansard all the wise suggestions and comments the member made. I also appreciate the fact that they are in support of this very, very significant amendment. As he said, it is an important day for Newfoundland and an important day for Twillingate district, I guess.

AN HON. MEMBER:

And the world.

MR. SIMMS:

And the world, no doubt.

I move second reading.

On motion, a bill, "An Act To Amend The Fisheries Loan Act," read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill No. 13).

MR. SIMMS:

Order 9, Bill No. 14. "An Act To Amend And Consolidate The Law Relating To The Use And Operation Of Vehicles." (Bill No. 14).

Motion, second reading of a bill, "An Act To Amend And Consolidate The Law Relating To The Use And Operation Of Vehicles."

MR. SPEAKER:

The hon. the Minister of Transportation.

MR. DOYLE:

Mr. Speaker, I take great pleasure in bringing before the House today a revitalized Highway Traffic Act. Not only are numerous housekeeping items consolidated into the new Act, but there are new initiatives found in amendments to facilitate the implementation of the National Safety Code for commercial owners and operators.

Mr. Speaker, in moving second reading I would like to make a few points. The level of safety on Newfoundland highways has been improving and improving quite significantly over the past number of years. There were 117 people killed on our highways back in 1974; 108 in 1975; 110 in 1976, and safety programmes, such as the mandatory seat belt use legislation and concerted campaigns against impaired drivers, have reduced fatalities in recent years. Some fifty-nine people were killed in 1984; sixty-three in 1985; fifty-eight in 1986, and preliminary figures

indicate that fifty-nine people were killed in 1987. Of course, we do not have any figures readily available for 1988.

Although the figures show improvement, Mr. Speaker, we have to continue to develop and implement programmes designed to improve highway safety and thereby attempt to continually lower the number of Newfoundlanders and Labradorians who lose their lives every year on our highways. I would like to draw members attention to the major safety initiative proposed in the new Highway Traffic Act.

As it relates to the National Safety Code, the federal government reduced the economic regulation on the motor carrier industry when they enacted the Motor Vehicle Transport Act back in 1987. Since January of 1988, there has been a much easier entry into the interprovincial motor carrier industry and, similar to every other province in Canada, Newfoundland is going to be moving shortly to extend that ease of entry that has been adopted already by the national federal government. Newfoundland will be moving very, very shortly to extend that same ease of entry to truckers who operate solely within the Province of Newfoundland.

That would be referred to, I guess, as reverse onus, which is something the federal government recently adopted. When we bring in a new Motor Carrier Act shortly into the House of Assembly, we will have clauses in that bill which will facilitate the ease of entry of people who wish to get involved in the trucking industry which will be totally and completely consistent with what the federal government has done

themselves.

Of course, right along with that would have to go the implementation of the National Safety Code. If you are going to have an ease of entry in the trucking industry and making it easier for a whole lot of other people to get involved in the trucking industry, naturally you have to come up with some new safety standards.

Concerns have been raised that the forces of market competition will result in drivers operating vehicles for longer periods of time, or owners failing to provide sufficient funding to the operator to maintain their vehicles and what have you.

To ensure fatigued drivers and unsafe vehicles do not operate, to ensure that the unsafe vehicles do not operate, and fatigue drivers do not operate on the highway, I have included in the bill Section 195, which is on page 116.

It says "The Minister may make regulations to give effect in the province to the National Safety Code for commercial motor vehicles and trailers.

(a) prescribing the maximum period for which a driver may operate a commercial motor vehicle without a period of rest;

(b) prescribing training programs that a commercial motor vehicle operator shall establish for employees, including driver training, maintaining records, first aid, preventive vehicular maintenance, vehicle inspection and the handling of dangerous goods;

(c) prescribing records that a

commercial motor vehicle carrier shall maintain;

(d) prescribing preventive maintenance programs that a commercial motor vehicle carrier shall establish and the records to be maintained respecting those repairs;

(e) prescribing performance records to be kept by the Registrar respecting commercial motor vehicle carriers and drivers;

(f) prescribing periods of suspension where, by reason of fatigue, medication, drugs, alcohol, general physical condition or other impairment, an inspector considers a driver unsuitable to operate a commercial motor vehicle and prescribing the fee for the return of a driver's licence suspended pursuant to the regulations."

All of these things have to be brought into the Act for it to be completely and totally consistent with what the federal government is doing on implementing the National Safety Code.

As you know, the National Safety Code has about sixteen different elements contained in it, as I said, limiting the number of hours, mode of security, and transportation of dangerous goods. The Province is committed, as are the other provinces of Canada, in the implementation of that National Safety Code. Incidentally, the federal government is funding the various provinces in Canada to the tune, in Newfoundland, of \$610,000 to develop the National Safety Code, and \$1.25 million to implement and operate that over a period of three years, I believe. So that will give the Province the chance

to get the National Safety Code off the ground, to have it fully enforced, and to do it at the expense of the national government, which is quite good, I believe.

I fully expect also, Mr. Speaker, that the application of the National Safety Code for the motor carrier industry will make our highways safer by ensuring a continued safety factor for both the driver and the vehicle, and, of course, right along with that, the various inspectors that we do have will be ensuring that not only is the National Safety Code brought in but it is adhered to. They will have the authority to do roadside inspections which could be done, for argument's sake, at the various scale houses where trucks have to pull in anyway.

We are convinced, as I said, that the implementation of that will be a good measure which will ensure continued safety for both the driver and the vehicle.

The new act contains a number of housekeeping items. What it actually does is reflect a consolidation of the thirteen amendments which have taken place ever since 1970. That is the major new initiative in the bill, the National Safety Code, and of course the deregulation of the trucking industry has made this very, very important indeed.

The new consolidated act also, I should point out, will be of extreme benefit to the peace officers, the RCMP and the Constabulary people, and vehicle registration officials in the pursuit of their duties; as all the legislation will now be contained in the one document. As I said, we had thirteen different

amendments to The Highway Traffic Act which have taken place since 1970. So all of that will be consolidated into the one act which will save considerable time now for peace officers who have to go to so many different acts for information.

In an effort, also, to facilitate uniformity in our national traffic laws, there are amendments contained in this bill as well, some of them minor. For example, the use of symbols on traffic signs will be formally adopted; speeding offences will be classified according to the amount of speed in excess of the posted limit; motorcycle helmets will be required to be properly fastened; the power of the police to arrest for any violation of the act has been changed to apply only to serious violations of the act; and the power of judges to suspend drivers without a hearing when charged with impaired driving has been amended to require a hearing.

I would point out as well that all the references to Judgment Recovery which you heard the Minister of Consumer Affairs and Communications (Mr. Young) talk about a minute ago, which provided compensation for people who suffer damage by uninsured drivers, that has been removed from this Act because these provisions now have been placed in legislation under the control of the Minister of Consumer Affairs and Communications, who already administers related legislation.

Before I move second reading of the bill, Mr. Speaker, I should like to acknowledge the efforts of officials in both the Departments of Transportation and Justice who have contributed to the consolidation of the Act.

I move second reading of the bill.

SOME HON. MEMBERS:

Hear, hear!

MR. GILBERT:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Burgeo - Bay d'Espoir.

MR. GILBERT:

Thank you, Mr. Speaker.

As I listened to the minister introduce the second reading of this Act, I got the distinct feeling that maybe it was not as important as I thought this Act was when it came in because one very important thing that I found about it is the length of time it has taken to bring this Act in. Since 1970, with the various amendments, it become a nightmare for peace officers and lawyers to try and interpret this bill so that the housekeeping the minister is talking about was making it virtually impossible to enforce the Act, and taking out the parts about the insurance and Judgement Recovery, was long overdue.

But when I hear the minister say that it was designed to promote highway safety that is when I began to have some questions about the intent of this Act. As I understand it, the minister made a statement in this House a few days ago, to use a good Newfoundland expression, Mr. Speaker, gutted the Act. It took out one of the most important things.

I understand that not only did the officials in the minister's department work on this Act, but various organizations had some input into this down through the fourteen or fifteen years since it

was changed again, to try and get it changes, the auto dealers, the various trucking companies and Newfoundland Safety and all those people. The recommendations were to improve the Act.

One of the major concerns was the introduction of the point system. We saw the previous Transportation Minister put out a White Paper back in 1985 and then followed through with the various statements saying the point system was to be introduced and the reasons for it. Its main policy was to promote safety.

To follow along, as the minister pointed out, seat belt legislation helped to make the highways safer and maybe cut down on the loss of life.

When the minister stood in the House and announced that he was going to withdraw the point system a few days ago, I understood that it was going to be withdrawn on a temporary basis and be re-introduced later, after adequate time to study it and see what actually was the problem.

I agree, as we agree on this side, that maybe to pass this Act today and then put the point system into effect on July 1 would have been a bit drastic and would have caused a lot of hardship to Newfoundlanders. But we felt that there should have been six months to a year of education and warnings that this system was going to be put in place, and we still feel that that is the way it should be.

I understand now the minister has said that the point system might never be brought into legislation now. That is a very serious concern of members of this side in

our caucus. I believe the rest of the provinces of Canada, with the exception of one, have introduced a point system. We still feel that the point system should be introduced, but there should be an education programme offered.

When the minister says he has now gotten a deal where he is going to change the system, he does not have to bring in a point system, but he is going to start an education system which is going to improve the driving habits of Newfoundlanders, I have some doubts about it. I do not see why it will work in Newfoundland when it did not work in the other nine provinces of Canada when they have already introduced their systems. I am concerned that it is now a cop-out, for whatever reason.

Unlike the ATUs mentioned by some critics to the fact that the point system was now abandoned, I think the ATUs were something that was done by two or three people without any thought going into it. But I think the point system was given very serious consideration and it is something that should not be bandied away very quickly now.

I feel the minister should stand in this House now and say that the point system has not gone away for the sake of political expediency or whatever the case might be, but it will be re-introduced. With a lead period of six months to a year, it will be brought back. If it is the purpose of the Act, as the minister says, to promote highways safety, I think it is the only sensible thing for him to do.

I wish to point out a couple of concerns. I talked to some of the people in the insurance industry, who tell me that because they have

withdrawn the point system now, will it mean that there is going to be a dramatic increase in the cost of insurance to the general consumers of this Province because of the poor driving habits of the few? I think this is an important point and it is one that the insurance companies are a little concerned about.

This flip-flop on the part of the government of going from having a point system to not having a point system is causing some uncertainty out there in the industry and for the good drivers, the ones who have not been involved in any problems, the moving violations that are there. So the insurance companies are now going to be looking a little closer.

It could mean that because this legislation is not being enacted, we are going to pay a little more for insurance. I feel the poor driver who is out there, no matter what his station in life, whether he be a Cabinet Minister or whatever, if his driving habits are such, he should pay his penalty. If he is not ready to adhere to the law, the point system being in, he should then be penalized. I think that this is one way to improve safety on the Newfoundland highways because, as I pointed out when I responded to the hon. minister's statement, the highways in Newfoundland are barely safe at the present time. There is serious concern.

The study that was done last year by Trip Canada indicated 80 per cent of the Newfoundland highways were defective when compared to highways on the mainland. With this in mind, I would think it would be the minister's responsibility to ensure that the point system was in as it would

possibly reduce still further the deaths on the highways that the minister talked about when the seat belt legislation was brought in.

The other serious concern in this bill is the National Safety Code. The minister went into great detail to talk about the adoption of the National Safety Code. I wonder if the minister would tell me if the National Safety Code going to be adopted in its entirety. I understand that in some provinces, I think in Ontario, for instance -

MR. DOYLE:

What was the last comment on safety?

MR. GILBERT:

I said I wonder if the National Safety Code has been adopted in its entirety because I understand in some provinces, in Ontario, I believe, they adopted the National Safety Code but they put in amendments to suit the local situation, such as in Northern Ontario where the climatic conditions were somewhat different than the normal run through Southern Ontario.

I think that in Newfoundland we have some unique and distinct differences as far as highways are concerned and for this reason I feel that the minister should, instead of adopting a National Safety Code carte blanche, maybe he should look at it and take the local situation into consideration when he is adopting the National Safety Code.

I understand that there was some representation made to him by representatives of the trucking industry and, I think, this was one of the recommendations that

came in from that. I understand there was concern expressed that all of a sudden we were going to take a National Safety Code, again, taking into consideration the situation with the highways in Newfoundland and our geographic differences and the climatic conditions on Newfoundland highways, the condition of the highways, and all of a sudden, inflict the National Safety Code on the drivers of Newfoundland without having the proper consideration given for the local situation. I would suggest to the minister he have a serious look at this before the Act is adopted.

I ask him to seriously reconsider the point system and to put a programme in place that over a year, or a period of time, the point system will be introduced to serve the purpose of the Act which is to improve the safety of Newfoundland drivers and possibly save lives.

I will stop for a minute now and let the minister answer.

MR. J. CARTER:

Mr. Speaker.

MR. SPEAKER:

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

MR. J. CARTER:

Mr. Speaker, in replying to what the hon. member has just been saying, I do not think you need a point system to lift the license of a dangerous driver. If a person has been charged with some dangerous practice, the prosecutor now, as I understand it, may move that the offenders licence be suspended for a given period, and that is as it should be. This is right and proper, and it is done with a proper hearing. The person

who is charged has an opportunity to be heard and I presume has an opportunity to retain counsel.

The problem with the point system is do many tiny, minor technical infractions equal one big infraction? I say, no they do not. For instance, the member who was just speaking has been driving, I would think, for twenty-twenty-five years. I have never heard of him having an accident. If a point system were to be introduced, I think he should start off with perhaps three hundred points. Perhaps the Leader of the Opposition, I have never heard of him having an accident. He is a little bit younger, so perhaps we will give him two hundred points. But there is no fair way to introduce a point system, as far as I am concerned.

Another thing to be remembered is that a great many of the laws that would be point related are not of our making. They are made by the City Council, or city councils, as the case may be. There are a lot of Stop signs where I think common sense would indicate that Yield signs should be, where there are bags of visibility for hundreds of feet, yet there is a stop sign there. In many cases they should have had the good sense to put Yield signs in place. That is good and sensible. You do not need to come to an absolute full stop, but if a policeman were trying to up his bag limit, he could soon lift the licences of most of us, if he caught us filtering through Stop signs at half a mile an hour. It is certainly a technical violation and one that would, perhaps if there was a point system, would earn you the loss of a point or two, and I do not think this is

fair.

While I am on this, I should talk about the biggest danger confronting all of us in driving, especially on the highways, these enormous transports. Now I understand the minister is suggesting there will be legislation brought into effect that will force these drivers to have a log book so they will not be pushing themselves beyond wise limits.

I have driven a fair bit on the Trans-Canada Highway both here in this Province and in provinces away. If you were to tell me these trucks are being driven by computer, I would be inclined to believe you because they give way for nothing or no one.

I remember only last winter driving behind a large transport and there was a small pickup truck in front of me. It did not have the traction I had. It was light in the back, I guess. Every time a transport passed him, he just about lost control of his vehicle. He could quite easily have gone off the road, and if he had, the transport would never have been blamed because the transport would have been a half a mile the other way by the time the fellow actually lost control and went over the bank. Now, he did not, but it was more by good luck than good management.

These transports, if there is any slush on the road, seem to carry it all with them so that you are driving into a great cloud of slush and mist and it is almost impossible to keep your windshield clear. That is the big danger as far as I am concerned, and that, I would think, if you were to compile accurate statistics, is

the cause of more accidents than anything else.

I can only wish that this new system that the minister is talking about will come into effect very, very quickly.

I hope it is foolproof in that it will not be able to be flogged, because, the way the system works, the longer a driver drives, the more he drives, the more remuneration he gets. If he can keep himself awake by numerous cups of coffee or various other stimulants, then he is able to earn, perhaps, two days pay in one day.

With some of the records that they talk about, coming up from Florida in three or four days, these people must drive night and day. I do not see how else they could do it.

On the seat belt thing, the seat belt legislation is spotty, to say the least. I understand that school buses, crowded with children, do not require seat belts for the very simple reason that it is impossible to enforce. How can you force sixty young children to all keep themselves strapped up in seat belts, when they must have the release mechanism themselves? They are not strapped in by some third party. Just a flick of the buckle and they are loose. Or course, if the school bus is going for half an hour or so, well, they are not required to have seat belts on school buses which, I think, is a strange sort of anomaly.

The other thing about seat belts is what while there is compulsory seat belt legislation, there is not the pressure on the drivers or on the car manufacturers to come

up with a system of air bags which is supposed to be the most effective restraint. It is idiot proof, it is automatic, and it is expensive. But it does not cost anymore than a few bits of extra chrome on a new car.

So I think some pressure should be put on to have this type of restraint. It is much, much safer. The manufacturers will tell you that it is possible to withstand a head-on collision at even forty miles per hour and still walk away from it. It does not require any thought on the driver's part. He knows that he has really almost a fail safe mechanism.

I know that some of the larger cars have a system whereby the engine will fold rather than telescope under impact. I think the Mercedes, some of the expensive cars, have that, and they are supposed to be much safer. You have to get into the \$50,000 cars to get that kind of thing. But for the ordinary, average car, air bags, that type of restraint system, would be a lot better. To try and push the seat belt legislation at the expense of this, I think, is a mistake.

I think that these points are worth making. I do not think a point system could be made that would be fair. I do not see how it could be fair. I think it would be onerous on some and perhaps might let others slip through. I think we are not all equal in our driving skills and record, and I think to be fair you would have to give each person starting out a different number and some people a very large number of points. I do not know that this is fair either, to have

some people with a couple of hundred points up their sleeve.

I think the minister has quite wisely decided not to proceed with the point system. I do not think that that is any loss. I think we had adequate protection in our legislation without that.

I would urge that something be done about the transports. I think that the introduction of the sign, "Keep Right Except To Pass", was a very good change because it used to say, "Slow Drivers Keep Right," and no one likes to think of themselves as a slow driver. When it says, "Keep Right Except To Pass", then people did pull over, and psychologically it was a good thing, a good point and it worked. It brought people over to the right.

I am sure with this government and with this minister we will see a lot of far-sighted legislation brought before this House.

That is all I have to say.

MR. FENWICK:
Mr. Speaker.

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

MR. FENWICK:
Thank you very much, Mr. Speaker.

The remarkable thing about this discussing this bill is that I think the major point in contention is the section that is to be deleted in the Committee stage later on or at least as has been indicated, and that, of course, is the section that has to do with the demerit system which has been advertised for about two years, it has been going through some consultation, and which the

minister last week announced was put on indefinite hold. It is that particular aspect of it I would like to concentrate on and try, quite frankly, to get some sort of a rational explanation from the minister.

Since he has made that announcement and since we responded to it in the House of Assembly at the time, there has been a rash of editorials in papers such as **The Evening Telegram** and even in **The Grand Falls Advertiser**, as I am sure the member for Grand Falls (Mr. Simms) is entirely aware of, condemning the government for chickening out on what was essentially a standard procedure used in other provinces in order to weed out drivers who habitually break the law.

In saying that, Mr. Speaker, I am not saying it from a driving record point of view because one of the problems I have is that I do a lot of driving on the highway in going to events here and there within the Province, and in the time that I have, I am exposed to more traffic tickets, I would say, than a person who does a lot less driving. Nevertheless, the system, as it is devised, twelve points over two years, I understand is the time period in which you would lose your licence for a short period of time, if that were to occur, clearly would put a lot of pressure on drivers who have had a serious of infractions in the past to clean up their act and to obey the highway traffic code much more assiduously.

Even with the personal problems I have with it, and I think, a lot of other members do a lot of driving as well and probably have

a few parking tickets in the last year or two they have had to pay, and are probably from that point of view, slightly of two different minds perhaps about the whole situation, it is still clear in my mind and in most peoples minds that the merit system was a major innovation that has been adopted, I believe, in something like eight or nine other provinces to this point.

It consistently has been shown in the research that has been applied to it that it does weed out drivers who are habitually breaking the law on different numbers of infractions. That is why it was quite surprising that the minister, only a week or so ago, rose in his place to indicate they would not continue with it, and not that it would be delayed for three months or four or six months, but it was on indefinite hold.

The minister at the time indicated there was some representation that was made to him for that. When he sums up the debate on second reading, I really would be quite interested in finding out who were the people who are making this representation. Where they were people of a responsible nature or was it maybe a couple of constituents?

Quite frankly, I think the government over there was getting a very good ride on that. I have talked to other jurisdictions where the merit system was introduced. The only problem the government has when a system like that is introduced is if the Opposition is irresponsible and decides to take a stick and beat them over the head with it.

In this instance, both the

official Opposition and ourselves were being quite responsible and supportive of the initiative, so there was no political advantage one way or the other. The government could have put it through. Nobody could have gone and said 'Well, we are the people who opposed it, and therefore, we are standing up for the rights of the privileges of questionable drivers.' Under those circumstances, it is really quite surprising to see that.

By the way, Mr. Speaker, it does occur often. I remember talking to some of the ministers in the former government of Manitoba and I asked them what are the issues that they raised as a government that they got the most flack for. Up until the time that they introduced their car insurance rates up which, by the way, is still less than what ours are today, up until that issue - which, of course, proved to be fatal - the two major issues they had trouble with was French language legislation, and the constitutional obligation to translate all their bills, and the introduction of the mandatory wearing of helmets for motorcycle driving. When they asked me what the situation in our Province was, I told them that we were quite responsible as Opposition parties and as far as I know no Opposition had been raised to what were clearly seen to be safety matters designed to improve the chances of survival in accidents, and the wearing of helmets for motorcycle drivers is clearly one. The mandatory legislation providing for seat belt wearing is clearly another one, and it is one that I do not believe there were any Opposition parties taking a different position on it.

When that is all said and done, one wonders why the government chickened out. Why did they back off from an initiative that was clearly well established elsewhere, and was clearly in the interests of helping to improve the safety record of people on our roads? That is an answer that I really have not gotten. Looking at the minister's statement, there were a bunch of sort of self-serving arguments involved there. 'We did not interfere with the privileges of driving.'

The word privilege should give you the clue there. It is a privilege to have a driver's licence. The privilege is that you will get it as long as you are responsible in the operation of your vehicle, and you will lose that privilege if you abuse it. On that basis, I cannot see anybody in this Province has a statutory privilege to a drivers licence, and on that basis, it seems to me that this was a legitimate way of attacking the particular problem.

I was looking through Hansard on the day that the minister made his announcement just to make sure that I had all the comments correct, and at this time I must recognize that the member for Burgeo - Bay d'Espoir (Mr. Gilbert), who also spoke on the Ministerial Statement, I got at that time the distinct impression that the member was in favour of the indefinite cancellation of it, but in looking at his comments, it is quite clear now that he did say it is the implementation schedule which was the major problem.

Of course that is correct because, as the former Minister of Transportation said to us back in February, 1987, the point system, the demerit system would be

introduced, along with a substantial education programme to inform people of the fact that this was being implemented, and a comprehensive programme of trying to improve driver safety in the Province.

I think everybody was very much in support of that initiative, but I think what happened is somehow between the jigs and reels, and the switching from one Minister of Transportation back early in January to another, somehow the programme fell, or the public relations programme that should have been put on in order to inform people that this was coming down the line, was not done. So that up to last week, which was, July 1 was the initiation date on this, only about five or six weeks prior to the initiation of it, nobody in the Province really was reminded of the changes that were coming down.

In a sense, I think what happened, or at least I trying to postulate reasonable excuses for the minister having done what he did, but one of the only reasons that can be put forward is the department forgot to do its job. They just bumbled it and did not manage to go and do the public relations campaign on it.

Mr. Speaker, one of the things that we did when the announcement was made was get in touch with the officers of the Newfoundland Safety Council who, of course, had a very major role to play in lobbying for this initiative. As they say, it has been five years in the works. It is not a thing that sprung up overnight. We consistently felt heartened by the former Minister of Transportation's support of the programme itself. We are involved

in drawing up the guidelines so that they are similar to those of other provinces. So I think that this argument that it was a Draconian measure is really not supported much by the fact that it is almost a replica, as I understand, of the point system put in place in other provinces.

So, in talking to the people in the Newfoundland Safety Council, they were very disappointed. They had received virtually no notice, although I believe a slight bit of notice was given to them, that this in fact was falling apart on them, and that the legislation and the regulations that they had wanted to see put in place for such a long time were, in fact, not going to be put in place at the time they thought.

One of the things that I would like to suggest to the minister is that perhaps it would be appropriate for us not to delete this section from the legislation. It is my understanding, in talking to the Government House Leader, that the intention is, in the Committee stage, to delete the section of the bill, I think it is Section 185, or the part on regulations, section (h) which says, "providing for a demerit point system for drivers and in particular, but without limiting the generality of the foregoing, (i) requiring the Registrar to keep a record" and so on. There is a whole section in there.

The suggestion I would like to make to the Minister of Transportation, because I still feel that the system is a good one, is have his legislative draftspeople look at the particular section and see whether or not it can be kept in there,

perhaps with one section that would trigger it to come into effect at a later date, so that the advertising and the public awareness and the public education programme that was missed this Spring, that clearly has to come in before this can be implemented, could now be scheduled for the next couple of months and, then, perhaps by October or November of this Fall, we would be in a position to implement this particular section of this Bill 14.

I believe that that would be a good way of allowing for the one area that I think was deficient by this government over here, and, at the same time, it would at least give us an opportunity to make sure that the advertising is done and we still get the legislation in place.

I am not sure what he will say when we sit down later on, in order to talk about it, but I would certainly like to hear some comments on it.

I am not sure that even anything else would have to be done because looking at Section 185, it says, "The Lieutenant-Governor in Council may make regulations." It says 'may make regulations.' If you refer to Section (h), then, if the Lieutenant-Governor in Council may make regulations then he may not make regulations as well. I would assume that is what the particular section says. Therefore, if he does not make regulations under Section (h), I would argue that it would not come into effect until such time as those regulations were made. Perhaps it is not necessary to delete this particular section of the Act and if it is not deleted, then we may be able to get our act together at a later date in order

to ensure that the particular footing is put in.

Mr. Speaker, I do not have a huge amount more to say about the particular piece of legislation, other than to say I applaud the fact that we are looking at safety regulations which are, as I understand it, uniform across the country which this particular piece of legislation will enable us to enact here in this Province and the fact that we are looking at a update of legislation that was passed the last time in 1970 and for which a whole bunch of amendments have been made over the course of history and are now, at least, put down into one code so that, as the minister said, the law officers will be able to see it in one place.

Other than that, Mr. Speaker, I do not have a huge amount to say, other than I hope the minister will take our comments under advisement, have a look at it and see, if instead of the indefinite delay he talked about last week when he introduced it, we have a more definite delay so that we have some probability of seeing the particular legislation put into place this Fall.

With that, Mr. Speaker, I will sit down and allow anybody else who wishes to get up, be recognized and then adjourn the debate.

MR. K. AYLWARD:
Mr. Speaker.

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

MR. K. AYLWARD:
Thank you, Mr. Speaker.

It being close to six o'clock, I

would like to adjourn the debate until the next time it is called.

Thank you.

MR. SIMMS:
Mr. Speaker.

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

MR. SIMMS:
Mr. Speaker, we did a good days work today. We will carry on Thursday from where we are now. The House will be closed on Friday. For the benefit of the press, the House will not be sitting on Friday to allow the NDP to attend their tiny provincial convention over in Corner Brook.

AN HON. MEMBER:
What do we have?

MR. SIMMS:
We have a executive board meeting. I bet you we will have more at our board meeting than the Leader of the Opposition had in Stephenville at his meeting over there, the one that was reported in The Georgian. Anyway, Mr. Speaker, enough of this nonsense.

I move that the House adjourn until tomorrow, Wednesday, May 25, at 3:00 p.m., and that this House do now adjourn.

On motion, the House at its rising adjourned until tomorrow, Wednesday, May 25 at 3:00 p.m.

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