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Speaker: Honourable Thomas Lush

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The House met at 9:00 a.m.

Mr. Speaker (Lush): Order, please!

Statements by Ministers

Mr. Speaker: The hon. the Premier.

Premier Wells: Mr. Speaker, I am taking this opportunity to advise the House of certain changes Government has approved to the structure of the Intergovernmental Affairs Secretariat. I will be introducing, in the House appropriate amendments to the Intergovernmental Affairs Act to reflect these changes.

As members will recall, the Deputy Minister of Intergovernmental Affairs, Mr. Peter Kennedy, was recently appointed to the position of Provincial Co-ordinator for the Hibernia Project. That appointment left the position of permanent head of the Intergovernmental Affairs Secretariat vacant.

I have taken advantage of that vacancy to initiate some changes to the Intergovernmental Affairs Act and to the structure of the Secretariat.

Since this Government assumed office, I have had the responsibility for Intergovernmental Affairs, exercising the functions of Minister under the Act. Members will recall that in the former administration there was a separate minister. My experience over the past eighteen months in dealing with intergovernmental matters has led me to conclude that while there is a clear need for a central focus in Government for the co-ordination and

direction of the relationship of this Government with the Federal and other Provincial Governments, this function can best be effectively carried out by the Premier. I do not mean by me personally, but whoever is Premier. Therefore, the position of Minister provided for in the Act will be eliminated. The Intergovernmental Affairs Secretariat will continue to function in the Executive Council, reporting to me as Premier. The Secretariat will be headed by a secretary to Cabinet for Intergovernmental Affairs replacing the existing deputy minister position.

This structure of having intergovernmental matters handled by a Secretariat within the Executive Council, and the permanent Head of the Secretariat designated as the secretary to Cabinet for Intergovernmental Affairs reporting to the Premier is similar to the practice in several other provinces, and in the Federal Government.

I have appointed Mr. Fred Way to the new position of Secretary to Cabinet for Intergovernmental Affairs. Mr. Way has worked in the Intergovernmental Affairs Secretariat for some fourteen years and for the last seven as an assistant deputy minister.

Concurrent with Mr. Way's appointment to the position of Secretary to Cabinet for Intergovernmental Affairs, I am eliminating the assistant deputy minister position vacated by Mr. Way. That is one of the senior level cuts, Mr. Speaker. I realize fully this will create an increased work load for all of the people in the Secretariat, but this is consistent with the

requirement for fiscal restraint and internal economy within the operation of Government.

As well, Mr. Speaker, I have to say that I have come to greatly respect the people who function in the office of Intergovernmental Affairs and I am completely confident they can handle the work load.

Mr. Speaker, as stated previously I will be introducing specific proposals to amend the Intergovernmental Affairs Act along these lines in due course.

Mr. Speaker: The hon. the Leader of the Opposition.

Mr. Rideout: Thank you, Mr. Speaker. First of all I want to thank the Premier for sending me a copy of this statement. And I want to say, Mr. Speaker, that I do not have any great difficulty with this restructuring move in Intergovernmental Affairs whatsoever. I think with very few exceptions history will show that the convention has been in this Province since the Secretariat of Intergovernmental Affairs was established that by and large with few exceptions the person heading up that Department has been most of the time the Premier of the Province.

There has been the odd occasion when the Premier might have been, for example, Minister of Mines and Energy as well as Premier, and another person was charged with that responsibility. But I think that the focus that that Secretariat needs ought to be provided by the leader of the Government and I have no difficulty with that. And in fact that was part of the restructuring that I carried out during the

short time that I occupied the office of the Premier.

Now in terms of the person who has been appointed as Secretary to the Cabinet for Intergovernmental Affairs, Mr. Way, he has certainly been a career civil servant with this Province for a long time, principally I guess, as far as I know, most of his time in Intergovernmental Affairs as an assistant deputy minister. And he has certainly served the Province well and the Government well and I want to congratulate Mr. Way on his appointment and I am sure he will continue to serve the Province well for many years to come.

So, Mr. Speaker, we have no great difficulty with this whatsoever. And having said that we can only wish Mr. Way and the rest of the people in Intergovernmental Affairs continued success in dealing with other Governments on behalf of the Province.

Mr. Speaker: Before calling the next item of business, on behalf of hon. Members I would like to extend a warm welcome to sixty-five Level II students from Ascension Collegiate, Bay Roberts, accompanied by their teachers, Mr. Taylor and Ms Walsh.

Oral Questions

Mr. Speaker: The hon. the Leader of the Opposition.

Mr. Rideout: Thank you, Mr. Speaker. Mr. Speaker, this past week the President of the Fishermen's Union, Mr. Cashin, urged the Provincial Minister of Fisheries to take a leading role in proposing a joint

Federal-Provincial response to the crisis that the fisheries is facing in this Province, particularly on the West Coast where there was a major fisheries conference held over the last few days and where there is a very significant resource problem.

Mr. Speaker, I want to ask the Minister of Fisheries whether or not he is prepared to commit the Provincial Government to a Federal-Provincial process of planning and cost-sharing any response programme that will have to be put in place to help alleviate the crisis in the fishery, particularly the crisis that is now being faced by fishermen and plant workers on the West Coast of Newfoundland and Labrador.

Mr. Speaker: The hon. the Minister of Fisheries.

Mr. Carter: Mr. Speaker, we are already very much involved with the Federal Department of Fisheries in planning response to the current crisis. In fact I think the hon. Leader of the Opposition will recall that back in May month we made a presentation to the Federal Government suggesting an economic diversification programme where we in the Province offered to cost-share to the tune of, I believe in excess of \$100 million over a given period.

I met with the Minister of Fisheries last Thursday and we discussed at length the problems facing the Newfoundland fishing industry. We are meeting again on the 26th of November on Prince Edward Island, to discuss the 1990-1991 management plan and the Minister, I am happy to say, accepted the recommendation that I

made to him some weeks ago in Ottawa, that we meet on a regular basis. So we will be meeting on a monthly basis to discuss various problems and I am sure the Province will be very happy to co-operate with the Federal Minister in his efforts to find a solution to a problem by the way, that, by and large they have created.

Mr. Speaker: The hon. the Leader of the Opposition.

Mr. Rideout: Thank you, Mr. Speaker. Mr. Speaker, nobody denies that the major share of responsibility lies with the Federal Government, but now that the two Ministers have gotten together on what seems to be a very, very friendly basis and hopefully a co-operative basis, can the Minister tell this House whether or not the Provincial Government is prepared to participate financially in a response program to help alleviate the problems in the fishery, particularly on the West Coast of the Province? That is the question I was trying to get to the Minister.

Mr. Speaker: The hon. the Minister of Fisheries.

Mr. Carter: Mr. Speaker, at the meeting on Monday past in Corner Brook, where I met with, I suppose about seventy-five or eighty leading fishermen on that Coast along with their union and representatives of the Federal Department of Fisheries and Oceans, where a suggestion was put forward by the fishermen's union President, Mr. Cashin, that there be a task force appointed to focus on the problems in the Gulf area.

The task force, I presume, will be

appointed by the fishermen's union, and at that meeting I, at his request, undertook to commit the Province to play a role in that task force, and if and when we are called upon to do so, then we will be appointing a senior person from my Department to work with the union and the Federal Government on that task force to seek out ways of alleviating the problems that have been caused by the poor management of the fishery in that area.

Mr. Speaker: The hon. the Leader of the Opposition.

Mr. Rideout: Thank you, Mr. Speaker. Yes, what the Minister says is correct. I heard the Minister say that the Province would be prepared to participate in a task force, but I also heard the fishermen and the president of their union asking the Minister of this Government to participate now in a response program. The question to the Minister again is: Is this Government prepared to participate financially in a response program on the West Coast of the Province?

Mr. Speaker: The hon. the Minister of Fisheries.

An Hon. Member: Yes or no.

Mr. Carter: Mr. Speaker, I am surprised at the attitude of the hon. the Leader of the Opposition, because he knows as well as I do - in fact, I will table today the terms of union between Newfoundland and Canada back in 1949, wherein, term 22 clearly sets forth the responsibilities as they relate to fisheries, so I shall table this document, and maybe after he gets a chance to read it, then he will better understand why the Province is not

required, is not obligated really, to share in the cost of responding to the crisis.

The Federal Government, by their actions, by virtue of the fact that they have just recently announced a \$5 million response programme, are, in effect, admitting it is their problem. Now, if he is suggesting that we take money from hospitals, from education, and from unwed mothers, and unnecessarily give it over to the Federal Government when it is not needed, or required, or asked for by them, then I think he is being very irresponsible.

Mr. Speaker: The hon. the Leader of the Opposition, on a supplementary.

Mr. Rideout: Let me ask the Minister this, Mr. Speaker, how can the Minister continue to hold the position he has held on refusing to participate in Federal-Provincial response programs to alleviate crisis in the fishery, when in 1985, 1986, 1987, and 1988 this same person, as the fisheries critic for the Opposition, demanded that the Government of the day participate, when in fact we did, how can he do that now when he demanded that the Government of the day bring in interest-free loans for fishermen, and top-up response programs? What has happened to the Minister all of a sudden that he is willing to shirk all the responsibility that he thought the Provincial Department of Fisheries should have played four, five, or six years ago?

Mr. Speaker: The hon. the Minister of Fisheries.

Mr. Carter: Mr. Speaker, I am sure the hon. the Leader of the

Opposition will appreciate that he is making statements now that were not entirely consistent with statements he made when he sat on this side of the House. Let me remind him, Mr. Speaker, that the crisis in the fishery now is caused by virtue of overfishing and poor management on the part of the Federal Government. They have admitted that, Mr. Speaker, and the people I have talked with, especially in Corner Brook on Monday, appeared to be pretty understanding of the Province's position.

Mr. Rideout: That is not my understanding.

Mr. Carter: I do not care what the Opposition Leader says, but I can tell him that I attended that meeting and spoke to the people present and explained to them in the most minute detail the Province's position as opposed to the Federal position in this crisis. They, in my view, at least understand and sympathize with the Province.

Mr. Speaker: The hon. the Member for St. Mary's - The Capes.

Mr. Hearn: My question is to the Premier, much to the disappointment of the Minister of Education. Almost a year ago Fishery Products announced the downsizing of their operation and the closing of plants in Grand Bank, Trepassey, and Gaultois. The Premier at the time, the Government, injected an infusion of dollars to keep the plants alive for some time, and he admitted publicly that they did so because they were not prepared to address the fallout, and they would give the communities time to diversify. I ask the Premier, seeing that almost a year has

passed, what diversification plans has his Government implemented for Gaultois, Grand Bank, and Trepassey?

Mr. Speaker: The hon. the Premier.

Premier Wells: Let me state accurately, Mr. Speaker, for the record, the position the Government took. It is not as the hon. Member put forward at all. We put up the \$14 million, this Government, because the Federal Government failed to address its responsibility, because they were not prepared to take on the responsibility that was theirs, and the statement that I put forward indicated that very clearly. I also said that we were trying to work together to address the problem, and we have been having meetings since August of 1989 to address that particular problem. The two Governments had not come together with a proposal that would address the problem and for that reason, in the face of the failure of the Federal Government to discharge its responsibility, the Province was putting up this \$14 million in order to give these communities an additional amount of time.

Then, Mr. Speaker, we put forward a detailed proposal to the Federal Government in April of 1990 after extensive discussions with them. The Federal Government rejected it and instead made this great announcement about what they were doing, and it was largely unfounded. They were grossly exaggerating any effort they intended to make by including in it their cost of administering the fisheries and so on, and made a statement at the time that they preferred to do it on their own rather than join with the Province in the proposal.

So now it is their responsibility. We will let them do it. Now in the meantime, Mr. Speaker, the Province continues to seek alternatives for Grand Bank, Trepassey and Gaultois. We have been in constant touch with the people involved in all of those communities. The Minister of Fisheries has been working extensively with them. The Minister of Development and the Economic Recovery Commission have also been working on the issue. Every possible effort is being made, but we cannot fabricate employment opportunities out of thin air.

Mr. Speaker: The hon. the Member for St. Mary's - The Capes.

Mr. Hearn: Mr. Speaker, the Premier did admit publicly that the Government did not have anything in place, nor would they be expected to on such short notice, and I appreciate that. But at the same time he did indicate that they would put something in place. So I ask him, in light of the fact that always in the past when there was trouble you had your special teams - you know, the Lone Ranger and Tonto, Batman and Robin, and The A-Team - scoot into areas where there was need, has the Premier sent his special SWAT team, the Economic Recovery team, into Grand Bank and Gaultois and Trepassey to sit down and try to work out some plans these people know can work, not some pipe dream as was evidenced in the list of projects that was sent up to Ottawa by the Government?

Mr. Speaker: The hon. the Premier.

Premier Wells: Mr. Speaker, I do not recall our saying that we will put something in place. We moved

immediately to put \$14 million in place to extend the notice period of termination to provide for a reasonable time for the Federal Government to step in and discharge its responsibility which until last week - last week we saw the first real sign that the Federal Government was discharging its responsibility. Now I want to point that out, but at the same time I do not want to be critical and cause any deterioration in the relationship beyond what it has been. It is bad enough now. I am delighted to see them act. I commend the Federal Minister for the action he took last week, and I encourage him to continue along the same lines. And I assure him that the Provincial Minister and the Provincial Government will work co-operatively with him so long as he is prepared to help resolve this problem.

Now in the meantime, Mr. Speaker, the Member also asked what was done. I can tell him, if I recall correctly, the Economic Recovery Commission not only decided to step in of its own accord and give some attention to the area, it moved its regional office into Grand Bank, partly because of the fact that Grand Bank needed it. So the regional office for that area will be located in Grand Bank. They will be there to provide the help directly. And that is one tangible effort. But they have also, Mr. Speaker, been looking at other opportunities in discussing with potential businesses other opportunities.

The Minister of Development himself has been heavily involved in looking at what the opportunities might be or what the Government might do. Until this last week we have seen nothing from the Federal Government, but I

am delighted to see now that they are prepared to move on the matter.

Mr. Speaker: The hon. the Member for St. Mary's - The Capes.

Mr. Hearn: Mr. Speaker, the Premier has admitted that they have done nothing to date. I would ask him, in light of the fact that they did inject funds which did keep the plant open for twenty weeks this past year, all plants - and let me say to the Premier that it worked very well, because practically every employee in most of the plants had a full summer employment for which they are extremely grateful. I ask the Premier, in light of the success of keeping the plant open for twenty weeks cost-shared by his own Government and the company itself - mainly by the company this year, hopefully next year by the Government if it continues and if the TAC is up - wouldn't he consider and wouldn't he admit that perhaps the proper thing to do, in light of the fact we expect a turnaround in the Fishery in a few short years, is to keep the plants open in these areas so that the people who have always worked there can continue to stay and work there and not be out groping for some pipe dream that may not be realistic at all?

Mr. Speaker: The hon. the Premier.

Premier Wells: Mr. Speaker, it is difficult to believe the hon. Member is asking that question seriously. What are they going to process, cucumbers?

The problem is the supply of fish. That is the basic problem, the reduction in the availability of raw material to process because of the mismanagement of the offshore fisheries by the Federal

Government.

Now, Mr. Speaker, if you are going to manage it in the way that is implicit in the hon. Member's question, then what you have to do is close down the operation of some other plant, somewhere else, and some Government has to be prepared to finance the inefficient, expensive operation that is non-competitive; run the risk of having countervailing savings imposed in the United States because we are subsidizing the operation of the fishery; threaten the whole of the fishery. The member's question is clearly irresponsible, Mr. Speaker.

Mr. Hearn: A final supplementary, Mr. Speaker.

Mr. Speaker: The hon. the Member for St. Mary's - The Capes.

Mr. Hearn: The Premier knows that the only thing you are threatening here is the operation run by a major company, Fishery Products. It has nothing to do with the total inshore operation at all. So, I ask the Premier, in light of the fact that the people benefit, even though the company - company here in this case, or if you want to throw in National Sea, companies - might be hurt in the short-term, the people are the ones who benefitted this year and they will continue to benefit. If there was any hope at all for the fishery, and hopefully there will be - in the short time it will turn around - I ask the Premier, doesn't he think we should forget about the companies for a while and worry about the people? Isn't that what really matters?

Mr. Speaker: The hon. the Premier.

Premier Wells: It is because we

were worried about the people, Mr. Speaker, that we took the action we did in putting up the \$14 million. That is what motivated the act. Mr. Speaker, it is also because we are worried about the people in all of the Province, all of the people engaged in the fishery who were not prepared to monkey around with the fishery and destroy it throughout the Province, as the hon. member's proposal would cause. It is because we are worried about the people, not because we have concern about the two companies involved. But we have concern about them and their shareholders as well, because they are part of the totality of the operation of this Province.

And do not ever forget, Mr. Speaker, that an economy is successful when you combine together the natural resources that are there, like the fisheries or mines or forests, and the labour force that is there, but also essential is the capital that is necessary to invest to operate and maintain the business. So we must be concerned about maintaining a viable business, as well, to provide the job opportunities. And that is what we mean by fairness and balance in all our dealings with people. But it was concern for the fishermen and for the people who work in these fish plants, Mr. Speaker, that motivated this Government to act, and continues to motivate this Government.

Mr. Speaker: The hon. the Member for Humber Valley.

Mr. Woodford: Thank you, Mr. Speaker. My question is to the Minister of Works, Services and Transportation. On November 7 the Leader of the Opposition, in

questioning the Premier, asked him if there were any cuts to supervisory employees in the Province. In Hansard of November 7 the Premier said, 'Mr. Speaker, I am told that superintendents have not been taken off overtime.' Would the Minister tell the House which statement is true, whether it is his statement made earlier, a couple of weeks ago, or the Premier's? Which is true?

Mr. Speaker: The hon. the Minister of Works, Services and Transportation.

Mr. Gilbert: I will again go through what we have done.

Some Hon. Members: Would you answer the question?

An Hon. Member: Which is true?

Mr. Efford: Answer it the way you want to answer it, Dave.

Mr. Gilbert: What we have done is we have changed the way in which overtime is paid to highway foremen. There has been no reduction in the number of highway foremen, the same number is there this year as was there last year.

Mr. Speaker: The hon. the Member for Humber Valley.

Mr. Woodford: A supplementary, Mr. Speaker. I did not ask him about foremen, I said overtime to foremen. In my supplementary, Mr. Speaker, would the Minister explain to the House how he can cut all overtime pay for supervisory employees in the Province and expect them to the work under harsh Winter conditions, and to work overtime - overtime, mind you - for absolutely nothing?

An Hon. Member: That is not true.

Mr. Woodford: It is true.

Mr. Speaker: The hon. the Minister of Works, Services and Transportation.

Mr. Gilbert: Mr. Speaker, another example of the scaremongering and the tactics of the Opposition. Those people who are working are the foremen. As a matter of fact, I think the member owes them an apology by saying that because we have changed their pay scale, they are not going to work. These are professionals who are out doing a job, and I think it is unfair to suggest and impute motives to those people, that they are not going to do their jobs because we are changing their pay scale.

Mr. Speaker: The hon. the Member for Humber Valley.

Mr. Woodford: Mr. Speaker, the Minister can skate all he like, but he dug a hole for himself on this one. My third supplementary, Mr. Speaker, would the Minister explain to the House where the \$550,000 saving is going to come from? Would it be less equipment on the roads, on the roads for less hours or overtime to supervisors? Or would it be all three?

Mr. Speaker: The hon. the Minister of Works, Services and Transportation.

Mr. Gilbert: Mr. Speaker, one of the things we have in mind in running the Department - and the change in the paying of the supervisors is one of the ways to make the Department more efficient, and naturally with the more efficient running of the Department we will effect those

savings.

Mr. Speaker: The hon. the Member for Humber Valley.

Mr. Woodford: A final supplementary, Mr. Speaker. I ask the Minister again, quite simply, of his statement made a couple of weeks ago and the one made by the Premier on November 7, which statement is true? Just say which one is true. Yes or no.

Mr. Speaker: The hon. the Minister of Works, Services and Transportation.

Mr. Gilbert: Mr. Speaker, all our answers are consistent. We are out to run a more efficient and effective Government.

Mr. Speaker: The hon. the Member for Torngat Mountains.

Mr. Warren: Thank you very much, Mr. Speaker. My question is to the Minister of Justice. Does the Minister of Justice believe that all citizens of our Province who have at some time or other broken the law, and have been charged by the police, should have equal opportunities to appear before a judge?

Mr. Speaker: Order, please!

I want to tell the hon. Member, first of all, that to ask anybody what their opinion is of something is not a correct procedural question, and that one should ask factual questions. But if the Minister wants to answer it, that is his decision.

Mr. Dicks: Mr. Speaker, I do not think the hon. Member is wrong in what he suggests, that everyone should have equal access to the law. But equal access, of course,

in this day and age depends, in many ways, largely on where one lives and the circumstance of the court, so that equal access in Newfoundland may or may not be exactly the same as in Ontario, where many offences are thrown out. And, perhaps, our individuals in the Province generally have easier access, shall I say, and less waiting time than in other provinces.

Mr. Speaker: The hon. the Member for Torngat Mountains.

Mr. Warren: Thank you very much, Mr. Speaker. My second question to the Minister ties in with the answer he just gave me. Is the Minister aware that many constituents of mine, in particular, have been waiting up to six months or more in order to appear before a judge?

Mr. Speaker: The hon. the Minister of Justice.

Mr. Dicks: I would not say that is always the case, Mr. Speaker. That may sometimes be the case. The Labrador Coast, in particular, is a difficult area to service, because you cannot put a resident judge in each community, as the Member knows; it is serviced on circuit from Wabush by the Provincial Court.

I understand that the waiting time is not six months and that the circuits are much more frequent than six months, but that is not to say that six months is an unusual waiting time to go to court. In fact, if one chooses Supreme Court, for example, and not Provincial Court, whether it is on the Coast of Labrador or in Corner Brook or St. John's, your waiting period will be significantly longer than that.

If the Member has a particular concern about an individual case or a particular community affected, I will certainly be prepared to address that. But as a general matter of principle, I would not say that the people on the Coast of Labrador have less access, as a matter of general comment, than other people of the Province.

Mr. Speaker: The hon. the Member for Torngat Mountains.

Mr. Warren: Thank you very much, Mr. Speaker. I should probably correct the Minister of Justice. He should realize that the court is stationed in Happy Valley - Goose Bay, not Wabush, to travel the Coast. Secondly, I want to say to the Minister that he should be aware that not only in one community but in all communities along the North Coast of Labrador individuals are waiting upwards of six or seven months in order to see a judge. I will ask the Minister a final question.

Will the Minister now take immediate steps to appoint another judge for the Labrador Coast, in particular?

Mr. Speaker: The hon. the Minister of Justice.

Mr. Dicks: The answer to the question is, no, Mr. Speaker. In terms of from where the court is serviced, the Member is correct. The court is serviced from Happy Valley - Goose Bay. And, in fact, the judge from Wabush also, at times, depending on the arrangements for the judge in Labrador, will also complete that circuit. So the two judges in Labrador perform that function, depending on who is available, and sometimes judges go there from the

Island.

I would say the people of Labrador are not badly served by the court. In fairness to the Provincial Court, I believe the Chief Judge and the Judges of the Court have done an excellent job of bringing legal services to the people, not only of Coastal Labrador, but of all our rural areas. And frankly, Mr. Speaker, six months, I would suspect that is trial, not first appearance; the court goes to the coast of Labrador much more frequently than every six months.

And I would suggest to the hon. Member that if he has a particular problem, I would deal with that if there is a particular matter. I should also point out that not only does the court travel to the coast, but individuals are brought to Happy Valley - Goose Bay at Government expense for trials, as well. So I do not see from the hon. Member's question, and my knowledge of the matter, that the coast of Labrador is particularly beset by a lack of judicial services, and that what is done in Labrador is consistent with our practices throughout the Island.

Mr. Speaker: The hon. the Member for Torngat Mountains.

Mr. Warren: My final supplementary Mr. Speaker. Would the Minister confirm to this House that he has received correspondence from citizens on the Labrador coast complaining about the services that have been provided because the particular judge is overworked from travelling all throughout Labrador?

Mr. Speaker: The hon. the Minister of Justice.

Mr. Dicks: Mr. Speaker, to my recollection, no. Now I should say for the hon. Member that a lot of correspondence comes in through the Department. The Department generally handles some of it. But I, personally, have not seen any. I will check to see if we have any complaints. I should say for the hon. Member that Judge Igloliorte of the Provincial Court raised a matter some time ago as to accommodations in one of the communities.

In investigating the matter, the Department came to the conclusion that the facility that was provided was not adequate and proper for court services - it did not have washroom and so on - and the Department of Justice has entered into an arrangement with one of the organizations in the community - I forget offhand whether it was a community council or a service organization - to enter into a lease whereby we would make a significant payment up front and enable that organization to improve the facilities. So we are quite conscious of the inadequacies, not so much of the service on the Labrador coast as the facilities in which those are often provided.

So what I would suggest to the hon. Member is I will, in fact, check to see if there are any complaints that have been received and, if he likes, I will table those in the House. But we are quite aware of the difficulties in providing service in rural Newfoundland, including Labrador, and frankly, Mr. Speaker, we respond to those, I think, very well in the circumstance. Thank you.

Mr. Speaker: The hon. the Member for Menihek.

Mr. A. Snow: Mr. Speaker, my question is to the Minister of Works, Services and Transportation. The Minister recently announced the closure of the Motor Vehicle Registration office in Wabush, not the one he suggested in an answer the other day, which was in Labrador City. I would point out to him that the office he is closing is in Wabush; laying off eight employees - that is in the Wabush and Clarenville total - effective the end of this month. His reason is that the Government intends to contract out or privatize the licence renewal and vehicle registration of this to the chartered banks and make customers responsible for the full cost of this service.

Now since the chartered bank service will be Province-wide late next year, I am told, will the Minister confirm that the layoffs in Clarenville and Wabush is just the beginning? I want to know how many of the fourteen employees in Grand Falls will be affected; of the twelve people in Corner Brook, how many of those will be affected; and how many of the sixty-three people in Mount Pearl will be affected by this privatization of Government service?

Mr. Speaker: The hon. the Minister of Works, Services and Transportation.

Mr. Gilbert: Mr. Speaker, another example of scaremongering. I would like to correct the Member. Because, first of all, there are not eight people affected in the Clarenville and Wabush offices. There are two people affected in Wabush. One of them has already applied and, as I understand, will be getting another job. So he has not lost a job. The second person

in the Wabush office could have been transferred to St. John's if she had wanted to come, but decided that she was going to stay there. And, as I understand, there are three people in the Clarenville office who have accepted some sort of a redundancy arrangement.

So in actual fact there is no long-term plan, or scaremongering that the member is trying to raise, to cut down the service. We will have to look at every service that is provided by our Department. You heard the Premier yesterday talk about the economic conditions of the Province: When we took over this Province we inherited about a \$5.6 billion debt, so we have to look at the most efficient way to run the Departments, and we will be doing it. But as to allaying the member's concerns, there is no long-term plan to lay off anyone in any of the Departments here, but we have to look at the more efficient and effective way to deliver the service to the people of Newfoundland.

Mr. Speaker: The hon. the Member for Menihek.

Mr. A. Snow: Surely the Minister does not expect the people of this Province to believe that. I mean, it does not square with what they are saying. Does not the logic of the contracting-out system to the banks throughout the Province mean that all motor vehicle registration of this Province be done in one central area and that is automatically going to mean cutbacks in the other offices?

Mr. Speaker: The hon. the Minister of Works, Services and Transportation.

Mr. Gilbert: Mr. Speaker, what it means is that this Government is trying to find a way to deliver the service most effectively to all the people of Newfoundland, and to provide better service to everybody in Newfoundland, whether they live in Wabush, Goose Bay, St. Anthony, Deer Lake or Petit Forte?

Mr. Speaker: Question Period has expired.

Presenting Reports by Standing and Special Committees

Mr. Speaker: The hon. the Member for Bonavista South.

Mr. Gover: Thank you, Mr. Speaker. I would like to table the Report of the Resource Legislation Review Committee with respect to Bill 11, "An Act To Revise The Law Respecting The Management, Harvesting, And Protection Of The Forests Of The Province."

In the process of seeking public input into this particular Bill the two major paper companies in Island were contacted, and both companies expressed their satisfaction with this particular Bill and their appreciation of the fact that the Minister had given them significant input into the Bill. In fact, the Corner Brook Pulp and Paper Limited, by correspondence, advised the Committee, 'In general we find the provisions of the Act to be positive and we feel it will promote better forest management in Newfoundland and Labrador.' Also, the Newfoundland and Labrador Lumber Producers Association was contacted and they expressed no significant concern

over the Bill.

There were some groups that contacted the Committee that had concern over the Bill, in particular the Newfoundland and Labrador Federation of Agriculture, and some groups contacted the Minister who had concerns about the Bill. As a result of the input the Minister and the Committee received from the public, the Minister has seen fit to propose some amendments to address the public's concerns with respect to the Bill.

I would certainly like to commend the Minister on his responsiveness to the public input into this particular Bill, and his willingness to amend the Bill to reflect the public concerns. It shows that the Legislative Review Committee is working efficiently, appropriately, and this Government is responsive to the concerns expressed by the public. And it also goes to show, as in the case with this particular Bill, as with Bill 53, this Government has nothing to hide; it is going about the Province putting our legislative program before the public for their scrutiny and their criticism, and we are prepared to take the criticism, and where it is justified, amend the Bill to satisfy their concerns, as the Minister has done in this particular case.

I would certainly not only like to thank the public who participated in this process of legislative review, but I would also like to thank the members who served on the Committee, the Member for Torngat Mountains, the Member for Humber Valley, the Member for Mount Scio - Bell Island and the Member for Lewisporte, all of whom made significant contributions to

the deliberations of the Committee.
I would like to table the report.
Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Notices of Motion

Mr. Speaker: The hon. the Minister of Justice.

Mr. Dicks: Mr. Speaker, I give notice that I will on tomorrow ask leave to introduce a Bill entitled, "An Act To Revise And Consolidate The Law Respecting Juries."

Answers to Questions for which Notice has been Given

Mr. Speaker: Before calling the next item of business, which will be Petitions, on behalf of all hon. members, I would like to welcome to the public galleries today, Maida Townsend, the Past-President of the National Education Association, the Vermont Chapter. Ms Townsend is here as guest speaker for the NTA 100th Anniversary.

Some Hon. Members: Hear, hear!

Petitions

Mr. Speaker: The hon. the Member for Torngat Mountains.

Mr. Warren: Thank you very much, Mr. Speaker.

I have a petition signed by 497 individuals throughout the Province of Newfoundland and

Labrador. I ask your indulgence, Sir, the prayer may not be exactly, word for word, as required in the Legislature. The petition is a continuation of the Sunday hunting petition that has been circulating throughout the Province of Newfoundland and Labrador.

With your indulgence, Sir, I will speak a few words to this particular issue, as I understand there is a public meeting planned for Monday night, I think, at the Lions Chalet in Mount Pearl. I understand letters have been sent to all fifty-two members of this Legislature asking them to express their opinion on the issue of Sunday hunting. I further understand that at the meeting the responses of all members who respond to Mr. Rice's request will be read.

As a member of this Legislature who is concerned about the whole issue of Sunday hunting I, naturally, will try to attend that meeting.

Mr. Speaker, I believe it is time for us to come to grips with the issue of Sunday hunting. It has been debated in this Legislature for a number of years and unless we make a decision and do something about it, it will probably be debated still, for a number of years. But I think we must realize, when you have now, I would think, somewhere around 35,000 or 40,000 signatures to a petition, it does have a lot of influence on what the people throughout the Province of Newfoundland and Labrador are thinking about the leaders of our Province.

Mr. Speaker, I believe if the Premier would do one thing - now,

if they want to leave the Sunday hunting regulations in there - but there is something wrong, Mr. Speaker, and I have said this time and time again; if a person poaches a moose, then he deserves to be punished severely. I have no problem with that. But, Mr. Speaker, the licence does not specify that he cannot hunt on Sunday. It gives him a date in September to a date in December, in which he can hunt and it does not omit Sunday. But, the problem is that if somebody does hunt on Sunday, he is charged with a criminal offence, the same way as if he were hunting without a licence. I think that is very, very unfair when, at the same time, Sobey's or Dominion or Sears can open their stores on Sunday and be charged only a very minimum fine, probably \$100 or \$150.

Mr. Speaker, although the matter was taken to a Court of Appeals in the Province, some time ago, I think that, under our Charter of Rights, this particular law would not hold up in Supreme Court. I believe the Supreme Court, in view of our Charter of Rights, would rule this law invalid. And I think that before long, if Government does not move on this, it will be forced to a Supreme Court hearing on the whole issue of Sunday hunting.

Mr. Speaker, as an individual, I say there should be designated areas in our Province where, if a person so desires, he may hunt on Monday, Tuesday, Wednesday, Thursday, Friday, Saturday or Sunday. It would be entirely up to him, but I think it is up to the Government, and the obligation of this Government, to make sure that there are particular designated areas in this Province where Sunday hunting, if so

desired, should take place.

With that, Mr. Speaker, I table those 497 signatures, and as it is addressed, as my previous petition indicated, it was addressed to the Premier, so I therefore refer it to the Premier.

Mr. Speaker: The hon. the Minister of Environment and Lands.

Mr. Kelland: Thank you, Mr. Speaker.

It is certainly a well known fact, Mr. Speaker, that the question of Sunday hunting has raised a lot of controversy, and there are two very strong positions on this question. Those who support the ban being maintained on Sunday hunting and those who wish to see it lifted, and both have substantial numbers, both of these views have substantial numbers. The House is aware, and the general public is aware, that sometime ago I made a commitment as the Minister responsible for wildlife in the Province, to present to Cabinet the three very obvious options available to Government, if they were to address the question. Those options, if I can restate them again were, one, to maintain the ban as it currently exists, two, to lift the ban entirely, and the third option was to a more modified form of lifting the ban, and that in certain remote wilderness areas Sunday hunting could be permitted. Now, Government, in its wisdom decided to take the first option and maintain the ban on Sunday hunting. When the question was raised following that announcement, that decision, by media and others, if I thought that would bring an end to the question, and I would not be

naive enough to think that it would bring an end to the question, and I have said so, clearly said at that point, Mr. Speaker, that obviously anybody in a democracy who is offended, or not pleased with a decision of Government, has the recourse of asking Government to reconsider their position. What we are seeing here by the presentation of this, and other petitions, with respect to lifting the ban on Sunday hunting is simply democracy at work, and that people are, even though a Government decision has been against their choice, they have the opportunity to ask Government to readdress the question, revisit the question anytime they wish to do so. I might tell the hon. Member that it is very difficult in discussions to have people accept the mixing of apples and oranges. I could say, for example, that when he made reference to the fact that the hunting license does not say on the face of the license, does not indicate on the license that you are not permitted to hunt on Sunday, and I suppose to carry that kind of a rationale to it's extreme you could say that a driver's license does not say that you cannot drive seven days a week, but everybody knows law permits that to be the case. By the same token people who engage themselves in hunting are aware that currently there is a ban on Sunday hunting.

I should also mention to the hon. Member, and I believe I discussed this with him yesterday, and, by the way, I respect the courtesy he afforded me yesterday in our discussion about general topics, that he had a petition which he intended to present today, and I respect that sort of courtesy in advance, I should mention to him,

as I did then, and for the benefit of the House, that I recently received another submission from a group in Labrador. My colleague for Torngat Mountains, and I, of course, represent Labrador ridings, big hunting constituencies in the Province, geographically the largest, I guess, hunting constituencies in the Province. What I have told the group who made the submission is that I will now evaluate the points they have raised in their submission. They raised a number of points that really deal with the Labrador question, more than Sunday hunting, in a general sense, and following that evaluation, if some action is required, as the Minister responsible for wildlife, I will take the action that the evaluation dictates. I respect the fact that people do have different views and I would also suggest that at the current time, because there is a ban on Sunday hunting, those who are offended by that ban would mount a fairly substantial lobby, 30,000, 40,000, or 50,000 names would come in. Probably it would be fair to say that should the position be reversed we would probably get an equal representation from those on the other side of the question. But we are actively considering anything that comes to us in the form of submissions, suggestions, and recommendations. And following evaluation, if any decisions are to be taken, they will be taken forthwith and, of course, the House applies accordingly.

Mr. Speaker: The hon. the Leader of the Opposition.

Mr. Rideout: Thank you, Mr. Speaker.

Mr. Speaker, I want to take the opportunity to have a few words in support of this petition. I was not in the House when my colleague presented the much larger petition several weeks ago. But I think that this issue must be dealt with by the Government, by the Province. I do not think it is -

An Hon. Member: (Inaudible).

Mr. Rideout: Yes, but obviously the decision that was arrived at was just a status quo. But I think, Mr. Speaker, in 1990 and heading into a decade and into the year 2000 we have to look more carefully at some of those situations that are more than a century old.

Now personally, Mr. Speaker, I do not support a total lifting of the ban on Sunday hunting. I personally do not support that, but I cannot see for the life of me why in certain designated fairly remote regions of the Province where the only human being that can be found is the human being that is in hunting. I mean for a person who has to work Monday to Friday and cannot get off work until late Friday evening and get into Granite Lake, for example, or Millertown, they would only have Saturday to hunt. And what harm are they going to do in the region known as Granite Lake to continue their hunting activity on Sunday? I think that there is a middle of the road approach that can be taken here and should be taken. That is that the ban should not be lifted totally, I do not agree with that, but I do agree with allowing it in the more remote designated areas where people do not on an ordinary basis traverse. And I think that is the approach the the Government should take and that the Minister should

take.

There are a couple of other things that I think should be said. In the interim, I think it is very, very unfair, and I think, unconstitutional in a lay persons sense, because somebody gets caught breaking the laws that currently exist they are treated as if they do not have a licence. Their whole possessions, their vehicle and whatever they have with them is confiscated. Yet, as my colleague rightly points out, if some big corporation like Sobey's or Canadian Tire decides to break the shop closing act on Sunday, what do they get? A slap on the wrist is the best you can call it. But if some poor old ordinary individual happens to be tempted up in Granite Lake on a Sunday morning and sees a moose and knocks it down, he could lose \$15,000 or \$20,000 worth of possessions. You know, you do not have to have much of a vehicle those days to have a vehicle that is worth \$20,000 or \$25,000; you know, a trike or a skidoo. It is just not fair, I say to the Minister, and I think it is time to bring that - at least if you do nothing else - bring that into perspective in terms of the law.

The third point I would like to make, and it may have been made before in debate, I do not know, like I said, I was not here. But it seems awfully strange to me that in 1990 we can have Canadians living on the Quebec side of the border who are permitted to hunt on Sunday and Canadians living on the Labrador side of the Newfoundland-Labrador border who cannot hunt on Sunday.

An Hon. Member: The same animals.

Mr. Rideout: The same animals,

and those animals do not know any boundaries. They do not know that it is Canadian Quebecers or Canadian Newfoundlanders and Labradorians. But if they happen to stray over on the Quebec side of the border, they can be hunted. If my memory serves me correctly, I think in British Columbia it is the same thing, Sunday hunting is permitted within certain designated regions. So, Mr. Speaker, in all fairness and in paying due respect to people on both sides of the question, I think there is a middle ground here and a compromise is possible that can satisfy, not everybody, but certainly the substantial majority of the people of this Province. I believe it is time that the Government move in that direction, and certainly I would urge that they do.

Some Hon. Members: Hear, hear!

Mr. Speaker: The hon. the Member for Green Bay.

Mr. Hewlett: Thank you, Mr. Speaker. As I have done on a number of days previously, Mr. Speaker, I rise to present a petition from my constituents, the prayer of which is as follows: Because an expenditure freeze in the health care system will mean layoffs and bed closures, we, the undersigned residents of Green Bay District, petition the hon. House of Assembly not to approve such freeze.

This particular petition is signed by forty-eight persons in the Jackson's Cove, Silverdale, Langdon's Cove area. That general area, Mr. Speaker, is the area which, during an election, would be served out of the Jackson's Cove polling station. That is an area I did not win in the last

election. The people in that particular polling station voted by a slim majority to vote Liberal, to vote for real change. When they went for change, Mr. Speaker, I do not think they meant that they were going to want to see their health system nicked and dined to death, and that is exactly what we are faced with. People's lives, as well, are being thrown into terrible disruption because of what this Government is doing in the health care system.

The Administration of the local hospital board and health care board, basically said that from our calculations we are talking about twenty-four nursing home beds being closed, the only two pediatric beds at the local hospital being closed, and approximately twenty people being laid off.

Now, in the community of Springdale and roundabout there is considerable discussion and second-guessing among the local populus as to whether or not the Administration should have put forth that particular scenario or some other scenario, sell some vehicles, do this, do that, so there is a tremendous consternation and upset generally throughout the entire area. And it is very difficult for the people in charge of the health care system to satisfy the local people, because everybody thinks something else should have been done, it should not be their job that might get the axe and so on. So it makes for very difficult times. And when we heard yesterday in this hon. House that it will probably be next spring's Budget before we get any final decisions, and it will be the Department of Health not the local Administration who makes the final

decision, that makes the matter all the worse, Mr. Speaker.

The uncertainty generated by this Government by its budgetary planning is unfair and it is cruel, disruptive of people's lives, Mr. Speaker. I support the prayer of this petition and I ask that it be tabled and referred to the Minister of Health. Thank you.

Mr. Gover: What about Whitbourne and Come by Chance? You really nickeled and dimed them, did you not?

Mr. Speaker: Before recognizing the hon. the Member for Humber East I would like, on behalf of hon. Members, to welcome to the public galleries today a newly elected councillor from Conception Bay South, in the person of Mr. Tony McDonald.

Some Hon. Members: Hear, hear!

Mr. Speaker: The hon. the Member for Humber East.

Ms Verge: Thank you, Mr. Speaker. I rise to support the petition so well presented by the Member for Green Bay. In supporting the petition I would like to point out to the Government, in case any Members opposite are not familiar with the health care facilities in the Green Bay area, that in Springdale there is an integrated hospital and nursing home which has been held out as a model to other parts of our Province and, indeed, other regions of Canada.

That facility, with its integrated approach, seems to be operating more efficiently than health care facilities in some other parts of the Province, perhaps more efficiently than the facilities in

Corner Brook, my home town.

As I said yesterday, in Question Period and in debate, about a similar petition, while I can understand the Government not making or announcing definite budget decisions for the fiscal year, starting April 1st, this early, I cannot see any excuse for the Government leaving people worrying and wondering about whether the Government will really institute a budget freeze, as the Minister of Health and his officials suggested in their communications with health care administrators during October.

As everyone realizes by now, the Minister of Health wrote each of the health care institution boards asking each institution to give the Department of Health, by October 31st, a statement of the impact of a budget freeze for each institution. Now that sent shock waves out to the health care system. By now the administrators have complied with the request for information, and the Minister of Health with his staff have had the impact statements for half a month.

Surely by now the Minister of Health and the Premier can tell people whether or not they realize that the consequences of freezing health care institution budgets would be unacceptable to the Government and the people of the Province. Surely by now the Minister of Health and the Premier can say that the Green Bay health care facilities, providing such a valuable service in such an efficient way, must have some level of funding increase in the next fiscal year. Surely there is no need for the Government to cause the health care workers and the citizens of the Green Bay area to continue to worry, to worry

through Christmas, to have anxieties into the New Year. Surely it is possible for the Government to lay out some parameters for funding for the health care facilities in the Green Bay area for the next fiscal year, so that needless anxiety is ended and so that physicians and junior health care personnel, who are now looking outside the Province for jobs, will know whether or not they have the option, or they will have the option, of continuing to work in the Green Bay region.

So I would really urge the Premier to rise and respond to this petition.

Orders of the Day

Mr. Baker: Order 30.

Motion, second reading of a bill, "An Act To Amend The Registration Of Deeds Act". (Bill No. 49).

Mr. Chairman: The Minister of Justice.

Mr. Dicks: Thank you, Mr. Speaker. Mr. Speaker, this is a Bill, entitled "An Act To Amend The Registration Of Deeds Act". These are consequential amendments that come about as a result of some improvements in our registry system. We have moved from a book system for recording documents that are submitted for registration by people in the Province to assist them, whereby these are put on microfilm or microfiche and entered according to a folio number.

This really is a matter of greater convenience to the public. It is a saving to the Government in

terms of the ability to shrink the amount of space required and, as is said in the explanatory notes, the first sections of the bill are really consequential to that in order to allow us to move from a binding and volume system, to a computerized system.

This system, I should say, has been in existence for a number of years, but the necessary amendments to the Registration Of Deeds Act were not made. I do not see anything controversial in the Bill, Mr. Speaker. I think Members on either side of the House would welcome this as a necessary change to our system in order to facilitate the public convenience. I do not plan to deal in detail with the present matters that are set forth in detail in the Act, unless the hon. critic has some questions concerning these and I would be pleased to address them. Thank you, Mr. Speaker.

Mr. Speaker: The hon. the Member for Humber East.

Ms. Verge: Thank you, Mr. Speaker. I note how the Minister of Justice glossed over certain key provisions of this Bill which have the effect of casting the fees for registering deeds and other title documents in the Registry of Deeds as a tax, and removing from the Legislature the role of establishing the fee schedule and giving it instead to the Cabinet.

Now the Premier yesterday made a great show of saying that he would not condone the Cabinet meeting in secret lower down in this building forcing municipalities to amalgamate against their will, instead he, being a great democrat, would bring such

decisions to this Chamber where, in open session with opportunity for debate, the Government with its majority may force unwilling municipalities to amalgamate.

But through this bill what the Premier and the Minister of Justice are doing is taking from this open democratic Chamber the right to set fees, or taxes more accurately, for registering title documents in the Registry of Deeds, and retreating onto the secrecy of Cabinet.

Clause 12 repeals the existing provision of the Act which establishes the fee structure for the services of the Registry of Deeds. Of course as long as that is there, any change to the fee structure would have to be done through an Act of this Legislature, through an amendment to the Act itself. This Bill allows fees to be established by regulation, by regulation of the Lieutenant-Governor in Council which, as everyone knows, is the Cabinet. Now, if all we were talking about was fees - that is an innocuous word - I would really have no objection to it. If all we were talking about was fees for the public service of recording and storing title documents, I would not have any problem. But that is not what we are talking about. Fees, in fact, are an ad valorem tax. The fees are quite substantial, far exceeding the cost of the public service of, as I say, recording and storing title documents, and the amount of the fee or tax is related to the consideration, the purchase price, or the loan being secured by the instrument stored in the Registry of Deeds.

Now the total revenue collected by the Government from charging

registry of deeds fees last year was \$7.9 million. In the Budget for this fiscal year, presented by the Minister of Finance on the Ides of March, the forecasted amount of the total registration fees for this year goes up by \$2.73 million to a new grand total of \$10.63 million. That is about a 35 per cent increase.

Mr. Speaker, in some other provinces of Canada there are land transfer taxes, and I say to the House that our registry of deeds fees constitute a land transfer tax. Fees is a much more innocent, innocuous word, but when you consider the magnitude of our fees, when you realize that they are tied to the value of the property, the amount of the purchase price, or the amount of the loan being secured, the fees are an ad valorem land transfer tax, and is it really right to have the tax amount, the rate of taxation, set by the Cabinet in secret? Should it not continue to be set by the Legislature in open session? What about the old maxim that there should not be taxation without representation?

I draw members' attention to the red covered Budget document, with a colour photograph of the Minister of Finance, where provincial revenues are listed, and I note again the magnitude of the revenue from the Registry of Deeds. It is quite substantial in absolute terms, and it ranks high in the list of revenue amounts from all sources; registration of deeds fees ranks just below lottery revenues.

So, Mr. Speaker, I, on principle, on behalf of the Opposition, would advocate an amendment to this Bill so that the Legislature will retain onto ourselves the right to

establish the rates of registration of deeds fees, since these are not merely fees to cover the cost of providing the public service of recording and storing title documents. The amounts far, far exceed that cost and are, in fact, in essence a land transfer tax.

Other provisions of the Bill I have no problem with, Mr. Speaker. Some of the provisions reflect the change in the nature and operation of the Registry, a change instituted by the previous administration, begun when now Senator Gerry Ottenheimer was Minister of Justice. That change involved basically bringing our Registry of Deeds into the modern age and computerizing the storage and retrieval system. The computerization has been implemented gradually over a period of time, not without some difficulty.

I would like to pay tribute to the Registrar of Deeds and the staff of the Registry for their fine work, for their patience and endurance as the conversion from the old mechanical storage system to the computerized system has been implemented. I would also like to note the patience and co-operation of members of the public, particularly professional searchers and lawyers, who use the Registry of Deeds on a regular basis. Many of these individuals had to put up with uncomfortable accommodations. The Member for Bonavista South is nodding his agreement; I assume he has been personally affected. But these people were patient and co-operative with the Registry of Deeds, as the changes were implemented.

Other provisions are really not of

any great consequence. The business of limiting certified title searches conducted by the staff of the Registry to searches required for The Quieting Of Titles Act, I assume that accords with present practice, in any case. Most of the other amendments seem to be of a housekeeping nature.

One other change, however, I object to. It is a change that goes hand in hand with the shifting of responsibility for setting the fee structure from the House of Assembly to the Cabinet. That is a deletion of the current requirement, that the Registrar provide a statement of revenue generated to the Minister of Municipal and Provincial Affairs for provision to the House of Assembly. Now, I do not know that that provision has actually been followed in recent years, but since the fee scale is now going to be set by Cabinet in secret, through regulation, I would think it would be more desirable than ever to have periodic reporting to the House of Assembly of what the fee scale is, and how much revenue is being generated.

When the Minister of Justice rises to conclude this debate about the principle of the bill, I would like him to address the key issue that I have raised, namely, the shifting of entitlement and responsibility for setting the fee scale from the House of Assembly to the Cabinet. Also, I would like him to explain how the Government proposes to increase revenue from Registration of Deeds fees from \$7.9 million last year to \$10.63 million this year. That revenue forecast was made last March for the fiscal year that began on April 1st. It is now late in the fiscal year, close to

eight months have gone by. Is the Minister of Justice still expecting that the Government will be able to realize a 35 per cent or a \$2.73 million increase in revenue from Registration of Deeds this year? How is the Minister of Justice going to achieve that in the three or four months that remain in this fiscal year?

In conclusion, Mr. Speaker, while some of the provisions of this Bill are inconsequential, as the Minister of Justice tried to slough off the whole Bill, a couple of the provisions are anything but inconsequential. They remove from our Assembly the right to set rates for what is, in essence, a land transfer tax, and pave the way for the Government, just in this fiscal year alone, to jack up revenue from this source from \$7.9 million last year to \$10.63 million this year. At least that is according to the budget of the Minister of Finance.

Thank you, Mr. Speaker.

Mr. Speaker: The hon. the Member for Green Bay.

Mr. Hewlett: Thank you, Mr. Speaker. Just a few brief words to the hordes of people hanging out of the galleries and whatnot. I do not think the Opposition is going to put the Government in a position on this particular bill where they have to bring in closure or any such thing. As I understand it this is the first of a number of what the Government has characterized as routine housekeeping amendments to various pieces of legislation.

One thing it does indicate though Mr. Speaker is that they are changing the style of the way they go about this. No longer will

rates as such be set in this Legislature but the power will be given to the Cabinet and of course the Cabinet can change the rates at will in any given month of any given year, or two or three times if they wish in any given year, if they wish to increase the revenue intake. The setting of the rates as a percentage of the transaction involved is also - especially when you are talking about land. We are about to get into the Hibernia development and one could assume, I would say safely, that inflation in the area of land transfers and sales in the general St. John's-Avalon Peninsula region, will probably be significant once the project goes into full phase construction.

So obviously there would be a considerable increase in revenues to the Treasury if this particular Bill is passed as is because with the fee, or tax as you want, being charged as a percentage of the transaction involved we can expect to see a degree of inflation in such transactions given the reality of Hibernia. So I think this is an indication that Government through Cabinet order is trying to increase its revenues quietly without having to come into this Assembly every time they wish to make an increase. And I think Mr. Speaker in general you will see this Government wherever possible will be bringing in measures of this nature that goes along with the principle of this Bill. Pick up a few million here and a few million there. The people of the Province will be taxed over and over in many surreptitious ways by this administration.

So having noted and echoed my colleague's few remarks on this particular bill I do not think, as

I said, this is one that the Opposition will force the Government into closure on.

Thank you, Mr. Speaker.

Mr. Speaker: The Minister of Justice. If the Minister speaks now he will close the debate.

The Minister of Justice.

Mr. Dicks: Thank you Mr. Speaker. A number of comments were raised on the opposite side. Perhaps I will deal with the echo first rather than the main comments of my learned colleague across the way, as the Member for Green Bay termed it.

To deal with that. Yes, it is true, Mr. Speaker, that the fees are calculated as per cent of value but that is nothing new. That has been the practice certainly since I have been in practice in the mid-seventies. That does not represent a change.

Secondly there is an incremental - or there can be an incremental - increase in fees each year based on properties inflating in value. I do not see at this point in time, nor do our revenue projections include, any anticipation that inflation will significantly alter the values of conveyances that would be registered in the normal course, so as to result in any significant cash flow to the Government. I do not see that as part of the general economic projection at this time for the Province. Being an optimist I would hope that would be so but I do not anticipate it nor do our projections reflect it.

To deal with the other questions raised by my colleague from Humber

East. The practice of setting fees for the registry of deeds in the House of Assembly is not one that is that convenient, Mr. Speaker. Fees throughout Government are generally set by the Lieutenant-Governor in Council. And in fact I can't think of any other instance where fees have to come to this House of Assembly in order to be passed as legislation nor to take effect in law. What we are doing by changing the manner in which fees are set does not represent a departure from Government practice but rather makes this particular Department of Justice and its fee structure and its method of passage and implementation more consistent with general Government practice. So to that extent I do not feel the Bill is objectionable on that basis.

The Member suggests that the fees will be set in secret. But as she well knows all fees are published in The Newfoundland Gazette and it is not a matter of something being hidden. The only concern that I think she has really raised is that perhaps in the House of Assembly these fees are subject to debate before passage. I would point out to her however that the Budget does come before the House of Assembly and she well knows from the Budget, and she in fact referred to it, that the amount of fees or the amount of the increase in each year to be garnered from each of the divisions of the Department of Justice - in particular the Registry of Deeds - are set forth in the estimates. And she cites the figure for this year which anticipated an increase from approximately \$7.3 million or \$7.4 million to \$10.6.

So that Mr. Speaker the hon. Member has notice of those as

would her colleagues in the House. And I in fact remember in our estimate discussion that the topic came up and we canvassed that to some extent at that time. So then, Mr. Speaker, I do not accept the proposition that they will be set in secret. In fact Government will continue the practice of each year providing in the Budget its estimate of fees to be collected and I see nothing objectionable with the practice of moving that to the Lieutenant-Governor in Council rather than the House. Nor would I have objected to it had the other side been in power and brought that particular measure in.

What I would point out, Mr. Speaker, in answer to a specific question, the projection for the increase to \$10.6 million will not be effective this year. That was predicated on the Department being able to enact these changes by about June 1 and I suspect that two-thirds of that revenue increase will not in fact occur, and that the revenue increase will probably net out at about one-third of what it would have been due to the delayed passage of this particular piece of legislation.

This is not the first time of course fees have been increased in any manner. I do not have all the estimates going back in time but I remember that the last fee increase was a fee increase of approximately one-third when the registration cost which is calculated as a per cent of the value of the conveyance or the instrument in question - be it a mortgage or some other similar type of document - was increased from thirty cents per hundred I believe to forty cents per hundred. And that at that time

was significant revenue cost. And that usually the lawyers - in particular myself at that time - always feel that any such increases are unwarranted and I expect that as with any increase Mr. Speaker, there is always some reluctance to accept it. And I do not anticipate anything unusual in this case as there might have been in previous cases.

I would say that in enacting fee increases of this sort the Department does confer with the interested people concerned, being the Law Society, the Canadian Bar Association. And in respect -

Ms Verge: How about consumers?

Mr. Dicks: - and consumers, being Minister of Consumer Affairs I take that into account as well. And I would say to the hon. Member that in another instance which does not involve the Registry of Deeds, I in fact recently consulted with members of the Law Society and the Canadian Bar Association, and made representation to change some projected types of increases in the court system. And we are in fact considering those and we try to accommodate their concerns.

Ms Verge: Does this come out of their pockets?

Mr. Dicks: May I say Mr. Speaker that the ad valorem tax that the Member refers to, and that these tax, are nothing new. It was a practice of the previous administration and that is the case and does not represent a departure from practice of the previous Government nor that elsewhere in the country.

She makes reference to the fact that the hon. Minister brought in

the Budget on the Ides of March. I do not recall that, and I accept it to be the case. I would not suggest that the hon. Member would mislead the House on such an important question. But perhaps the hon. Member has taken her cue from the former Premier who I believe was declaring elections on the Ides of March. We have not yet adopted that practice, but I do not know if the hon. Minister should depart from the facts of bringing in his Budgets on that date.

Some Hon. Members: Oh, oh!

Mr. Dicks: In any event, Mr. Speaker, I trust I have addressed the Member's concerns which I appreciate her bringing forward. I would suggest that to the extent that it is necessary and advisable to provide for a degree of public debate and notice that the Budget each year provides for that particular type of inspection of Government accounts, and following (inaudible) Cabinet's estimates these details were, in fact, passed. And finally we do not anticipate, realizing the amount of revenue we forecast at that time, and anticipate less than a third of the increase will in fact be obtained.

I would, therefore, at this point, Mr. Speaker, move second reading.

On motion, a bill, "An Act To Amend The Registration Of Deeds Act" read a second time, ordered referred to a Committee of the Whole House on tomorrow. " (Bill No. 49).

Mr. Baker: Order 4, Mr. Speaker.

Motion, second reading of a Bill, "An Act To Amend The Assessment Act, 1986". (Bill No. 22).

Mr. Speaker: The hon. the Minister of Municipal and Provincial Affairs.

Mr. Gullage: Mr. Speaker, this particular Bill deals with The Assessment Act, 1986. It provides for the assessment of properties for taxation purposes. At present a reassessment must be carried out by law every six years, and the purpose of the bill is to amend the Act to add some clauses to allow that reassessments where considered necessary may be deferred under this particular subsection. The purpose of it, Mr. Speaker, is to allow some flexibility so that if in fact we would wish to have more new assessments done of property we could proceed to do those assessments rather than doing reassessments on properties that had already been assessed. And it would allow us, of course, more time and more flexibility to deal with the properties throughout the Province, the Island portion and in Labrador, in fact, where we have not completed property assessments. We have some two-thirds of the properties in the Province that are eligible for assessment completed, with a third to go. And this flexibility is necessary in the Bill to allow us to, as quickly as possible, have all of the properties in the Province assessed for the first time.

The two clauses, in fact, say that notwithstanding subsection (3) the minister may where he or she considers it necessary defer the reassessment of a property under that subsection.

And finally subsection (5) for the purposes of subsection (4) reassessment means a subsequent assessment carried out or to be

carried out on a property under subsection (3). With the addition of clauses 1, 2, and 3, we would have the necessary flexibility, as I said, to allow for deferment of reassessments, rather than every six years we could defer for a period at the discretion of the minister for six months or a year, whatever deferment was necessary, so that we could carry on and use the assessors, which are limited in number, to do the necessary first assessments that are so important for the remainder of the communities that we have yet to assess.

Mr. Speaker: The hon. the member for Burin - Placentia West.

Mr. Tobin: I just have a few comments to make on the Bill. Let me say to the Minister that the biggest problem that exists with the bill that he is bringing before the House today is the fact that the department does not have enough assessors to do the work that needs to be done. That is the biggest problem.

What the Minister is doing here in the department is dangerous because right now we are into a six year period and I think the Minister is giving himself authority to go beyond that six year period if necessary. And I believe any property assessment in the Province, and I am sure that those of us who have been familiar and worked on councils like probably from Carbonear and others, it is hard on councils if their assessment is not done within that six year period, because if you go beyond that six years it is going to place a greater burden upon the towns with the increase in property and the money that they will not be able to get as a result of it. So, I

think that is a very dangerous precedent in terms of giving them greater latitude in the amount of time that they have to have their assessments completed. I think six years is long enough and I do not think it should go beyond the six years which is quite possible for it to happen and it will happen under this.

Now, the other point, Mr. Speaker, that I want to make is that as the Minister is probably aware, and I guess there is some justification for him doing this, but the Minister is probably aware that that six years now is not strictly adhered to. There are a lot of municipalities in this Province that go beyond the six years in terms of getting their assessment done. So, I will ask the Minister to address that when he gets up.

I would hope the Minister would address the question I just posed to him in this Bill when he gets up to respond to it because I think that is very crucial and important. I really would like to know how many fits in that category at this present time.

An Hon. Member: (Inaudible).

Mr. Tobin: I am not sure he got the question.

An Hon. Member: (Inaudible).

Mr. Tobin: Okay. What I am saying to you is that I believe that there are a lot of municipalities in the Province right now that go beyond the six years because of the lack of assessors. And what you are doing basically is legalizing or justifying the fact that you will be able to go on to six years with this Bill. But I think the biggest problem, I will say to the

Minister, is that there should be more assessors put in this department and get the work done. That is where she breaks down and -

An Hon. Member: (Inaudible).

Mr. Tobin: Yes, but I hope he is not like you, cutting it all back.

Mr. Speaker, I am serious about this, let me say to the Minister of Transportation. I am not to be critical of the Minister or his department on this, but I think that what has to happen is that somehow somewhere the Department of Municipal Affairs has to get more assessors to do what needs to be done. As a matter of fact, in my own district we have, I believe, two or three councils that have requested property assessment. And I believe the town of Fox Cove - Mortier has been four or five years trying to get it done. This is not a new problem. I am not being critical; it is not a new problem. But I think that the answer to this is to find more assessors somehow. But in any event what is happening is that it is going beyond six years, and I guess the Minister is justifying it. So, I would encourage the Minister, Mr. Speaker, to try and find more assessors and to get all the assessments done within the six year period. That is all I have to say.

Mr. Speaker: The hon. the Member for Carbonear.

Mr. Reid: If I may, Mr. Speaker, I concur with some of the comments that my hon. colleague from Burin - Placentia West has made. The experience that I had as the past mayor of Carbonear I basically found the problem being not with the department as such, but with

the lack of adequate numbers of assessors. And quite often there are a number of communities around the Province who are looking for their first assessment and they are stopped or they are hindered from getting their first assessment because renewals come up on a regular basis. I would like to take the opportunity, and I know the hon. Minister and myself have discussed this on a number of occasions, but I would like to take the opportunity to stress to him that if we do catch up, eventually we are going to have everything done. Somewhere at some point we are going to have all the assessments or every place that wants to be assessed, assessed. But then we are going to have the problem of scheduling re-assessments to be done in more areas, which will only provide more work for the small number of assessors that we have.

An assessment, by the way, Mr. Speaker, is a great opportunity for a community to raise taxes. It enables the town council, through the offices of the Minister of Municipal Affairs, to collect extra taxes without having to take the responsibility themselves of increasing taxes. And we all know that values in Newfoundland are continuing - in the last forty years have continued to rise and rise and will continue. I remember the last assessment that was done in the town of Carbonear; the property values on an average, I believe, went from someone between twenty-eight and thirty-four per cent which gave a tremendous amount of increased revenue to the communities. So, I stress to the Minister that even though I agree with his Bill and I understand that the Bill is put there to be able to accommodate first time

assessments, I do urge him to take a serious look at the possibility down the road of increasing his staff in the assessment department so as we can get at least as close to the six years as we possibly can. I fully support your move, Mr. Minister. I believe it is the only way at this particular point in time because of the economic restraints that we have of picking up on the extra assessments and I support you, but please keep in mind that we need extra assessors in your department. Thank you very much.

Mr. Speaker: The hon. the Member for Humber Valley.

Mr. Woodford: Just a few short comments, Mr. Speaker.

The only thing I see about this is that there have been problems for years, as mentioned by the two former speakers, with regards to getting assessments done in municipalities where they are just instituting a property tax, and also problems, I suppose, in communities that have had property tax years in trying to get other assessments done. The problem always seems to be, the answer I always got, was that we cannot get assessors. When we were there, when I was asking the former Minister of Municipal Affairs: we cannot get assessors. Now, with the new attitude by the Minister of Municipal Affairs now with regards to the institution of new grants for municipalities in the Province, and I suppose with the institution of those grants comes, I would say in order to get any funds at all, the automatic introduction of property tax. Now, what does a municipality do when they are told, you have to have property tax, or you have to have a minimum property tax, or

tied to a minimum grant, or whatever, when there are no assessors? I do not know. Is there any way we can tie a program into the institutes around the Province with regards to a training program for X number of assessors? Is there any way we can give a grant to certain areas? Say, for instance, you give a grant to the Humber town council to hire their own assessors and have them there for any of the communities to call on, and probably there could be some way to keep them there. If they were living in the area they may stay around longer.

An Hon. Member: The only way is to go back to the old system (inaudible).

Mr. Woodford: I do not want to get back to that because anybody today who is doing any property assessments is not going to live in the community he does it in, I can assure you, especially in a community that did not have property tax. When he goes to the door he is not one that wants to be seen, believe you me. In any case I can understand the frustrations of the Minister and the Department with regards to trying to get the assessments done because of the problems we have always had with regards to getting assessors. There must be some way with the employment rate we have today in this Province to probably institute, I think they needed another fifteen or twenty assessors at one point, of probably instituting a program in one of the colleges around the Province, because it is not something that is going to be needed for one day, or a week, it is something that is going to be needed forever and a day, because you have some of the older fellows

coming out of the system and some of the new people going into the system.

An Hon. Member: (Inaudible).

Mr. Woodford: That is right, the Minister of Education could probably have a look at it and probably institute some program like that. The Minister of Education should probably be more aware of it, and help out the Minister of Municipal Affairs, because the assessments are also tied to the funding for the School Tax Authorities, so if the assessments are not done in a municipality with regards to property tax they cannot be charged on an assessed basis by the School Tax Authorities. What I am saying, Mr. Minister, is that there is possibly a program in some of our institutes around the Province to encourage people, probably twenty-five or thirty new people, into this program so that the Department will not be looking for assessors all the time. The municipalities are suffering so if you trickle the fact down the line it comes right back to Municipal Affairs when you are talking about dollars and cents.

An Hon. Member: (Inaudible).

Mr. Woodford: No, I think it should be instituted because it will pay for itself over time. It certainly will pay for itself over time. I am sure there are people in the Minister's Department who can tell him quite quickly that it would not take too many years for him to get his money back from having the assessments done on municipalities in the Province who are waiting, and for having new assessments done on properties. You have to remember, if he has to go to seven or eight years, and

some municipalities around this Province, new businesses coming in, not counting the expansion of businesses, I mean they are going to lose - they are losing anyway, the department is losing, so I would suggest to tie in with Municipal Affairs, the School Tax Authorities, the Minister should strongly look at probably taking another twenty-five or thirty people, maybe even fifty off the unemployment rolls in the Province and probably get them into some learning institutions. I do not think it is a long course. My understanding is that it is not that long, and it could probably benefit both Government and the municipalities in this Province.

An Hon. Member: A good idea.

Mr. Speaker: The hon. the Member for Fortune - Hermitage.

Mr. Langdon: Mr. Speaker, I would like to have a few words to say on this bill as well. For the five or six years that I was involved with the Federation of Municipalities this property assessment was certainly one of the items that was always there. I think one of the needs for the communities is to generate revenue. One of the proposals I know that was given to previous people in Municipal Affairs was to make annual increments in the increasing property so that the town council would not have to wait six years or five years or whatever to see an increase in value.

Now insurance companies do that all of the time. I guess it is really a rate of inflation. If you had your house insured last year for \$60,000, when you get your notice from the insurance company this year, it is probably

insured for \$64,000. So if we were to allow that type of process to happen as far as the municipalities were concerned, increments based on the cost of inflation, then we could spend much more time looking after the communities that have not been assessed already, and it would alleviate the burden for the particular municipalities that have already had property tax.

I know that in my District many of the smaller communities have asked for the property assessment over the last number of years and it had not been done. So I would think that the Minister and the department could probably be a little more fairer to the communities that have not had assessment if they were to introduce something along that line.

So I think that the Bill itself that the Minister is introducing, probably has merit in the fact that it is his discretion whether the property assessment would happen every six years or not. So if you were to introduce some type of increment in the evaluation or a further evaluation of property than I think that would alleviate a lot of the problems concerned for the Minister and the department.

Thank you, Mr. Speaker.

Mr. Speaker: If the Minister speaks now he closes the debate.

The hon. the Minister of Municipal and Provincial Affairs.

Mr. Gullage: Mr. Speaker, some of the points raised, of course, are very valid. I guess the most pertinent point is the fact that we have a great shortage of

assessors in the Province. I will say to hon. members if they want to encourage anybody they might know considering a potential career, assessment or planning are two areas in my department, at least, where we have great difficulty finding people in those particular professions.

Mr. Tobin: Are there vacancies there now?

Mr. Gullage: Yes. I do not know the reason quite frankly, but we do have a shortage in both those areas, and those shortages will probably continue for some time until more people become interested in taking those particular courses.

But in the meantime we do have a problem with assessments in the Province. We have one-third of the municipalities left to go, and we would like to get these municipalities assessed for the first time. Now it is correct to say that we do have to defer re-assessments to concentrate on first time assessments. And we would like through these couple of clauses that we are adding to the section; it does give the Minister the right to defer reassessments to concentrate on first time assessments. I have been advising communities that if they are up for re-assessment there is a solution, and that is simply raising the mil rate. It can always be adjusted later on when the re-assessment is complete, but you do not have to by way of an inflationary increase every year, increase the value of the property or the value of the assessment, even if that was permitted, it is really not necessary because you can increase the revenue from any particular property whether it is business or residential, by way of

increasing the mil rate on that property, so that can be accomplished.

The other thing which we are doing with communities that have not been assessed for the first time is, we are encouraging them to look at what might be the average property value in their community by way of a comparison with a similar community, and instituting a poll tax so that they can derive revenue from the residential and commercial properties in their community, the equivalent of what might be achieved through property assessment.

They are proceeding to do that, which is buying us some necessary time, and of course it still achieves the same ends in that the community involved that has not had a first time assessment still has the revenue necessary to run their town, but in any case the purpose of the Bill, Mr. Speaker, quite simply, is to allow the Minister some flexibility to defer first time assessments, or re-assessments I should say, defer re-assessments, to allow us to concentrate on our limited number of assessors whom we have working, and I say limited, we are short, and to allow them to concentrate on first time assessments in the 33 per cent of the municipalities that are eligible to be re-assessed and badly need to have a property tax instituted. That is the gist of the Bill, Mr. Speaker and I would therefore move second reading.

Some Hon. Members: Hear, hear!

On motion, a bill, "An Act To Amend The Assessment Act, 1986," read a second time, ordered referred to a Committee of the Whole House on tomorrow." (Bill

No. 22).

Mr. Speaker: The hon. the Government House Leader.

Mr. Baker: Thank you, Mr. Speaker.

In calling the next order, I would like to make note of the fact that so far things have been going rather well. The Member for Burin - Placentia West has been very co-operative and I hope that now that the Opposition House Leader is back in his seat, that he does not get out his hobnailed boots and I hope that the same spirit of co-operation prevails.

Order 32, Mr. Speaker.

Some Hon. Members: Hear, hear!

Mr. Speaker: The hon. the Opposition House Leader.

Mr. Simms: Mr. Speaker, to respond to the Government House Leader, I guess before the next order is dealt with, may I just make this observation.

Unfortunately, I had to attend a funeral this morning of a good friend of many of us I guess, Terry Trainor, so I was not here at the beginning, but I did note when I came in that it was almost ten to eleven and I called my very capable Deputy, Deputy House Leader, the Member for Burin - Placentia West, and I said: The first thing I noticed there is only one Bill done, and I said, how come, and he said: we are not getting any co-operation from the Government House Leader -

Some Hon. Members: Hear, hear!

Mr. Simms: - so now that I am back, perhaps we can move along more swiftly.

An Hon. Member: Oh, no! Now we are bogged down again.

Mr. Speaker: No point of order.

Mr. Tobin: Was there a point of order?

Mr. Speaker: I did not hear the hon. the Government House Leader.

Mr. Baker: Order 32, Mr. Speaker.

Mr. Speaker: Order 32.

Motion, second reading of a bill, "An Act To Amend The Child Welfare Act," (Bill No. 51).

Mr. Speaker: The hon. the Minister of Social Services.

An Hon. Member: Hear, hear!

Mr. Efford: Thank you, Mr. Speaker.

I thought for a minute that you forgot me.

Mr. Speaker: No.

Mr. Efford: I have to make one little, quick comment, Mr. Speaker. The Opposition House Leader, referred to the hon. Member for Burin - Placentia West as the Deputy, Deputy, Deputy House Leader?

Some Hon. Members: Oh, oh!

Mr. Efford: I just want to take a few minutes, Mr. Speaker, to make a few comments on this particular Bill "An Act To Amend The Child Welfare Act, 1972". We are presently in the Department of Social Services bringing in a complete new Child Welfare Act to be brought up to today's standards and the needs of the day because there have been no major changes

in the act since 1972. So time certainly now dictates and with the ongoing problems and into the future we need to bring the Act into today's needs in the Department of Social Services.

But in the meantime there were a couple of amendments that we wanted to bring in now because of the crisis in the child abuse area of the Department of Social Services. It is frightening, Mr. Speaker, when you find out that right now in the Province of Newfoundland and Labrador we have in excess of 8,000 cases of child abuse. Most of those cases require a lot of investigation by the Royal Newfoundland Constabulary and by the Department of Social Services, the child abuse workers themselves. It is interesting to note that a particular case could take as long as two week, sometimes three weeks, a month, and probably go into a much longer time than that. So it is time consuming, and it is something that you cannot put aside to say that we can do it two or three months down the road. It is not an ordinary course of investigation within the Department of Social Services.

Child abuse is a very serious and a very disturbing thing. And when you talk about the types of child abuse cases sexually, physically, mentally, neglect, just the sheer neglect of parents themselves, I mean it is disturbing for everyone in the Province and it is something that we cannot live with. We must do everything in our power, it is the responsibility of the Department of Social Services as Minister, and the community at large to ensure that each and every case that we deal with is done in a very efficient and professional

manner, and that it is dealt with as expeditiously as possible so the least amount of harm can be done to an individual.

When you talk about little children in the Province: the type of things that you recognize and live with on a day to day basis that is happening to little children, it makes you sick to think that one human being could do this to another human being, especially being so defenceless.

So Bill No. 51, "An Act To Amend..." the only people that can appear in court on behalf of the Department of Social Services to represent a case would be the Director of Child Welfare. The Director of Child Welfare is only one person and we are talking about 8,000 cases and most of those cases could be ongoing at any one time, I think there were ninety so far this year, and we have in excess of 1,000 new cases reported. It is just impossible for one person. So we want to change the Act, so that not only the Child Welfare Director, the Assistant Director, but social workers themselves can appear in the court to represent the family, the child, the clients. In that way there will not be a great backlog of court investigations dealing with child abuse cases. So it is just an act to bring in expeditiously and to conclude and to deal with the very serious cases that are coming before the court.

The other thing that we are changing in this Act is just two amendments, the bill also repeals Part 3 of the Child Welfare Act. This part is entitled Mentally Defective Children. You know, the belief of everybody in the Province of Newfoundland and

Labrador, under the Constitution of Canada, there should be no distinctions made to any individual in this Province just because they have a problem, whether it be a developmentally delayed problem or a sickness or a disability of any sort. And we believe as everybody does, and I am sure the former Minister of Social Services agrees 100 per cent, because he was the Minister probably when this Child Welfare Act was started, it agrees that all children should be referred to and treated as equals. And there should be no distinction saying mentally defective children. There is a terminology that we use today called developmentally delayed referring to people with the disabilities in the Province, and that terminology is accepted by everybody in the Province.

So, Mr. Speaker, what I am asking is for the House to accept and pass these two amendments to The Child Welfare Act, number one, for the purpose of getting cases of child abuse more effectively done through the court system, giving social workers the right to appear in court on behalf of the children in the families of the Province and, secondly, just a change in the Department's description of mentally defective children, on the basis that all individuals in this country of Canada should be referred to and treated equally and fairly.

Mr. Speaker: The hon. the Member for Port au Port.

Mr. Hodder: Mr. Speaker, we here have no problem whatsoever with this Bill. Section 4, as the Minister has pointed out, is certainly needed in this day and age with the shocking figure of 8,000 cases of child abuse. I do

not know if this is a disease of the 1980s or 1990s, or if it is something that always happened in society and we are only now finding out that it did exist. But, Mr. Speaker, it does exist, and I think it is right that it be rooted out. I feel it is right that we take every measure possible to make sure that these cases be proceeded with as quickly as possible.

Mr. Speaker, on some of the hang-ups in the courts, I think the Province, the Department of Justice, should take steps, perhaps, to accelerate some of the cases, of which these are a major part. It is surprising, Mr. Speaker, the number of people who are in penal institutions now for child abuse, when you look back at the percentage, perhaps ten years ago. There are many, many trials pending.

Mr. Speaker, as to the repealing of Sections 21 to 33, that is a fairly large section of the Act, which deals with mentally defective children. Repealing that Act does nothing more than take away an archaic notion that these children are somewhat different from other children. Mr. Speaker, it is my understanding that they are looked after under the normal legislation under which we operate in this Province.

I see nothing at all wrong with this Bill. We welcome it. Also, Mr. Speaker, we would welcome the new Child Welfare Act. We do hope the Minister will be bringing it to the House quite soon so that we can debate that, as well.

Mr. Speaker: If the hon. the Minister of Social Services speaks now, he closes the debate.

The hon. the Minister of Social Services.

Mr. Efford: Thank you, Mr. Speaker. Just a couple of quick points to the hon. member. I thank him very much for his co-operation on this. We, on both sides of the House, and the community at large recognize the importance of this.

I want to speak in defence of the Department of Justice, because, as Minister over the last eighteen months, I can say very clearly - it may not be known to the Opposition critic - the Department of Justice has been very, very co-operative, not only through the Royal Newfoundland Constabulary in St. John's, but right across the Province of Newfoundland and Labrador where, in extreme cases, they have gone out of their way to work with the social workers. I know from talking to people from one end of the Province to the other that they have had nothing but the best co-operation one could expect from all sections of the Department of Justice. I am not saying, Mr. Speaker, that it is enough. There will never be enough. Because the more you deal with, the more there is to deal with. But we are moving in the right direction, with co-operation between both departments.

I understand the member's point, because it is a concern of the Minister of Justice, myself as Minister of Social Services, and the community at large.

Just to conclude, Mr. Speaker, we will be bringing in a new Child Welfare Act that I introduced as Minister of Social Services. It is presently being drafted. It has needed to be done since 1972. The former Minister did not see

that it should be done. But it will be completed by the next session, the spring session, in 1991, and I will be very pleased, Mr. Speaker, to introduce that complete bill in the House of Assembly. I now move second reading of Bill No. 51. Thank you.

On motion, a Bill, "An Act To Amend The Child Welfare Act, 1972", read a second time, referred to a Committee, of the Whole House on tomorrow. (Bill No. 51).

Mr. Baker: Order 21, Mr. Speaker.

Motion, second reading of a Bill, "An Act To Amend The Criminal Injuries Compensation Act". (Bill No. 35).

Mr. Speaker: The hon. the Minister of Justice.

Mr. Dicks: Thank you, Mr. Speaker. This Bill, entitled, "An Act To Amend The Criminal Injuries Compensation Act", is a piece of legislation which has existed for some time, but which only in recent years has begun to be known by the public and used by them, in the sense of a significant number of applications being received by the Department of Justice. There has been a very significant increase, I would say. In 1986 or thereabouts, there were maybe ten or eleven cases a year. At this point we are well over 100 cases that are being received.

What the Act does is it provides to victims of crime compensation for their injuries outside any recovery they may have from the perpetrator of the offence. The Bill before you, Mr. Speaker, enacts some minor amendments to the constitution of the board. At the present time, the board's

membership is limited to three individuals appointed by the Lieutenant-Governor in Council. What the proposed amendment to Section 2 will provide is a provision for at least three members. What beneficial effect that will have to the public is it will enable us to appoint more members if necessary.

Over the past year, in particular, Mr. Speaker, there has been a deluge of applications, and it has been very difficult for the people who have been involved with the processing and who constitute the members of the board; Ms Spracklin of our Department, Mr. Housser, and another individual from another Government Department who, unfortunately, had some health problems and was not as actively involved as she would have liked, have been attempting to deal with these applications in addition to their other duties as members of the civil service, who perform as lawyers handling civil matters.

Prior to that time, it was performed by two individuals in private practice. An earlier decision was made to bring it into the Department of Justice, and I think that improved the situation. However, we have reached a point in time where recently we decided to appoint two full-time members to fulfill this function, one, Mr. Adrian Badcock, who is a solicitor with the Department, who himself is disabled, and who I think will make an excellent Chairman, and another individual whom we have also retained from private practice and who is prepared to work full-time to deal with the backlog.

Before moving on, I would like to pay tribute, Mr. Speaker, to Ms

Spracklin and Mr. Housser in particular for the amount of effort they have put into dealing with applications, in addition to their other duties. I know it has been very difficult for them to contend and I think they have done an exemplary job of service in trying to process these applications. Notwithstanding that, it has been difficult. A significant backlog has developed and what this amendment is anticipating is that this new process of having the two full-time members, plus others that we may add, perhaps on a regional basis, will allow for more speedy consideration of these decisions.

In the past, two members could constitute a quorum. However, if a vacancy occurred, the remaining members were able to do it and one member could hold an enquiry and conduct a hearing. Essentially what the Act will do is not change that significantly but will provide that the Chairperson, or a person designated by the Chairperson, being any member of the panel or board, as we may eventually constitute it, would be empowered and enabled to conduct hearings and make those decisions.

Mr. Speaker, the amendments are of a procedural nature. What it will allow us to do is to have the ability to expand the board and to give the Chairman the latitude to designate members of the board, or the panel as we may eventually constitute it, to conduct hearings in order to deal with any excess flow of applications beyond the normal realm of activity.

I should say, as well, that the amount of revenue that has been necessary for the Government to commit has increased

significantly. Last year it cost approximately \$1 million - I think that is the figure in this year's Budget - for the applications, in anticipation of what amounts would be payable to persons making valid claims. If my memory serves me correctly, that is an increase of some 300 or 400 per cent over what had been the experience in past years.

I would commend to the Legislature these amendments. I believe that it is necessary and advisable to allow Government to respond to the demand of the public for this service, to the extent that we are able to provide, and continue to provide, funds for this. I believe we should equally be permitted a procedure and a type of board, and a type of constitution of that board, that will enable us to do it in a timely manner. I think this is the way to do it, Mr. Speaker.

At the present time, we have made some changes so that the two individuals who are there now are performing on a full-time basis and have been alleviated of their other commitments, one in private practice, and the other of his responsibilities in the Department of Justice directly. I would therefore ask the support of the Legislature to make this change, which I trust will meet with their approval. Thank you.

Mr. Speaker: The hon. the Member for Humber East.

Ms. Verge: I wholeheartedly support this Bill, but I regret very much that it was not presented to this Assembly last Spring or last year. The Minister of Justice has badly neglected his responsibility to provide compensation, supports and

services to victims of crime, and the neglect came at a time when there was a great deal of public information and awareness within the criminal justice system of the long-standing neglect of the needs of victims of crime; the neglect occurred during the conduct of the Hughes Commission hearings.

The Minister allowed the backlog of applications for criminal injuries compensation, many from child sexual assault victims, to reach crisis proportions before he responded. It was not until this September that he relieved the dedicated members of the Crimes Compensation Board, Ms Spracklin and Mr. Housser, from their responsibilities and appointed Mr. Badcock and a private practicing lawyer to begin to deal with the backlog.

Mr. Speaker, it was while I was Justice Minister that I saw to it that the Criminal Injuries Compensation Programme was publicized. I encouraged, in fact instructed, the Crown Attorneys and the members of the two police forces throughout the Province to bend over backwards to acquaint victims of crime with the programme, and to assist victims to apply for the compensation to which they are entitled. It was as a result of those efforts that the number of applications mushroomed, and I am gratified to see that result.

As the Minister of Justice pointed out, while the board for many years, from when it was first established, was constituted by lawyers in private practice, as part of my programme of revitalizing the delivery of the programme and improving public awareness, I moved it in-house and appointed in-house lawyers,

lawyers with a couple of Government Departments and with a Crown Corporation. I chose the individuals because of their competence as lawyers, but, more than that, I selected them because of their interest and compassion, their interest in the plight of victims of crime and their sympathy for crime victims.

I am glad the Minister of Justice paid tribute to those individuals, because they did the Criminal Injuries Compensation Board work in addition to their regular Government duties without any extra remuneration. And those individuals are: Lyn Spracklin, who acted as Chairperson of the Board over a two year period or so; John Housser who was Vice-Chairperson; and Colleen Hanrahan, a solicitor with Newfoundland and Labrador Housing Corporation - actually a Vice-President of the Corporation - who is continuing to serve on the Board. All three of those individuals did an admirable job of serving on the Crimes Compensation Board, and they had to cope with the ballooning caseload, when relief from the Minister was extremely slow in coming.

Mr. Speaker, this Bill authorizes the Government to appoint more than three members to the Board. That is needed in response to the growing caseload. I would urge the minister, however, to select individuals who have the same qualities as the three I have just mentioned, individuals who are personally interested in victims of crime and who will make an extra effort to respond to their applications speedily and compassionately.

Mr. Speaker, the criminal injuries

compensation legislation, the Act which this Bill amends, requires the Minister of Justice to present to this Assembly within a certain time period an annual report of the operations of the Crimes Compensation Board. Now this minister has been in office for - what is it? - more than a year and a half now and he has yet to table a report of the Crimes Compensation Board. We have been kept waiting for two annual reports of the Crimes Compensation Board. The Minister of Justice, of all ministers, is not complying with the requirements of an Act that he is responsible for administering; he is keeping the members of the Legislature and the public in the dark about the work of the Crimes Compensation Board.

Now I have raised this with him several times. I have raised it with him in Budget Estimates proceedings two years now, and each time he said that he would get the reports and table them. He seems to be trying to avoid looking at me when I am saying this, but I would really urge the Minister of Justice at long last to fulfill his duty under The Crimes Compensation Act and table the outstanding annual reports of the Criminal Injuries Compensation Board in this Legislature.

Mr. Speaker, after having paid tribute to the Board members who have served, I also want to single out Elaine Peet, a Department of Justice senior secretary, who has served as Administrator of the Board. She has done that work without extra pay. She is one of the most, perhaps the most, efficient secretary I ever had the pleasure of working with. She did an admirable job of serving as Administrator of The Crimes Compensation Program. Now in the

Budget, brought down on the Ides of March by the Minister of Finance, there is provision for a new position for The Crimes Compensation Program and I would like the Minister of Justice, when he rises to finish the debate, to explain to the House how the Crimes Compensation Board is going to be administered in the future. I would think that the workload has exceeded the capacity of the secretary of the deputy minister, given that the deputy minister's secretarial workload is quite great, and I would ask the minister to explain what other arrangements he has made for administration of the Crimes Compensation Program.

Finally, Mr. Speaker, while we are talking about the plight of victims of crime, I would ask the Minister of Justice to tell the House of Assembly what he is going to do to improve supports and services to victims of crime throughout the Province, particularly people who suffer personal injury, physical or sexual assault as a result of crime?

When I was Minister of Justice I met twice a year with a committee of representatives of agencies working with victims of crime, workers at transition houses for battered women and children, social workers leading the way to improve Government's response to children who are abused or assaulted. That committee told me that the greatest need for expansion - I hope the Minister for the Status of Women listens to this, because I think he may be able to do more than any of the other ministers to address the unmet needs. But the committee advising me, many of whom are now advising the Minister for the

Minister for the Status of Women, told me that the greatest unmet need was in the area of supports within the criminal justice system for victims of crime. Provision of information about police investigations, preliminary enquiries, criminal trials; information about counselling, crimes compensation and other programmes of assistance; liaison between Crown Attorneys, social workers, Department of Health and public health workers, teachers and educational therapists.

With the guidance of that advisory committee, staff of the Department of Justice conducted public hearings in different parts of the Province, and brought back to me a plan which the previous Government approved, of establishing a Province-wide programme of victim-witness court workers. The plan called for at least one victim-witness court worker to be based in the major court centres of the Province which of course includes St. John's, Grand Bank, Clarenville, Gander, Grand Falls, Corner Brook, Stephenville and Happy Valley-Goose Bay.

That plan was about to be implemented in the budget brought down in the spring of 1989 but unfortunately an election and a change of Government intervened and derailed that plan. So I would ask the Minister of Justice to tell us what he is going to do beyond appointing more members to the Crimes Compensation Board to respond to the unmet needs of victims of crime. As I say, particularly victims who have suffered sexual or personal assault and who have to endure prolonged trauma as a result of those personal violations. Since most of the victims of these crimes are women and children I

say to the Minister responsible for the Status of Women and the Minister of Social Services, I would hope that the Government as a whole will work with the Minister of Justice to implement the plan for a Province-wide victim-witness court worker programme. A plan which was not conceived by any political party, a plan which was proposed by community workers, with women's centres, with transition houses for battered women and children and social agencies that are trying to improve public services for victims of crime.

In closing, Mr. Speaker, I agree with this Bill. I regret that it has been so long in coming. It could so easily have been brought to the Legislature last year or last spring. With the cooperation of the Opposition it would have been given speedy passage and victims of crime who had to wait undue lengths of time to have their entitlement to public compensation granted, would have been spared that ordeal on top of all the other suffering that they have had to bear. And in addition to this measure we trust that the Government will implement the planned victim-witness court worker programme for the whole Province.

Thank you Mr. Speaker.

Mr. Chairman: The hon. the Member for Carbonear.

Mr. Reid: Just a few brief comments, Mr. Speaker. I am Chairman of the Legislative Review Committee that dealt with this piece of legislation and I am not really surprised with the comments that my hon. colleague from Humber East has made. Because basically she made the same comments at the

Committee level. I do draw your attention to the fact that if I am not mistaken the Committee was given a list of (Inaudible) for the past number of years, if I remember my colleague over there. And I believe that we found that the increase in the case load for the Crimes Compensation Board really started to escalate in late 1987-88 and into 89. And one of the questions at the board level or at the committee level was what is going on. And, of course, we all knew what was happening in 88 and 89, and it was just a mushrooming effect. The surprising thing that we found out at the committee level was that the Minister of Justice at that particular point in time and up for a fair period after that particular point in time happened to be my vice-chair, and the same individual who just spoke in the House and condemned this Minister for waiting so long to bring in this piece of legislation. Now, I do not mean to be critical of my colleague but I am just producing the truth here. I want the Legislature to know that the previous government had plenty of time to bring in such a compensation package. And I do not think it is fair for the member to mislead the House, or not mislead the House but to try to put the blame on this particular Minister when she herself as the previous Minister of Justice had a year to a year and a half to do something about this situation and apparently did not do it.

I do wish to thank, Mr. Speaker, my hon. vice-chair from Humber East, the Member for Harbour Grace, the Member for St. George's and the Member for Burin - Placentia West because we did have some concern about this particular

bill but in the end both sides of the House and all members of the committee agreed that it was a good piece of legislation and it did come at a good time. And now, hopefully, with the presentations that were made to us by people involved directly with the crimes compensation issue they thought it was a terrific piece of legislation. And hopefully now the backlog of cases that are pending now before the board can be handled. I thank you very much.

I just rose to make that point, and my hon. colleague for Humber East knows exactly where I am coming from because she knew at that particular time that, I think, she expected me to rise and point that out. I do commend you, Mr. Minister, for your effort here, and I will say that I would like to commend the Minister of Social Services because he has also introduced a number of bills that are directly related to the crimes compensation issue, and that has arisen on a number of occasions in this House in the last few months. There are a number of pieces of legislation that have gone through the House; one this morning, for example. And this Government is showing the people of Newfoundland and they will know, they will judge us in the end. They will see what we are doing as a Government and compare us possibly with the previous Government. Thank you very much.

Mr. Speaker: The hon. the Opposition House Leader.

Mr. Simms: I am sorry, Mr. Speaker. I thought there was going to be some agreement to get some legislation through. We had discussed it, the Government House Leader and I, but it appears that

members opposite are going to not hold to that understanding. If that is going to be the case then we certainly are not going to allow members opposite, such as that Member just did then, to get up and chastise and attack the Member for Humber East. Now, if you want to do it that is fine, but let us know what the rules are. I say to the Member for Carbonear, let us know what the rules are. Maybe the Government House Leader needs to have a talk to his members to -

An Hon. Member: (Inaudible).

Mr. Simms: I am telling you. I will respond to attacks and criticisms of members on this side if that is the intent. That was not the intent according to the understanding the Government House Leader and I had. So, perhaps members opposite might want to be aware of it.

An Hon. Member: (Inaudible).

An Hon. Member: Now, if the Minister of Health is going to continue to interrupt we will have more speakers get up. So, if you want to play the game, play the game. If you do not, that is right, put a zip on it. I will just make reference now then in response to what the Member for Carbonear has said trying again to play his little political games, I suppose, and attack the Member over here. The Minister -

An Hon. Member: (Inaudible).

Mr. Simms: Mr. Speaker.

Mr. Speaker: Order, please!

Mr. Simms: So you see what he is doing? The Member for Carbonear just spoke. He is finished

speaking, he sat down. The Member for Carbonear is sat down. He is finished speaking. He just spoke, so he should put a zip on it too. Take advice and guidance from senior Ministers over there who know what is going on here.

Mr. Reid: (Inaudible) you and the Premier according to you.

Mr. Simms: Is the member finished or what? Would he rather carry on some more.

Mr. Reid: I would love to.

Mr. Simms: Well, I will give leave. The hon. Member can get up again. By all means.

Mr. Speaker: The hon. the Member for Carbonear.

Mr. Reid: I am surprised, Mr. Speaker, I am really surprised. This morning the hon. Minister of Municipal Affairs introduced a bill in this House and this hon. Member was not in the House. He was off doing his duty as a friend of a friend of ours in the House and I commend him for it. While he was out of the House we had a discussion on a Municipal Bill and members on that side, and members on this side got up and talked. We talked about a particular Bill. We did not make any comments that we were going to be critical of each other. Everything ran so smoothly this morning that we got three Bills through, then all of a sudden this Member comes back in the House, and because I get up to make a comment, that he accused me of not being able to make yesterday in the House, if you remember, he accused members on this side of being tight-lipped at the direction of the Premier and not being able to speak, not being

allowed to speak, then this morning, well basically telling me I am not allowed to speak. I will have the Chair know, Mr. Speaker, that if I wish to speak in this House, whether there is an agreement between himself and the Leader of the Government or not, if I wish to speak, nobody in this House, be it him, or be it the Leader of the Government is going to stop me.

Some Hon. Members: Hear, hear!

Mr. Reid: At this particular time I rose in my place because my hon. colleague for Humber East knew I was going to rise in my place and speak on that particular Bill because I happened to be chairman of that Committee. With that said I complimented my friend, and both my friends from the other side of the House, and why this gentleman now has to stand and make the comments about not allowing anyone else to speak because there is some concocted deal between him and the hon. Member for Gander I do not know, because to be quite honest about it -

An Hon. Member: There is a deal.

Mr. Reid: Well, someone has to tell us because nobody has told me, and apparently nobody has told the other members on the other side, because this morning on the Municipal Bill, I believe, there were three members from the Opposition that spoke on it and two members from this side, so I do not think the hon. Member for Grand Falls is being fair to me, or being fair to the members of the House, when he gets up and makes a comment that he did not think that anybody over on this side of the House was going to get up and speak, either pro or con, on a proposed Bill.

Thank you, very much, Member for Grand Falls, for allowing me to speak.

Mr. Speaker: The hon. the Opposition House Leader.

Mr. Simms: Mr. Speaker, I hope the Member is finished now because I do not want him to continuously interrupt and interject as he was doing before. If he is not I will give leave again and let him speak to his hearts content, if he wishes. I would say the hon. Member for Carbonear is making a very wise decision, to go out for a smoke, because he has totally embarrassed his colleagues over there, I can tell him that. He understands nothing about the parliamentary process, nothing whatsoever, it is unbelievable. What I got up to say at the beginning is that if members want to speak, that is fine, we have no problem with that, none whatsoever, but we have been accused of not being co-operative and we agreed to be co-operative through an understanding that the Government House Leader and I reached, in debating legislation this morning, and that is what we were attempting to do. Everything was going along smoothly until the Member for Carbonear got up and attacked the Member for Humber East and we are not going to sit by and let that occur. We are just not going to let it happen.

Mr. Speaker, I want to respond to his criticisms of the Member for Humber East. She simply was pointing out in her debate: she wondered why if this legislation was so important, and was on the Order Paper, I guess, for quite some time, I believe sometime last year, last Spring, why it was not past earlier if it was such a problem. Now, that is a

reasonable question. There is no reason to attack her for asking that kind of a question. Then he made the accusation, why was it not done when she was there? Well, as she pointed out in her speech, the caseload really started to get out of control in 1989. That is when the problem really started to get out of control and in the meantime there was an attempt by the Minister, an effort by the Minister to change the legislation in any event. That was her plan to change it in any event in due course, but unfortunately Government changed, and put the whole system back by several months. The Member for Carbonear should not get up himself in such a pious way and attack members on this side because they ask legitimate questions and make legitimate points. All I said was if they are going to do that then they can expect to get responses from this side as well. I hope the Minister of Justice will close debate on the Bill now so we can get on with other legislation.

Mr. Speaker: If the hon. Minister of Justice speaks now he will close the debate.

The hon. the Minister of Justice.

Mr. Dicks: Thank you, Mr. Speaker.

A couple of issues, I guess, have arisen, and I do not know if the hon. House Leader was present. I do note that on the other Bill the hon. Member for Green Bay got up and commented very briefly as well, so I do not know what the arrangement is, but I saw nothing unacceptable with my colleague getting up for a minute and coming to my rescue in one form or another, but that is for the two House Leaders to work out.

An Hon.-Member: No attacks.

Mr. Dicks: Whatever, that is right. But in that the hon. Member for Humber East did issue some attacks, I think she feels me delinquent in my duty that I did not respond to them, but before doing so, I would like to -

An Hon. Member: (Inaudible) know what they are doing.

Mr. Dicks: - make a couple of comments. Ms Elaine Peet, I think I did not address in my comments. She is the Deputy Minister's secretary, an extraordinarily hard worker and in addition to her other duties, has performed very well in functioning as the secretary for this board.

One of the questions that the Member for Humber East asked was, the money in the Budget. Part of that is to set the Crimes Compensation Board up in a separate office, I think, where they will not have the interferences of being in the Department and those arrangements have been made with the Department in conjunction with the Chairperson, Mr. Battcock, and as well there is money in there for the services of a secretary and people who will function to produce the work, so we believe that that should make it a more expeditious process for those who, unfortunately find themselves in need of this type of compensation.

The Member has, I suppose a propensity to raise in response to specific legislation, other issues, notably those by which she has been most vocal publicly and that includes victims of crime. I cannot help but comment that victims of crime are nothing new to the system, Mr. Speaker, we did

not start having victims of crime in April of 1989.

We have had victims of crime ever since we have had crime, but apparently, the hon. Member Opposite seems to have only discovered them when she got in Opposition. For the four years, I guess it was, when she was Minister of Justice and that her party was in power since 1972, nothing really was done to deal with these concerns which she now addresses and that I share her concern with quite frankly, but, not that I do not respond well to attacks, Mr. Speaker, but I think I will be delinquent in my duty did I not point out that the hon. Member and her colleagues, over the history of their Administration, did not address these concerns.

As for our Government's role, we do intend to address them. As I said publicly, the prospect for Government and our media priority is to address victims of crime in a manner that is proper. The difficulty we have is that the revenue generating system that was put in place by the Federal Government, which does not really formulate the consensus that the provinces had arrived at, but a step toward that is to implement a surcharge. Our provincial experience has not been good. We will only realize \$25,000 at this point from that and unless things change significantly, that in itself will not generate revenues.

The Member likes to refer to proposals she had made in the Department prior to her ceasing as Minister of Justice, but that never got to the stage of the endorsement of her colleagues or as I am aware of being brought forward to the point of fruition

either.

So, on that point, Mr. Speaker, I would like to comment that the Government does realize its concern, it does intend to address it as and when we are able to secure funds to do so.

The other thing, Mr. Speaker, is that, as to whether or not we have acted expeditiously, I suggest that we have, but in this matter it takes time to formulate a proper response that I believe the individuals who were there, performed very well.

She did not see fit when she was Minister to alleviate them of their other duties and to free people up to do so and nor do I think it is proper for her to criticize that it is taking us this period of time to devise a proper method. She was Minister and the process of Government is such that it has to go through a proper consideration and that is not always as fast as Ministers would like, myself included.

Just on that, Mr. Speaker, I think it would become the Member to perhaps be a little less inflammatory in her comments on these measures. I think if this legislation is proper, if it addresses a concern, I think it is fair to raise an issue of time limits, but I think it is also fair to do so to acknowledge that perhaps she did not act as timely and as responsibly as she might have.

But all that being said, Mr. Speaker, and I do not wish to be too small minded in responding to the type of criticism that was offered, I do believe that the Bill speaks for itself, that the Bill is one that has as its aim, a

proper and more expeditious procedure and I think the Member has acknowledged that.

Ms Verge: (Inaudible).

Mr. Dicks: She raised the matter of the report. I think the Member raised that, but what I was going to -

An Hon. Member: (Inaudible).

Mr. Dicks: I will get to it. I have not sat down yet, Mr. Speaker, be a little patient. I have addressed almost all the other matters, money in the budget. As to the reports I will check with the Department to determine where the reports are, in fact I had made a note of things, a list of things that have to be done and that is on that list and will be done. Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

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

Mr. Baker: Order 13.

Motion, second reading of a Bill, "An Act To Amend The Day Care And Homemaker Services Act, 1975." (Bill No. 10).

The hon. the Minister of Social Services.

Mr. Efford: Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Mr. Efford: I do not know if it is Friday morning or not, there is

not much life around this place.

Mr. Hodder: (Inaudible).

Mr. Efford: I suggest to the Member for Port au Port that he should act on his own thoughts and not the Member for Humber East because if he does he will find himself in a lot of trouble up there in the corner.

Mr. Speaker, I want to introduce three amendments to the Day Care and Homemakers Act, 1975. The Department of Social Services is presently undergoing a complete revision of The Day Care and Homemakers Act within the Department, that we hope to be able to introduce to the House of Assembly, the Legislature, in the spring sitting, and it should be completed by then. That is our plan. But in the meantime there are three amendments that we see as necessary to make, and I would like to commend the people in my department because I am the Minister and I did not work on the bill or the drafting of this legislation. They just informed me about it and I gave them direction and leadership. But I would like to commend all the people, the Director of Day Care who is a very competent individual, and all the people within the Day Care and Homemakers Program in the Department of Social Services, they have been doing an excellent job and it is something that must be confirmed and developed for today's needs because more and more each day in the Province, in Canada, and especially in the Province of Newfoundland, we have more and more reason to become and improve the system of day care.

We presently have here in the Province now approximately 3,242

spaces, and thirteen homemaker support agencies, and approximately 3,200 is not sufficient, Mr. Speaker, for the Province of Newfoundland and Labrador, and that is the reason why we are trying to work with the Federal Government in Ottawa and our own Government here in Newfoundland and Labrador and the community at large, the associations, to bring in more money, more improvements and regulations. These three amendments, very quickly, Mr. Speaker, that we are asking for the House of Assembly to accept and pass today, number one, is the amendments proposed to this Act cover three general areas of concern, the composition of the Day Care and Homemakers Service Licencing Board is being reviewed and altered based on feedback provided through the hearings of Social Assistance Legislative Review Committee. The term of office specified for members of The Licencing Board has been more precisely defined in order to avoid simultaneous expiration.

What we are saying, Mr. Speaker, is that we want to bring in an amendment to the Act that assures that the terms of individual members of the board don't expire at the same time. They will be staggered. They will not terminate and the board will always be considered as active.

Secondly, Mr. Speaker, we would also like the period of licencing for a day care centre to be extended from a one year term to a three year term. We do not see the necessity of having all this administration within the Department of Social Services because of this one year term because we have ongoing inspections, regular inspections

by social workers and by people within the Department of Social Services, and a good association, and a board in place to change -

Mr. Simms: (Inaudible).

Mr. Efford: The hon. Opposition House Leader is doing a good job of kidding, and I agree with him. It is not necessary for me to go over all the individual items. They are all here in the bill, Mr. Speaker, and I will give the Opposition critic a chance to make a couple of comments, and then I will answer any questions.

Mr. Speaker: The hon. the Member for Port au Port.

Mr. Hodder: Yes, Mr. Speaker. This Bill is more or less a piece of housekeeping legislation. I suppose in the first part of the Bill, as far as the board is concerned, it lends for more continuity of boards when a board member leaves.

Mr. Speaker, just a couple of criticisms about the bill. In the category of membership, the bill - if the Minister is listening. Anyhow, Mr. Speaker, if he is not listening he does not -

An Hon. Member: (Inaudible).

Mr. Hodder: Mr. Speaker, I just wanted to point out a couple of things in the Bill which I believe were brought up in committee and which perhaps my colleague, the Member for Humber East, might refer to later. But, Mr. Speaker, the members who are appointed by the board under Paragraph (e) and subsection (b) of that, says an organization which promotes quality day care or homemaker services. Mr. Speaker, I fail to understand why the Minister did

not follow the suggestion of the committee, which was to have advocates from both day care and from the homemaker services which was something that was requested.

I believe the other point in this Bill is the fact that a licence issued under subsection (4) may be renewed but this renewal shall be for not greater than a total of three years. I believe the committee asked that that be two years. Because they felt this was too great a length of time, that abuses could take place throughout that time, two years would be proper.

Mr. Speaker, other than that I find the Bill to be fine. There may be other Members who have some specific questions about the Bill and I will give them a chance to ask them. Thank you.

Mr. Speaker: The hon. the Member for Humber East.

Ms. Verge: Thank you, Mr. Speaker. I will be brief. The Social Legislation Review Committee scrutinized this proposed legislation more than a year ago. In doing so, we heard submissions from the Day Care Advocates, a Provincial organization based in St. John's, as well as the Corner Brook Citizens Action Child Care Committee. Those groups represent the consumer. They are concerned with improving care and development of young children whom day care centres serve, and in meeting the needs of parents of the children. Those groups expressed serious concerns about the proposal in the Bill to prolong the gaps between inspections - between reconsideration and renewal of day care licences by the licencing

board.

In recent years, tragically we have learned about abuse of children that was compounded by neglect of public officials. More and more of our young children - and of course the younger the child the more vulnerable - are being cared for in centres, licenced by the Government, by care-givers other than the parents of the children, and the Government has an extremely important responsibility to ensure that through the Government approved arrangements children are being cared for adequately, and being given proper stimulation and guidance.

Now, the Day Care Advocates and the Corner Brook Citizens Action Child Care Committee expressed strong objections to the measure that is in this Bill, as it was in the original draft bill, to allow as much as three years to go by before a day care licence has to be renewed by the board.

Now, there is in the current regulations the requirement that each centre be inspected a couple of times a year, but the minister's own staff told our committee that the department does not have qualified personnel in place throughout the Province to do adequate inspections. There is some question about whether the required number of inspections is even being done. But there is serious doubt that even when the inspections are conducted that they are done by personnel who are really properly qualified. So the Day Care Advocates and the Corner Brook Citizens Action Child Care Committee strongly recommended against this three year extension and suggested as a compromise, two years. The Committee endorsed

that compromise recommendation, and I cannot see any reason on earth why the Minister and the Government would not have accepted the advice of the Committee, made up of a majority of Liberal members, as well as the Day Care Advocates and the Corner Brook Citizens Child Care Committee.

Now, perhaps three is still in the Bill because of an oversight. I say to the Minister of Social Services perhaps this is unintentional on his part, and, if so, I hope he will simply say that and we can agree to amend the Bill to read two years, as the Committee and the Day Care advocates strongly recommended. Thank you, Mr. Speaker.

Mr. Speaker: If the Minister speaks now, he closes the debate.

The hon. the Member of Social Services.

Mr. Efford: Thank you, Mr. Speaker. I have just a couple of quick comments. I understand very well what the Member for Humber East is talking about, and my hon. colleague for Port au Port. Nobody can take too lightly the necessity for making sure that children in day care are provided with the necessary education programs, safety inspections, and all the qualified persons you can put in place. In fact, if you had everything in place that would make it perfect, you would still want to improve as each day goes on the service you provide to children.

Nobody in the Department of Social Services is taking anything lightly and saying we are doing this just because somebody wants to be stubborn about something or we do not want to change. That is

not right.

We will discuss and talk. We have discussed this very clearly. But I fail to understand, whether it is one year, two years, three years, five years or ten years, how it would ensure that the places are being adequately run for safety reasons, that abuse is not taking place, and that there are education programs. At any time during a one year term, a two year term, a three year term, any time, we can revoke the licence. And if we are not doing enough inspections of a particular center or all the centers, having the licence expire in two or three years is not going to do anything one way or the other to affect the inspections.

If the point the hon. the Member for Humber East is making is true, and clearly she must have some information or she would not make the statement in the House of Assembly, then it is the responsibility of the Department of Social Services, and myself as Minister, to ensure that we do have sufficient numbers of people trained within the Department to do more inspections, if that is what is required. So that is not a staggering of licences or a termination of the number of years that a licence exists, it is just the fact that we must put more measures in place to ensure safety. I take note of the hon. member's comments, and I will have another look at it. And we will make sure that all the inspections are adequate, and will determine that the way in which they are done is satisfactory to the those in the community, the children and the people themselves.

Mr. Reid: It may come up later on, anyway, John.

Mr. Efford: Yes, we can always do that later on when the Bill is introduced in the House of Assembly, the complete revision of The Day Care And Homemaker Act, as far as inspections are concerned.

With respect to the question of the Member for Port au Port, Why is there only a person from Day Care and Homemakers, not two? - you can only have so many members on the board. The board is presently made up of the Director of Day Care and Homemaker Services, the Director of Child Welfare, a representative of the Department of Education and the Department of Health, and a couple of people at large. So, it is a seven-member board. Everybody seems to be fairly well satisfied with it. You cannot satisfy all the people all the time, but I think, generally, everybody we have talked with in the Province are pretty well satisfied. Mr. Speaker, with these few comments, I move second reading of Bill No. 10.

On motion, a Bill, "An Act To Amend The Day Care And Homemaker Services Act, 1975", read a second time, ordered referred to a Committee of the Whole House on tomorrow.

Mr. Baker: Motion 11.

Motion, second reading of a Bill, "An Act Respecting The Department Of Education". (Bill No. 3).

Mr. Simms: Mr. Speaker, on a point of order. I would like to point out that we had already started debate on this Bill back in June, so it is a continuation. So the Minister has already spoken, already introduced the Bill in second reading, and our critic has already spoken. I will

be the last speaker for this side, by simply saying that this is an example of the most significant legislation that this Government can bring in. There is not much you can say about it. He is changing the Department, I think. That is about all, is it not?

Mr. Speaker: Is the Minister speaking now, closing the debate?

Dr. Warren: Yes.

Mr. Speaker: If the Minister speaks now, he closes the debate.

The hon. the Minister of Education.

Dr. Warren: I thank the hon. House Leader for his co-operation. Let me assure the House that the next major Bill to be introduced, The Schools Act, will deal with many other issues. But this is an important Bill. It is a routine bill, of course, and I am pleased to close debate on it.

On motion, a Bill, "An Act Respecting The Department of Education," read a second time, ordered referred to a Committee of the Whole House, on tomorrow. (Bill No. 3).

Mr. Speaker: The hon. the Government House Leader.

Mr. Baker: Mr. Speaker, the next Bill I had intended to call is Bill No. 45, The Department of Health Act. I think it is close enough to twelve now that I believe we will call it twelve, unless the Opposition -

Mr. Simms: (Inaudible) minister introduce (inaudible).

Mr. Baker: Okay. Order No. 27, Mr. Speaker.

Motion, second reading of a Bill, "An Act To Amend The Department of Health Act". (Bill No. 45).

Mr. Speaker: The hon. the Minister of Health.

Mr. Decker: What Bill are we doing?

Mr. Baker: Bill No. 45.

Mr. Decker: Bill No. 45. I had the wrong bill, Mr. Speaker.

Mr. Speaker: It is Bill No. 45.

Mr. Decker: Mr. Speaker, this is simply a little bit of housekeeping which does not warrant any great speech. Last year, during the budgetary process, Government decided to charge certain fees for some services which are provided by the Department of Health. These include inspections and duties carried out under the regulations.

Mr. Speaker, I am impressed with the co-operation which we are receiving from the Opposition this morning, and it certainly shows how the legislation can proceed with co-operation. I think it is proper for me to congratulate the Opposition House Leader, Mr. Speaker. But this is simply a little bit of housekeeping, which I do not foresee having any great difficulty in passing through this House.

Mr. Speaker: The hon. the Leader of the Opposition.

Mr. Rideout: Mr. Speaker, not so fast. If my memory serves me correctly, this is the health inspectors who go out and inspect Crown land and a whole bunch of other things, and are going to charge people an increased fee.

Mr. Simms: And we cannot find copies of the bill.

Mr. Rideout: We cannot find copies of the bill, so it being close to twelve o'clock -

Mr. Simms: The Table does not even have it.

Mr. Rideout: And the Table does not have it.

Mr. Simms: They just went to get them.

An Hon. Member: (Inaudible).

Mr. Simms: They don't have them there. They are gone to get them now.

Mr. Rideout: They are gone to get them now.

If I remember correctly, this imposes some user fees for health inspections and things of that nature, which the minister called routine. We will have a little bit more to say about that Bill on Monday, so I will move the adjournment of the debate, Mr. Speaker.

Mr. Simms: Now that he has introduced it.

Mr. Speaker: The hon. the Government House Leader.

Mr. Baker: Thank you, Mr. Speaker.

Just to correct a misimpression, this Bill 45 has been through the Committees. It was distributed in the spring to everybody.

An Hon. Member: Which spring (inaudible)?

Mr. Baker: So the copies of the bills have been -

An Hon. Member: (Inaudible).

Mr. Baker: Well, I am just telling you what happened, and that is the truth. It is through the committee, the copies had been distributed. I understand there was some problem today with finding some copies around, but everything has been done properly with regard to this Bill. I just wanted to make that point.

Mr. Simms: (Inaudible) the spring, was it?

Mr. Baker: Yes. Mr. Speaker, on Monday I wanted to start with Bill 48, which has to do with the Highway Traffic Act. I understand that the critic for the Opposition will not be in his place on Monday but will be on Tuesday, so we are considering putting it off until Tuesday. Mr. Speaker, if that is the case, we will be continuing on with Bills in the following order: Bills No. 45, 4, 18, 6, 65, 29, 19, 23, and 15.

I move that the House at its rising adjourn until 2:00 p.m. on Monday, and that this House do now adjourn.

On motion, the House at its rising adjourned until tomorrow, Monday, at 2:00 p.m.