

PRELIMINARY

UNEDITED

TRANSCRIPT

HOUSE OF ASSEMBLY

FOR THE PERIOD:

MARCH 22, 1977

The House met at 3:00 p.m.

Mr. Speaker in the Chair.

MR. SPEAKER: Order, please!

PRESENTING PETITIONS

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

MR. J. WINSOR: Mr. Speaker, my petition is addressed to the Minister of Transportation and Communications. It is from Harbour Mille and Little Bay East, in the bottom of Fortune Bay, and it is signed by 234 people. It is really an adjunct to the other petitions which I presented some time ago.

The prayer of the petition reads: "We the undersigned feel that we are justified in our asking for a firm commitment with regards to the completion of upgrading and subsequent paving of the section of road from the Burin Peninsula Highway to Harbour Mille, connecting the communities of Jacques Fontaine, St. Bernard's, Bay L'Argent, Little Bay East, Little Harbour East and Harbour Mille.

We feel there is still some upgrading to be done with regards to widening the road in certain areas, ditching in certain areas. Taking into consideration that school buses are covering the entire length of this highway on a regular basis, we place special emphasis on the need for guardrails in certain dangerous places.

This being done we feel that the next course of action should be to pave the road since the major portion has been upgraded for sometime. We firmly believe that your government should seriously consider our petition and make the necessary commitment to carry out the aforementioned suggestions at the very earliest."

This is not intended as an harassment of the Minister of Transportation and Communications, but these people feel that for some reason this is not going to be carried out. The minister has replied to each of these petitions and I thank him for it. But they still feel that they would like a very definite, firm commitment from the minister that this programme will be

MR. J. WINSOR: carried out. I ask that this petition be placed on the table of the House and referred to the department to which it relates.

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

MR. NEARY: Mr. Speaker, I should like to offer my support to the prayer of the petition on behalf of 234 residents of Harbour Mille and Little Bay East.

I am sure, Sir, after Mr. Otto Lang visits the Province on Monday, I believe it is, there will be no shortage of cash that the Minister of Transportation and Communications - Mr. Lang, no doubt, will be making a number of announcements while he is in the Province. And I believe the minister is going to be out in Alberta while Mr. Lang is here, which is rather unfortunate. When the goodies are being passed out the minister takes off and leaves the Province.

MR. MORGAN: I have been waiting all year for him anyway.

MR. NEARY: Waiting all year, and then the minister leaves when he comes. I do not know if a meeting has

Mr. Neary:

being arranged with Mr. Lang, between the minister and Mr. Lang or not? But certainly if the minister needs an introduction I am sure somebody on this side of the House will be glad to give it to him. But, Sir, it gives me great pleasure to support the petition. All the people are asking for is a commitment from the minister, And that is no more than he should do, Sir, give the people down there a commitment that this piece of road is going to be finished this year. So it gives me great pleasure, Sir, to support the prayer of that petition.

MR. SPEAKER: The hon. member from the Bay of Islands.

MR. L. WOODROW: Mr. Speaker, I have great admiration for the member from -

SOME HON. MEMBERS: Fortune-Hermitage.

MR. WOODROW: - Fortune-Hermitage (Mr. J. Winsor), I am sorry, I have known him for many years, and I am up to speak now - I know the minister was going to get up and speak before me, but I am speaking now because he is sincere. He means every single words he says.

MR. W. CARTER: Who is that?

MR. WOODROW: The member over here. He means every single word he says. He is sincere.

MR. NEARY: And that is the truth.

MR. WOODROW: Of course it is the truth. And that is what we need more of in this House of Assembly.

SOME HON. MEMBERS: Hear, hear!

MR. WOODROW: I have also spent, as perhaps all the members know now in this House, I have spent almost eight years flying between Argentinia and Port aux Basques. And in those days there were no roads to go on, in fact, roads were not even heard of. And there is something else that I want to bring out, that it is difficult to build roads in any part of this Province, almost any part, but it is more difficult in the Harbour Mille, Little Bay East area, I am not saying that because it is difficult, the people are not entitled

Mr. Woodrow:

to having those roads. But there is one thing that I want to bring out and it is this, it also means that this administration has to borrow more and more - the more petitions that come before the House of Assembly whether, they come from this side of the House or from the other side of the House, it means that more money has to be borrowed. Sometimes -

AN HON. MEMBER: More power!

MR. FLIGHT: None less.

MR. WOODROW: - I get a little bit dismayed when people on the other side of the House more or less get terribly upset when we have to borrow more money. Like, for example, the \$50 million borrowed from Alberta last week, eh?

SOME HON. MEMBERS: Oh, oh!

MR. WOODROW: Now I just simply want to conclude by saying that I support the effort of the hon. member and I am sure the minister will have something to say about it also.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Before recognizing the hon. Minister of Transportation and Communications, I would like to welcome to the House of Assembly eleven Grades VII and VIII students from Wagsis Road Junior High School in Oromocto, New Brunswick, and eleven Grades VII and VIII students from Macdonald Drive Junior High in St. John's. Both groups are accompanied by their teachers Mrs. Pamela Hughes from the New Brunswick School, and Mr. Hubert Hillier from Macdonald Drive, and the students from New Brunswick are visiting the Province on a student exchange programme. I know hon. members join me in wishing these students from New Brunswick and from Macdonald Drive an enjoyable visit to the House of Assembly.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Minister of Transportation and Communications.

MR. MORGAN: Mr. Speaker, just a few brief words on the petition. If I recall correctly this petition was tabled in the House a short while ago.

MR. HICKMAN: What?

MR. WHITE: This is the second one.

MR. MORGAN: A petition from the residents of the same area, they questioned the same work to be carried out, and if I recall correctly, as well, all the replies were sent to the petitioners outlining the position of the Transportation and Communications Department. Now the petition is requesting a commitment from me, the minister.

First of all, I think, it is impossible, and maybe immoral, and illegal, and improper to the House of Assembly for me to make commitments to any part of the Province with regards to road work required, based on the fact that this cannot be done prior to the House of Assembly having the Budget brought before the House and the estimates approved

MR. MORGAN:

by the House. Only then can I make firm commitments that work will be carried out this year. This was told the residents in my reply to them in writing, and I also indicated to them that because of the fact that the funds might not be available, based on the fact we have 2,400 miles of road in the Province, gravel road, remaining to be reconstructed and paved, hopefully within the next couple or three or four years, that because there is substantial road work required - and I repeat, substantial road work required in the hon. gentleman's district - that it may be a possibility, and we will seek out that possibility, of having DPEE include some of these roads in an upcoming agreement which we hope to sign this year in 1977 for the next year or two.

So that is the firm indication given to them and other than that I could not give any firm commitment to them.

MR. SPEAKER: The hon. member for Trinity-Bay de Verde.

MR. ROWE: Mr. Speaker, I beg leave to present a petition on behalf of 259 residents of the community of New Harbour in the electoral district of Trinity-Bay de Verde. Sir, the prayer of the petition is a short one. "We, the undersigned citizens of New Harbour humbly petition the government to install a water system to serve the homes of New Harbour in co-ordination with the water line presently being constructed to the fish plants by Avalon Construction."

Now, Sir, there are a couple of things I would like to point out in support of this petition. Number one, that particular project has been completed by Avalon Construction, the water line to the two fish plants in that community, the water line has been completed but in conversation with the president of Avalon Construction I understand that valves have been set along the way of the main water line so that water can be brought to the homes of the community at a later date.

The other point that is not mentioned in the prayer of the petition, but is marked in above some of the signatures, Sir, is that, "We are also in favour of a council." Of course in order to have a water system established in a community that size, of over some

MR. ROWE:

400 households, I would submit that we would probably require the incorporation of the community of New Harbour . And, in fact, I have been asked by the person who brought this petition to me to mention when I was supporting the petition, that this petition is also requesting that the community of New Harbour be incorporated.

As well as the 259 people who have signed the petition the upper Trinity South Regional Development Association has also supported this particular petition. Sir, I support the petition whole-heartedly and I would hope that the Minister of Municipal Affairs and Housing would see fit to do so as well with respect to the installation of a water system to the homes of the people of that community. But I would also hope that he would see fit to relate to the status of the incorporation of the presently unincorporated communities in this Province, give us some idea, probably, how many communities wish to be incorporated and give this hon. House some indication of the degree to which the government can afford or is able to incorporate communities this coming year. Because there are many, many communities in this Province, and indeed in the district of Trinity-Bay de Verde, that wish and desperately wish to become incorporated so that they can avail themselves of the various formulas for local road improvement and maintenance and water systems and this sort of thing.

Sir, I ask that this petition be placed upon the table of the House and referred to the department to which it relates .

MR. SPEAKER: The hon. member for Lewisporte.

MR. WHITE: Mr. Speaker, I rise to support the petition presented by the member for Trinity-Bay de Verde (Mr. Rowe) representing 259 petitioners from the town of New Harbour. Mr. Speaker, in supporting this petition I want to specifically refer to something that the hon. member mentioned, and that is the fact that a water line has already been provided in the town to the fish plant. This I understand has been done by the federal government Department of DREE.

MR. ROWE: That is right.

MR. WHITE: Similar things have been done elsewhere in Newfoundland.

Mr. White.

What I want to point out is that I think there should be more co-operation or co-ordination between the Department of Municipal Affairs and DREE in respect of those water systems, referring specifically, of course, to the one at New Harbour. I know of places in the Province where \$1 million had been spent putting in a water line to a fish plant that goes along by the side of the road where houses are, but they cannot hook up to them as yet. So in supporting this petition I would like to see more co-operation with respect to this kind of water system so that people who are in the towns can at least avail of the drop of fresh water.

SOME HON. MEMBERS: Hear, hear!

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

MR. STRACHAN: Mr. Speaker, in rising to support this petition, I would like to state that there are many communities in this Province that have requested for some considerable time the incorporation of their communities. And as well as this community here, there are communities in my district that for three years now, with a ninety-seven per cent vote in the community, have asked for incorporation and have been refused incorporation on the grounds that to incorporate them would cause inflation in the Province. There was also, I must state, a committee who travelled here to St. John's last year at considerable expense to them and who were given a commitment - again I say a commitment - that they would be incorporated by December 31, 1976 and have not yet been incorporated, and they feel that the only way they can do things for their community is to have a legitimate council. These communities often call themselves councils, but they have no source of funds. They cannot organize their communities. And they feel that if they can incorporate, if they are allowed to be incorporated, then they can manage to do a better function for their communities. And I heartily support the prayer of this petition. And I believe the minister

Mr. Strachan.

should move quickly in many of these rural and isolated communities and set a deadline date which he intends to keep of incorporating them.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. member for Port au Port.

MR. HODDER: I am speaking on another petition, Sir.

MR. SPEAKER: Does any hon. member wish to speak on the previous petition?

The hon. minister.

MR. DINN: I rise now. I do not know whether the community of New Harbour - we have, as the hon. member stated, many communities, that have requested incorporation. Some of them have not gone through the procedure for incorporation with regards to, say, a community council where by they have to have a meeting in their area and have to have fifty per cent plus one at that meeting and all fifty per cent plus one have to vote in favour of incorporation. So if they have gone through that process, and it is in the department, then we are looking at them right now.

MR. WHITE: Draw the sheet.

MR. DINN: Yes, okay.

So we are looking at them right now.

With regards to the hon. member for coastal Labrador, Eagle River, he indicated - and he indicated once before in the House, Mr. Speaker - that there was a commitment made to a council that came in. And at that time he referred to the council coming in to see me at a meeting in my office. I want to state again that I made no commitment to any council that I did not keep. And I intend to continue in that vein.

MR. SPEAKER: The hon. member for Port au Port.

MR. HODDER: Mr. Speaker, I beg leave to present a petition on behalf of 149 fishermen in the district of Port au Port. This

Mr. Hodder.

petition is also signed by the chairman of thirteen fisheries committees.

The prayer of the petition reads, "Whereas the fishermen of Bay St. George and Port au Port Bay have for years been aware that the herring come to Bay St. George and Port au Port Bay to spawn, it is also the fact that a large number of draggers and seiners have for years followed the herring schools into Bay St. George and Port au Port Bay and taken large quantities of herring in spawn. And whereas the above practice of harvesting spawn herring is threatening to destroy the herring stocks; and whereas the herring fishery is not only an industry in itself, but the success of the cod and other groundfishery is dependent on an abundance of herring and the whole future of the inshore fishery is related to the abundance of herring, therefore it is urgent that both Port au Port Bay and Bay St. George be closed to herring draggers and seiners for the spawning season April, May and June and we urgently urge

MR. HODDER: the government to enforce this law." Now I realize, Mr. Speaker, that this comes under the jurisdiction of federal authorities but I say to the House and to the Minister of Fisheries to support these fishermen because the fishery in Bay St. George for quite some time now has been declining. But in the past couple of years it is starting to come back. More people are going into the fishery, more people are expressing interest in the fishery. For years the federal government's statistics show that there were no fish in Bay St. George, the landings were all shown in Port aux Basques, but now I think this has changed but the attitude still remains. But the herring have come into the bay traditionally to spawn. But at the particular time that the herring do come into the bay this is the time when the local inshore fishermen are - this is their most productive time - you will have to excuse me I have a cold but this is the most productive time for those fishermen because this is when they get most of their fish from jigging and from the traditional way of fishing in their small boats. And the seiners come right in the bay, Newfoundland and Nova Scotian, particularly in Port au Port Bay, they come right into the bay and each year the schools are declining.

Now I feel, and this is my recommendation, that there must be a management zone for inshore fishermen. We now have a 200 mile limit but those fishermen who fish in small boats from the shore there must be a management zone to protect the inshore fishery. We have to regulate within the 200 miles because we cannot have our larger boats, our larger vessels coming into areas and taking away fish from the inshore fishery which is the mainstay of this Province in which is the most labour intensive industry in this Province. I ask that the petition be tabled and referred to the department to which it relates.

SOME HON. MEMBERS: Hear! Hear!

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

MR. WINSOR: Mr. Speaker, I rise to support the petition presented by my colleague from Port au Port. Bay St. George certainly has been decimated and the area outside of it for a number of years. I can go back twenty years when there was one of the largest scallop beds known. They are some eighteen fathoms deep. That was scooped up and cleaned up and that is gone. It will be many, many years before this scallop bed will ever replenish itself.

The same thing that is happening in Bay St. George with the herring is happening in Fortune Bay. And even though it is a federal matter, we do feel that the Provincial Department of Fisheries could do much to discourage seiners going into the bays and cleaning up the herring stocks and, not only the herring, everything that goes with it. Some of the species that come up they do not want them so they dump them and bait the ground as the fishermen say. And it is doing a lot more damage than is realized by this House or the whole country, except the fishermen. They know it and they are very much against the herring seiners coming right into the landwash and scooping up everything there, destroying the livelihood of many, many fishermen. I have very much pleasure in supporting my colleague's petition.

MR. SPEAKER: The hon. member for St. George's.

MRS. MACISSAC: Mr. Speaker, I rise too to support the petition presented by the member for Port au Port (Mr. Hodder). The herring fishery in the Bay St. George area is of much concern to me and last year during the harvesting season I contacted just about everybody possible to see what could be done to control those seiners. In fact I think the Minister of Fisheries, if he stands to speak on the petition, will recall that he received a telegram and a couple of phone calls from me.

The people in the area are very much concerned about it. Not only are those seiners destroying the spawning grounds,

MRS. MACISSAC: but they are also destroying the gear placed in the water by the inshore fishermen. And I am sure everybody appreciates the fact that not all fishermen have longliners and along the coast in my area the fishermen fish from very small boats, motor boats, in fact, and they are making their livelihood

MRS. MACISSAC:

in the only way possible to them. I certainly do not, and I do not feel that any member here would like to see this continue where the gear placed in the water by these fishermen is being destroyed. Three fishermen that I know of had to give up fishing last year because of what happened. They went to everybody that they thought could help them and the result was that they could possibly get paid for the gear that they lost if they knew or if they could identify the seiner that destroyed the gear. And this is almost impossible since those seiners are out in the early hours of the morning and you would have to spend the night in your boat protecting your gear.

We certainly feel in the Bay St. George area that something has to be done to protect the inshore fishery. We are looking to the provincial government for some help. We have gone to the federal government and we know it is a federal problem, but if our provincial government is not too concerned about it then we certainly cannot expect the people in Ottawa to be concerned about what is going on along our coast.

SOME HON. MEMBERS: Hear, hear!

MRS. MACISSAC: And I certainly ask that the provincial government, that the Minister of Fisheries, take this into consideration and see if there is some representation that he can make to the federal officials to have this matter taken care of. And I certainly support the petition.

SOME HON. MEMBERS: Hear, hear!

MP. SPEAKER: The hon. member for LaPoile.

MP. NEARY: Mr. Speaker, all us Southwest Coasters and West Coasters have to stick together, Sir. I support the prayer of the petition presented by the hon. member for Port au Port (Mr. Hodder), Sir, because Bay St. George is very familiar territory for my constituents as the two previous speakers well know. I suppose more fishermen from LaPoile district fish in the Bay St. George area than from any other part of Newfoundland from; Fox Roost, Margaree, Isle aux Morts, Burnt Islands, Rose Blanche, Harbour Le Cou, Diamond Cove -

MR. MOPCAN: Where do they fish?

MR. NEAPY: In the Bay St. George area with their longliners. So it is very familiar territory for my constituents, Sir, and they would be very concerned about the exploitation of the herring industry in this Province, Sir. You know, Mr. Speaker, the biggest culprit is B.C. Packers, the people who operate the herring plant in Isle aux Morts. They are the biggest culprits of all, Sir.

They come in and they operate a herring plant, this beautiful plant, in Isle aux Morts where they got money from DREE for refrigeration and for storage and ice making machines, and guaranteed year-round jobs. And all they do, Sir, is operate twelve to fourteen weeks out of a year during the herring season. And they are the biggest culprits of all. They have exploited the industry and they come in here and they scrape everything off the bottom, as my hon. friend just indicated to the House, and I think it is time we put a stop to it. If these people are going to come in here and fish for herring, they should be forced by this government -

MR. MURPHY: How? How?

MR. NEARY: Mr. Speaker, how? Because this government would have to give them a license, that is how. Refuse to give them a license to process herring and force them into processing groundfish which they should be doing in that big fish plant in Isle aux Morts.

So I support the prayer of the petition, Sir. I think it is time to put a stop to this exploitation of our herring fishery. A few years back, if hon. members will recall, the big thing was to fish for herring off the Southwest Coast. They could not catch them fast enough. I remember, and the hon. former Premier will remember, in Isle aux Morts the trouble they had with pollution from the fish plant down there. Many a sleepless night we spent in Cabinet trying to work out a solution to the problem of pollution, the fumes and the smoke that was coming out of the stacks in that plant in Isle aux Morts and the smell. It nearly wiped out the whole community.

So we all recall, Sir, the exploitation of the herring fishery in this Province. I think it is about time that we started a

MP. NEAPY:

little management of one of our most valuable natural resources. Therefore, Sir, I have no hesitation at all in supporting the prayer of that petition.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. member for Stephenville.

MR. MCNEIL: Mr. Speaker, I rise like my former colleagues in support of this petition so ably presented by my colleague from Port au Port (Mr. Hodder) on behalf of 149 fishermen.

MR. NCNEIL:

Mr. Speaker, in my district we have seen the coming and going of fish plants, and the sole reason given for their disappearance overnight was the fact that the fish stocks were depleting. I think over the years we have seen from the Bay St. George area - that the fishermen out in that area have pointed out time and time again that the problem was that seiners and the trawlers were overfishing the areas, into the spawning grounds. And they requested the provincial government to speak on their behalf to the federal government, and this is what we ask our provincial government to do, to bring our case to the federal government much stronger than they have done so far.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Dr. Collins): The hon. Minister of Fisheries.

MR. W. CARTER: Mr. Speaker, naturally I support the petition, and like the hon. member stated, it is certainly not the responsibility of the Newfoundland Government to establish quotas or closing lines or anything else of that nature, with respect to herring, plus the fact for the information of my friend from LaPoile (Mr. Neary), the licence to harvest herring is issued and issued only by the Federal Department of Fisheries and Environment. But I can say this, Mr. Speaker, and this is not news - it is on public record in Ottawa and in Newfoundland - that our policy is well-known in that we subscribe to the idea, to the proposition that small boatmen must be given first crack at the herring stocks. That is our policy. We have stated it time and time again. Ottawa is aware of that policy. The Herring Management Committee is well aware of it. And we have adopted that position, I think, for the obvious reason that small boatmen, the men that I presume are operating in the Port au Port area, do not have the mobility that is required to move around to the various bays or, in fact, to follow the herring when, in fact, larger boats, the large seiners and the larger longliners do have that mobility.

MR. W. CARTER.

So, Mr. Speaker, our position, I repeat, our position is quite clear. We support the proposition that small boat operators must have first crack at the herring,—

SOME HON. MEMBERS: Hear, hear!

MR. W. CARTER: — and that the larger boats would only move in once the smaller boats have harvested to the extent of their capability. We are on record, Sir, in Ottawa and in other places in that regard. But certainly with respect to the prayer of the petition, I will be very happy to make note of it, and to ensure that the authorities in Ottawa and the Herring Management Committee in Halifax again will be given the provincial government's position in that regard.

SOME HON. MEMBERS: Hear, hear!

MR. HODDER: Would the hon. minister permit a question?

MR. MURPHY: A supplementary question?

MR. HODDER: No, on just what he was saying. I want to ask the hon. minister as well when he spoke to the —

MR. MORGAN: Be quiet, 'Jim'.

SOME HON. MEMBERS: Oh, oh!

MR. LUNDRIGAN: Is this a point of order?

MR. HODDER: No.

MR. SPEAKER (Dr. Collins): Order, please!

Further petitions.

NOTICE OF MOTION:

The hon. Minister of Forestry and Agriculture.

MR. ROUSSEAU: Mr. Speaker, I would like to table the report of the matters transacted by the Minister of Manpower and Industrial Relations during 1976 under the provisions of the Labour Relations Act, Public Service Collective Bargaining Act, the Newfoundland Teacher Collective Bargaining Act, also the report of the Newfoundland Labour Relations Board for the year 1976 and the report of the Minimum Wage Board for 1976. Copies are available, Mr. Speaker, for members.

ANSWERS TO QUESTIONS FOR WHICH NOTICE HAS BEEN GIVEN:

MR. ROUSSEAU: The questions, Mr. Speaker, addressed to Minister of Public Works, No 87, the hon. member for LaPoile (Mr. Neary) on February 9, No. 123, the hon. member for LaPoile on February 17; Mo. 149 February 25 by the same hon. member for LaPoile. I do not know if there are any other questions from other hon. members, but those are the ones that are getting passed back to me, you know.

ORAL QUESTIONS:

MR.SPEAKER: The hon. member for Conception Bay South.

MR. NOLAN: Mr. Speaker, a question for the Minister of Justice.

It was reported to me some time ago that within the last year there was one Mounted Policeman who patrolled Hogan's Pond, St. Phillips, St. Thomas, Donovans Industrial Park, Paradise and up as far as Chamberlains, one man. Is this true?

MR. SPEAKER: The hon. Minister of Justice.

HON. T.A. HICKMAN: Mr. Speaker, I have not got the foggiest idea.

MR. NOLAN: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary.

MR. NOLAN: Would the man who is rumoured to be the Minister of Justice endeavour to find out?

MR. HICKMAN: The man who is rumoured to be the Minister of Justice will say without fear of contradiction that the Royal Canadian Mounted Police are doing a first-class job of policing this Province.

SOME HON. MEMBERS: Hear, hear!

MR. NOLAN: A supplementary, Mr. Speaker.

MR. SPEAKER: Order, please! I recognize the hon. gentleman for one additional supplementary.

MR. NOLAN: No one questions whether the Mounted Police are doing a good job or not. The fact is are they permitted to do a good job? Now I would like to know from the minister how many bodies are there?

MR. SPEAKER: Order, please! Order, please! Order, please! Order, please! I must point out to the hon. gentleman that when the Chair intervenes he will have to cease even though nobody likes to be interrupted in the middle of a sentence. Now I was originally going to point out that the question was argumentative and would be out of order on that grounds.

The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, my question is for the Minister of Mines and Energy, Sir. I refer to an article in The Daily News recently "Peckford doubtful money forthcoming for Labrador power study". There is a question of \$500,000 involved there. The minister did not seem to know very much about it at the time this story was written. Does the minister know anymore about this \$500,000 now to do research on the hydro power potential in Labrador offered by the Government of Canada?

MR. SPEAKER: The hon. minister.

HON. B. PECKFORD: Negotiations are proceeding with the appropriate officials in Ottawa and I hope that within the next two or three days to be able to make a statement on that whole matter.

MR. NEARY: A supplementary question, Mr. Speaker.

MR. SPEAKER: A supplementary.

MR. NEARY: Would the minister indicate to the House if there was a phone call recently, or a telephone conversation recently, between the Premier and the Federal Minister of Mines and Energy, Mr. Gillespie in connection with the future development of the Lower Churchill? And if so, is the Premier, is this government interested in the proposal that Mr. Gillespie made to the Premier?

MR. SPEAKER: The hon. minister.

MR. PECKFORD: Mr. Speaker, I am aware - I cannot say this with total validity - but I am aware that there was a telephone conversation between the Minister of Energy, Mines and Resources in Ottawa and the Premier and that subsequently there was a conversation, a telephone conversation, between the Minister of Energy, Mines and Resources in Ottawa and myself. There has been no proposal put on the table. The minister in Ottawa requested an update on cost of the Gull Island project.

MR. NEARY: A supplementary, Mr. Speaker.

MR. SPEAKER: One additional supplementary.

MR. NEARY: Has the minister's department undertaken to get the Federal Minister of Mines and Energy the information that he requested to update all the information in connection with the development of the Lower Churchill? And how soon will this information be made available to the Government of Canada?

MR. SPEAKER: The hon. minister.

MR. PECKFORD: The first question "yes". The second question as soon as possible.

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

MR. R. SIMMONS: Mr. Speaker, in the absence of the Minister of Finance, I would like to put a question to the House Leader. I wonder could the minister indicate how many patients of the Waterford Hospital have been sent home as a direct result of the present strike situation? I understand a number have been. Could he indicate how many are involved?

MR. SPEAKER: The hon. minister.

MR. HICKMAN: Mr. Speaker, I am not in a position to answer that question and I would only be misleading the House if I attempted to hazard a guess.

MR. SIMMONS: Perhaps, Mr. Speaker, perhaps the Minister of Health could respond to the question if he would.

MR. SPEAKER: The hon. Minister of Health.

MR. H. COLLINS: Mr. Speaker, it is difficult to give an accurate answer. I can undertake to do so. I would say the last time I was briefed on it, it was in the order of eighty, ninety people. Whether they have been sent home is one question. Some might have went home. Others might have gone to what is commonly referred to as a psychiatric patient home. Some could very well have ended up in other psychiatric units. But I can get the information for the hon. member.

MR. SIMMONS: A supplementary.

MR. SPEAKER: A supplementary.

MR. SIMMONS: A supplementary to the Minister of Justice, Mr. Speaker. I refer again, obviously, to the information given that a number of people, we are not sure at the moment the exact number, but a substantial number of patients have been discharged from the Waterford on account of the strike situation. Is the minister aware whether this is placing particular demands on the R.C.M.P. in the sense that they have to do extra supervision, surveillance, what have you? And if that is the case, is he in a position to

MR. SIMMONS:

confirm that this situation in turn is infringing on the regular responsibilities of the other, ongoing responsibilities of the R.C.M.P., the kind that my colleague from Conception Bay South (Mr. Nolan) alluded to earlier in his questions?

MR. SPEAKER: The hon. minister.

MR. HICKMAN: Mr. Speaker, if it has imposed any additional responsibility on the Royal Canadian Mounted Police in Newfoundland they have not indicated to me in any way whatsoever.

MR. NEARY: A supplementary.

MR. SIMMONS: A supplementary, Mr. Speaker.

MR. SPEAKER: The original questioner, one additional supplementary.

MR. SIMMONS: Mr. Speaker, this is a fairly serious situation. I admire the minister's cool. I hope it does not also convey any lack of interest in the matter. Mr. Speaker, I wonder would the minister undertake at the earliest opportunity, perhaps during the course of the afternoon, to determine whether indeed the responsibilities of the R.C.M.P. or their efforts in carrying out their regular responsibilities, are being somewhat overburdened by this extra and rather unusual situation? It is my understanding that is very much the case. I wonder would the minister indicate whether he could determine that for us today?

MR. HICKMAN: Mr. Speaker, I would be more than happy to get the information asked for by the hon. member for Burgeo-Bay d'Espoir (Mr. Simmons). But may I say this, unless there has been within the last twenty minutes a major change in policy on the part of the Royal Canadian Mounted Police, they have without fail advised me promptly of any change in their policing activities or increased burdens upon the force insofar as policing their part of the Province is concerned. And as of this minute they have not been in touch with me. And I have sufficient confidence in the commanding officer of

MR. HICKMAN:

the Royal Canadian Mounted Police in Newfoundland to know and to say that if there was any added burden that in any way affected their policing capacity in Newfoundland I would have heard long ago and I have not.

SOME HON. MEMBERS: A supplementary, Mr. Speaker.

MR. SPEAKER: Order, please! I recognize the hon. member for Baie Verte-White Bay. Before he states his question - I have indicated that I will be recognizing the hon. member for Baie Verte-White Bay - I recall to hon. members what I said last week and that is the situation with respect to supplementaries. As hon. members know, the standing orders provide the Speaker may recognize a certain number of supplementary questions in his discretion. During the past sort of ten days or two weeks I have noticed in going over that there are many less questions. There have been long lists of supplementaries. And when other members are standing to their feet I only presume that there are other subjects they want to get on to. So in limiting supplementaries that does not mean that hon. members cannot get back later in the period on that subject. It just will give people with other subjects an opportunity to ask questions. There was one day last week where only six people were recognized. There were numbers of supplementaries, but only six, whereas other times there have been up to fourteen or thirteen. I realize one cannot make a strong fast rule on it. But if after two supplementaries one is cut off or after three it does not mean that hon. members cannot get back to the subject later during the question period. I think I indicated I recognize the hon. member for White Bay-Baie Verte.

MR. T. RIDEOUT: Thank you, Mr. Speaker. My question is for the Minister of Rural Development. The minister will recall that late

MR. RIDEOUT:

in last year's budget, it was indicated that the community consolidation programme would end as of the thirty-first of March this year. I am wondering if the minister could tell the House what will happen to applications that have been received before the cut-off date, whether or not they will be dealt with after the thirty-first of March or whether it will be a chop-off as of midnight on the thirty-first of March? What will happen to those applications?

MR. SPEAKER: The hon. minister.

HON. J. LUNDRIGAN: Applications received after the thirty-first of December, 1976 will not be processed in the affirmative. In other words, last year when we announced the end of the programme, last estimate done, I believe it was, we gave notice in negotiations with the Federal Government that there would be no funding in the fiscal year, 1977-78 for resettlement. That means after the end of this month there will be no fiscal programme. What we did as well announce, is that after the thirty-first of December, 1976 that any applications received would be considered ineligible for assistance and that is the way we proceeded. So consequently, officially the resettlement programme is dead as far as any assistance to any person moving is concerned. And looking ahead to the present year, the only funding, if any, that will be appropriated would be money for perhaps one individual that will maintain the files and any kind of other parts of cleaning up activity that will be necessary in the coming year.

MR. RIDEOUT: Mr. Speaker, a supplementary please.

MR. SPEAKER: A supplementary.

MR. RIDEOUT: I understand from the minister that the cut-off date for application was the thirty-first of December, 1976. Could the minister tell the House whether or not there are

MR. RIDEOUT:

any of those applications are still under active consideration. I know some people who could not move because of land problems until the Spring but their application was placed very early last year. Those people I would assume are not out of the bag are they?

MR. LUNDRIGAN: Mr. Speaker, there were the last few and there have only been a very few applications processed since we scrapped the list of resettled communities and people sort of have gotten the message that resettlement is actually dead. There have been very few people really applied and the thing is really amazing the way it is phased down. I will give the statistics in the estimates coming up in a few weeks. Now as far as any resettlement applications are concerned we have approved a few recently that came in before December 31 and there might be one or two that are technically out of order, if you want. They have come in subsequent to the thirty-first. We are looking at these right now. There is one in the hon. member's riding I believe and this is what I presume is provoking his question.

We are looking at it. It is a technicality. I personally feel strongly that we should not even look at anything beyond the thirty-first of December, 1976. There is one that we are departmentally debating and we will have to look at it in terms of whether it was legitimate or could have been a legitimate application prior to December 31.

MR. SPEAKER: The hon. member for Port au Port.

MR. HODDER: Mr. Speaker, yesterday I asked a question of the Premier or the Minister of Transportation and Communications concerning a formal application from this Province to the Minister of Transport, Otto Lang, on the upgrading of the Trans-Canada Highway. I wonder would the minister tell the House on what date that formal application went to the federal government from Newfoundland?

MR. SPEAKER: The hon. Minister of Transportation.

MR. MORGAN: Mr. Speaker, a formal application was made to the federal government, in fact, delivered to the federal government, delivered to

MR. MORGAN:

the federal minister himself and to his senior officials by a delegation consisting of my counterpart in Nova Scotia, my counterpart in New Brunswick, my counterpart in P.E.I and myself from this Province. That application - if the hon. gentleman on the other side finds it amusing I do not find it amusing at all.

MR. HODDER: The answer is amusing.

MR. MORGAN: Do you want the answer to the question?

MR. SPEAKER: Order, please!

The hon. minister is required to proceed with the answer and not debate it.

MR. MORGAN: Mr. Speaker, I was pointing out that in order to answer the question I take strong exception to snide comments from the other side of the House of Assembly. Mr. Speaker, it is a very serious matter because in our Province the Trans-Canada Highway was completed in 1965 by a drive to finish the highway in 1965. It was built to a sub-standard compared to the rest of the country of Canada and it is now essential -

AN HON. MEMBER: Answer the question.

MR. MORGAN: - that the necessary work be carried out and based on that, Mr. Speaker, based on the most essential factor that we get this work done as soon as possible a formal application was made in March of 1976.

MR. HODDER: Thank you.

MR. MORGAN: That application was followed up by means of serious discussions and negotiations in practically every month of the year since then. Mr. Speaker, I take strong exception to any indication from the other side no application has been made.

MR. HODDER: A supplementary, Mr. Speaker.

MR. SPEAKER: The original questioner, a supplementary.

MR. HODDER: Mr. Speaker, I would ask the Minister of Transportation and Communications did the Province of Newfoundland on its own make submission before this particular time.

MR. SPEAKER: The hon. Minister of Transportation and Communications.

MR. MORGAN: Mr. Speaker, I am of the firm impression and the factual information to the fact that my predecessors, my colleague from Menihek (Mr. Pousseau), my colleague from St. John's East (Mr. Marshall) and my colleague from Humber East (Dr. Farrell), all three of them made application and made representation on a repeated basis to the federal level of government for the same monies required for the upgrading of the Trans-Canada Highway.

MR. HODDER: A supplementary, Mr. Speaker.

MR. SPEAKER: The original questioner.

MR. HODDER: Would the hon. Minister of Transportation and Communications endeavour to table the particular proposal put forward by the Province of Newfoundland?

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Minister of Transportation.

MR. MORGAN: Mr. Speaker, the subject referred to is under very serious discussion and negotiation with the federal level of government and I have no intention at this time, prior to a decision being made by the federal level of government, of tabling any documents or any material relevant to these discussions and negotiations.

MR. SPEAKER: I recognize the hon. member for LaPoile for one and the final supplementary.

MR. NEAPY: Mr. Speaker, it is most unusual for the Minister of Transportation, the provincial Minister of Transportation, to be out of the Province when his counterpart, the federal Minister of Transportation, Otto Lang, coming - will the minister tell -

MR. SPEAKER: Order, please!

I must point out to the hon. gentleman that only such information as is necessary to make the question intelligible may be prefixed. And while not knowing the question, it is difficult to envision what question

MR. SPEAKER: would require that particular preamble.

MR. NEARY: Well, Sir, I want to ask the minister if a meeting has been arranged between the minister and his federal counterpart, and if not why not? Why is the minister leaving the Province when Mr. Lang is coming here on Monday.

MR. SPEAKER: The hon. Minister of Transportation and Communications.

MR. MORGAN: Mr. Speaker, it happens that my responsibilities are not just merely to transportation. The division of communications is a very important aspect of the Department of Transportation and Communications and it happened to be that commencing next Monday in Edmonton, Alberta, all the ministers in the country responsible for communications are meeting with the Federal Minister of Communications and our senior officials on a federal-provincial meeting. That meeting will commence on Monday and carry on until Wednesday.

MR. NEARY: Was the minister asked to meet with Mr. Lang.

MR. MORGAN: And with regards to Mr. Lang, my counterpart in the federal level of government, in fact, Mr. Speaker, I am very pleased he is coming to the Province -

MR. NEARY: Was the minister invited to meet with him?

PREMIER MOORES: I will fill in for him.

MR. MORGAN: And I am sure the hon. the Premier will be only too pleased to sit in on my behalf.

MR. SPEAKER: The hon. member for Windsor-Buchans.

MR. FLIGHT: Mr. Speaker, my question to the Minister of Forestry and Agriculture. Would the minister advise the House as to what the government's position is relative to the specially equipped DC 6 that they propose propose to use in the experimental programme, spraying programme, is it the government's intention to purchase or lease this aircraft?

MR. SPEAKER: The hon. Minister of Forestry and Agriculture.

MR. MAYNARD: Well, Mr. Speaker, we will not be buying any aircraft for a three day operation. I do not think it would be advisable.

MR. SPEAKER: A supplementary.

MR. FLIGHT: Would the minister indicate to the House from whom they are going to lease the aircraft?

MR. H. COLLINS: Gander Aviation.

MR. MAYNARD: We are not sure yet but there are only one or two companies in North America that can supply that type of aircraft so when that decision is made I will certainly advise the House.

MR. SPEAKER: The hon. member for Terra Nova.

MR. LUSH: Mr. Speaker, a question for the Minister of Finance and the President of Treasury Board. I wonder if the minister is in a position today to inform us as to what progress the government have made to date with respect to the Waterford situation?

MR. SPEAKER: The hon. Minister of Finance.

MR. DOODY: Mr. Speaker, I regret once again that we have not had any further overtures from the union so I can report no change in the situation.

MR. LUSH: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary, the original questioner.

MR. LUSH: I wonder if the minister could inform the House as to what steps the government plan to take to resolve this situation?

MR. SPEAKER: The hon. Minister of Finance.

MR. DOODY: Well as I have indicated here day after day, Sir, we are most anxious to have the strike ended. We want to have a reasonable and sensible resolution to the problem and we are anxious and willing to meet with the union any time they indicate their desire to do so.

MR. LUSH: A supplementary, Mr. Speaker.

MR. SPEAKER: The original questioner, a supplementary.

MR. LUSH: I wonder if the minister could inform the House under what conditions do the Newfoundland Constabulary work in the Waterford Hospital?

MR. SPEAKER: The hon. Minister of Finance.

MR. DOODY: The conditions at the Waterford as I have indicated are excellent Your Honour. The patients are being well looked after. The standard of patient care is excellent, according to the medical authorities in charge. As for the function of the Constabulary, which is probably the intent of the question, they are there as a security force only, for the protection perhaps of the patients and of the staff.

MR. LUSH: A supplementary.

MR. SPEAKER: The original questioner, a supplementary.

MR. LUSH: To make the question more equisite I was wondering whether the Newfoundland Constabulary were afforded any special privileges with respect to pay, and particularly with respect to privileges extended by the cafeteria services at the Waterford?

MR. SPEAKER: The hon. Minister of Finance.

MR. DOODY: No, Sir, to the best of my knowledge, and I am absolutely certain on the pay area, the Newfoundland Constabulary are working under the same pay schedule today as they were at the beginning of their present collective agreement. As to the cafeteria privileges, I do not know what the intent of that particular question is, I do not quite understand it, whether they are entitled to a second cup of coffee or something like that, I do not know.

MR. SPEAKER: I recognize the hon. member for Eagle River.

MR. STRACHAN: It is not a supplementary, Sir.

MR. SPEAKER: No, not a supplementary.

MR. STRACHAN: A question for the Minister of Mines and Energy. Could the minister confirm that his department's and therefore the administration's considered legal position that the imposition

MR. STRACHAN: of a tax on Churchill Falls power would interfere with the contract signed between CFLCo. and Quebec Hydro.

MR. NOLAN: He is not allowed to give a legal opinion. As a matter of fact he cannot give any opinion.

MR. SPEAKER: The hon. Minister of Energy.

MR. PECKFORD: I refer that matter to my colleague, the Minister of Justice.

MR. STRACHAN: And the question to the Minister of Justice then was, Is it the administration's opinion that the position they cannot impose a tax on Churchill Falls power without interfering with the contract signed between CFLCo and Quebec Hydro?

MR. SPEAKER: Order, please!

Before recognizing , the hon. Minister of Justice, hon. members are aware that one cannot ask a question asking for a legal opinion. It may be that that question can be answered without giving a legal opinion. It may be that it can be answered by giving an economic opinion or something else. That I am not prepared to judge. I just point out that particular rule.

The hon. minister.

MR. HICKMAN: Mr. Speaker, I will assiduously refrain from giving a legal opinion on this matter. I will also assiduously refrain from saying anything which could in anyway in the future prejudice in any way other avenues that may or may not be open to the Province of Newfoundland. I would simply say that the various documents and agreements that are presently in force have been ratified by Statute, and it is not a question of jurisdiction, It is a question of far more than that. One very serious question is whether or not any activity in that field - and the hon. gentleman from Twillingate (Mr. Smallwood) will know whereof I speak, and I know his concern in this, that any untoward or ill-considered or emotional step in that direction, what effect that might have in giving to Quebec Hydro a control that no Newfoundlander would be prepared to tolerate.

Mr. Speaker, in view of the explicit provisions of the Province's covenants in the financial agreement in the financial agreement - that is Statutory covenants - and the trust deed, the government has to be awfully careful and will continue to be very careful that nothing is done that would impair the credit of the Province to the extent that we would no longer have the right of entry into the U.S.

Mr. Hickman.

market, particularly as far as institutional purchasers are concerned. And secondly, Mr. Speaker, I say this without prejudice, that even a first year law student - and I repeat a first year law student - with one week in law school would realize that any amendment to the lease or any amendments to the legislation would most likely constitute a default. And in the event of default there is very little doubt - as the hon. gentleman from Twillingate (Mr. Smallwood) knows what that could lead to -

MR. SMALLWOOD: That is a unilateral amendment.

MR. HICKMAN: That is right, a unilateral amendment.

- would undoubtedly raise a very good question that this administration will never, never place the government or people of Newfoundland in; namely, that by doing that it could give Quebec Hydro control of that asset and there is no way that this government, that the Moores Administration would ever tolerate that kind of nefarious scheme that is bad in law, bad in policy and bad for every living Newfoundlander.

SOME HON. MEMBERS: Hear, hear!

MR. STRACHAN: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary.

MR. STRACHAN: Again to the Minister of Mines and Energy.

Since I am referring to a statement of his, could the minister inform us whether he believes that it is theoretical and could he then tell us whether the power recall, 800 megawatts of power, will be returned on the 1st. of October, 1983? Is that correct?

MR. SPEAKER: The hon. minister.

MR. PECKFORD: Mr. Speaker, I do not know what article he is quoting me from, but, you know, I can talk to the hon. member about it. But, you know, I said no such thing that the recall of power - that is before the courts right now, and it is for the courts to decide.

MR. SPEAKER: The hon. member for LaPoile followed by the hon. gentleman from Carbonear.

MR. NEARY: Mr. Speaker, I want to come back to the Minister of Finance, Sir, in connection with the members of the Newfoundland Constabulary who are working down at the Waterford. Would the minister tell the House if these policemen are working at the Waterford during regular working hours, during their regular shift as policemen or are they working after hours, overtime, in other words getting a double shift, working their regular shift and then going to work at the Waterford after hours? Is this the situation? Would the minister tell the House?

MR. SPEAKER: The hon. minister.

MR. DOODY: The Newfoundland Constabulary, Your Honour, are working just about around the clock these days. Forces are obviously extended to their limit. They do not have superfluous men. They do not have people sitting around waiting for something to happen. So obviously when

MR. DOODY:

an emergency such as the Waterford occurs, then the people who put the hours in in there have to do it in overtime. Now there is regular shift people in there and there are overtime people in there. There are people who are working their days off. There are member of the Newfoundland Constabulary who have not had a day off in over thirty days. And these people who are working on their days off are obviously getting paid the overtime rate as per the collective agreement. If we had that many policemen on this force in St. John's where they could make that many available on regular shift duty, then one would have to question the administration of the force.

MR. NEARY: A supplementary question, Mr. Speaker.

MR. SPEAKER: A supplementary, the original questioner.

MR. NEARY: Would the minister then tell the House if these policemen who are working overtime, being paid overtime at the Waterford, if they are ordered by their superiors to work or are they doing it on a voluntary basis?

MR. SPEAKER: The hon. minister.

MR. DOODY: Mr. Speaker, the member of the Newfoundland Constabulary are governed by the Newfoundland Constabulary Act. They do their duty as they are ordered to do their duty. They are a police force, first, last and foremost. And I must say they are a very excellent police force and this Province is very, very proud of them.

SOME HON. MEMBERS: Hear, hear!

MR. DOODY: And I say if they want to put in their overtime hours, whether it be done by order or whether it be done by their own volunteer effort, I think that we should be grateful to them and we should not be questioning them.

MR. NEARY: A supplementary question, Mr. Speaker.

MR. SPEAKER: The original questioner for a final supplementary.

MR. NEARY: Would the minister tell the House if their salaries, their ninety dollars they are being paid per shift, is it being accumulated and will be paid in the next fiscal year or are they being paid now by the week of semi-monthly or by the month? How will they be paid? Will it be a lump sum payment or are they being paid on regular pay days?

MR. SPEAKER: The hon. minister.

MR. DOODY: The regular pay schedule that is arranged and has been underway during the past years through the regular civil service channels is still in being. There have been no changes made. Any wages, any payments, any overtime, any salaries, anything that is due to anybody in the public service is paid through the normal channels and under the normal conditions. There have been no changes made to my knowledge. There have been none authorized and there will be none.

MR. SPEAKER: The hon. member for Carbonear.

MR. R. MOORES: A question, Mr. Speaker, to the hon. minister of Transportation and Communications. Would the minister be kind enough to inform the House if it is his department's intention to complete phase two of the Carbonear by-pass road this year?

MR. SPEAKER: The hon. minister.

MR. J. MORGAN: Mr. Speaker, it is the intention of this department to complete as much work as possible with regards to road work as the budget will allow.

MR. MOORES: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary.

MR. MOORES: Would the minister be kind enough to inform the House if there is any truth to the fact that the multi-million dollar mall in Carbonear has been delayed because of the government's reluctance to give a commitment on the completion of that road?

MR. SPEAKER: The hon. minister.

MR. MORGAN: Mr. Speaker, the construction of a proposed new mall in the Carbonear area, if it has been halted - to my knowledge a recent announcement was made that they are going full-speed ahead and the construction will commence in the early Spring. There is no obstacle, and I repeat, no obstacle whatsoever in their path with relation to the Department of Transportation and Communications.

MR. SPEAKER: The hon. member for Bellevue.

MR. W. CALLAN: Mr. Speaker, could the Minister of Recreation and Rehabilitation inform the House whether the stadia at St. Georges, Ferryland and Placentia are successful financially?

MR. SPEAKER: The hon. minister.

MR. COLLINS: I presume, Mr. Speaker, the hon. member is talking about the operation of the stadiums.

MR. CALLAN: Right. Are they successful?

MR. COLLINS: Well, what is the hon. gentleman getting at?

MR. CALLAN: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary.

MR. CALLAN: Mr. Speaker, obviously the hon. minister should know that these stadia were never built. My supplementary is why have these promised stadia which have been included in two budgets, why have they not yet been built?

MR. SPEAKER: Orders of the day. The time is up.

MR. ROBERTS: Mr. Speaker, before we proceed to Orders of the Day, Sir, may I raise a question of the utmost gravity which I believe involves the privileges of the House, Sir.

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

MR. ROBERTS: I might say, Sir, it involves the Premier, and I regret I have not had the opportunity to give him notice. He was not in the Chamber a little earlier. And I would point out, Sir, that page 170 of the current edition of May says, "If a member who makes a complaint against another member has failed or ~~he~~ had been unable to give the member notice of his intention to do so, the more regular course is to adjourn further consideration of the matter of the complaint to a future day and to order the member whose conduct is impugned to attend the House in his place on that day." So the matter once I state what I believe to be the question of privilege may have to be deferred, Sir.

My statement is based on evidence which has come into my possession this day, Sir, which I believe to be correct and accurate. I believe it constitutes a prima facie case of a breach of the privileges of this House, Sir.

The report of the Auditor General, Sir, refers to three companies which received considerable payments from the government during the 1975-1976 fiscal year in circumstances which the Auditor General felt were questionable. It is paragraph ninety-six. It is found on page 107,108,109 of the Auditor General's Report. One of those companies, Sir, was later revealed by the Minister of Public Works to be A.B. Walsh Electrical Limited. Sir, during the 1975-1976 fiscal year, according to the report of the Auditor General to the House, that company received in excess of \$1.1 million in business from this government. Sir, my information is that in Christmas, at some point in December or January, December last or January last, December 1976 or January 1977, that company bought and paid for a very expensive television set valued at approximately \$1,300. Sir, that television set, I am

Mr. Roberts.

informed, was delivered to the Mount Scio House, the present residence of the Premier.

PREMIER MOORES: State it.

MR. ROBERTS: Mr. Speaker, I will state my prima facie case.

It was paid, Sir, by the company A.B. Walsh Electrical Limited.

I do not know, Mr. Speaker, who paid A. B. Walsh Limited. I only know that A. B. Walsh Limited paid the vendor of that set.

Mr. Speaker, I submit this is a prima facie breach of the privilege of the House. I think, Mr. Speaker, it is an allegation of the utmost seriousness, and I am prepared to move the necessary and appropriate motion if Your Honour should find it in order. Sir, the motion, as Your Honour will concur, would be to set up a committee on privileges and elections to investigate this with the power to send for witnesses and papers to examine them under oath. That way, Sir, we will find out whether the evidence which I have been given or the information which I have been given is accurate and correct. I have the serial number of the television set, Sir. In case there is any doubt, I have the make of it. And I believe what I said to be correct. Whether or not it is correct would be a matter for the standing committee to test, Sir. But I make the statement and I believe it to be a prima facie breach of the privileges of this House and I would accordingly, if it is in order, move the appropriate resolution, Sir.

MR. SPEAKER: The hon. Premier.

PREMIER MOORES: What the Leader of the Opposition says is once again half-right. It was just before Christmas when the television we had in the House broke down. I phoned Mr. Walsh to see if he had anyone who could repair it. A person came and said, "They could not." He said, that he could get a television that he could put

Premier Moores.

in there for that period of time whilst the other one was being repaired. The television came in. After having it in the House for a few days I phoned Mr. Walsh, got the amount that was paid for it, paid Walsh Electric for it, and I assume he paid the person who brought it in. And, Sir, I find this most despicable that this sort of thing be brought in without anyone even having asked. I find it incredible, Sir, that the Leader of the Opposition would bring this in without having asked what the true facts were of the principles involved. I find it unbelievable, Sir.

MR. ROBERTS: The television set, Sir, was the third television set delivered to the house of the Premier on the given day. The first one was not acceptable to him or to somebody in his house. It was sent back. A second one was sent. Mr. Speaker, the Premier makes a statement. I make a statement. The only way we will know the truth of it, Sir - only one of us is correct - the only way we will know the truth of it, Sir, is to set up the Committee on Privileges and Elections and let them send for the witnesses. Let them send for the papers, examine the witnesses upon oath and then make their report and let the chips, Sir, fall where they may.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please! Order, please!

As hon. members are aware, what the onus of the Chair is when a matter such as this has been brought up is to make two decisions, whether the matter has been drawn to the attention of the Chair and the House, at the earliest opportunity, and whether there

Mr. Speaker:

was a prima facie case. Before making any of those decisions I would certainly invite comment, relevant comment, not debate, relevant comment from hon. members who wish to do so.

The hon. Minister of Justice.

MR. HICKMAN: Mr. Speaker,

PREMIER MOORES: Boy, that is ridiculous!

MR. HICKMAN: - this is the most scandalous, most outrageous -

PREMIER MOORES: Unbelievable. It is unbelievable.

MR. SIMMONS: You are right.

SOME HON. MEMBERS: Oh, oh!

PREMIER MOORES: That is low. That is low.

SOME HON. MEMBERS: Hear, hear!

MR. HICKMAN: - attempts that I ever heard. And I would challenge the hon. member from Twillingate (Mr. Smallwood) to deny this, because he has been in the House a lot longer than I have, the hon. gentleman has - the most outrageous innuendo, not accusation, that I have heard in this House since I have been a member, since 1966. There was no allegation of impropriety, which is absolutely essential, absolutely essential to any prima facie case. Secondly, the hon. the Premier has set forth very clearly the position, and thirdly, may I ask Your Honour when considering this matter, as I am sure Your Honour will, to also consider whether or not there has been a libel committed on a member, an hon. member of this House, namely the Premier, by the hon. Leader of the Opposition by his innuendo.

MR. SPEAKER: The hon. Minister of Industrial And Rural Development.

MR. LUNDRIGAN: Mr. Speaker, I just want to say, maybe to reiterate the remarks of the hon. House Leader, that I am not clear in my mind as to what particular position the Leader of the Opposition has taken. He has come out with innuendo, he has come out with a suggestion. Does his question of privilege -

AN HON. MEMBER: This is -

MR. SPEAKER: Order, please!

MR. LUNDRIGAN: Does his question of privilege lay a charge?

AN HON. MEMBER: No.

MR. LUNDRIGAN: Does his question of privilege make a statement that the Premier is a crook? That he is a thief? That he is not equal among fifty-one members? Because we are fifty-one equals, this is the number one characteristic of people in the House of Assembly, the House of Parliament, representatives of the people, that we are peers. The hon. Leader of the Opposition has made a statement that the Premier is not a peer among the members of this House. Now it is going to be incumbent on the Leader of the Opposition, having made the statement that it does, that he has to place all of his cards on the table. He has gone ahead, he has not had the principle to consult with the Premier to find out what was behind it. He has latched on to a little bit of something that he thinks is a major scandal, and he has come out with it, he has thrown it out, he hopes the chips will fall where they may, Your Honour. But the fact of the matter is that he has put everything on the line. And I am just hoping that he is going to be able to stand up in this House and make a charge, and lay a charge, because that is essentially what he has done through the backdoor.

Now this is unreal. I have never seen the like of this in my few years around Parliament. I have been involved in a half a dozen years of Parliamentary activity.

MR. SPEAKER: Order, please!

MR. LUNDRIGAN: And I want to be clear, Your Honour, -

MR. SPEAKER: Order, please! As hon. members are aware, number one, there can be no interruption while a point of privilege is being made. I cannot recognize points of order or internal points of privilege. Therefore there is an extra onus on the Chair to maintain order, and members may not debate it. I would ask the hon. minister to bear that in mind in speaking relevantly to the point.

MR. LUNDRIGAN: Mr. Speaker, I just want to sort of try to put in clear perspective the comments that the House Leader has made. And that

Mr. Lundrgian:

is that the Leader of the Opposition has committed something which is most grievous. He stood in his place and he has thrown out on the waters of the public of the Province through the House of Assembly a whole kind of area of accusation. He has not specifically made a charge. And I want Your Honour in dealing with the question of privilege to recognize that if the Leader of the Opposition is improper in his accusation, and his general disposition on this particular issue, that he is aware as well of the consequences of his behaviour, and I would hope that in making the ruling that fifty-one members of this House will stand in their place when the ruling is made and the information that the Premier has given is properly interpreted by the House, that the members, the fifty-one members or fifty members of this House will take the appropriate action regarding the Leader of the Opposition.

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

MR. ROBERTS: Mr. Speaker, the only issue before the Chair since the timeliness question has not and cannot be raised, is whether or not a prima facie case has been made. Now the rest of it is debate, and I would love to debate it. The fact remains that Company A, A.B. Walsh Electrical Limited, purchased and caused to be delivered to the Premier of this Province a television set worth in excess of \$1,000. Company A,

MR. ROBERTS:

Mr. Speaker, has come in for considerable comment from the Auditor General of this Province because company A, A.B. Walsh Electrical Limited, received over \$1 million worth of business in circumstances which the Auditor General of this Province thought fit to draw to the notice of we, the House of Assembly, in his report. I state, Sir, that constitutes a prima facie breach of the privileges of this House. If it does then, Your Honour, the appropriate motion would be moved by me. It is a debatable motion. The House would decide whether or not the motion was to be accepted. The motion would be to refer the matter to the Committee on Privileges and Elections. I would think, Sir, the Premier would be the very first to ask to have this done because that Committee has the power to send for Mr. Walsh, or whoever else was involved, to examine them under oath, to have the documents prepared and then, if, as the Premier says - and I do not question what he says - he drew a cheque on the day in question or shortly thereafter and sent the bill to A.B. Walsh Electrical Limited, a firm who are not in the television sale business but who are in business in this Province, then, Sir, the matter would die right there. And if the member for Grand Falls wishes to take some further action, then that of course would be dealt with.

The only allegation, Sir, the only question - I am sorry - before the Chair is whether or not there is a prima facie breach of the privileges of this House. I submit, Sir, that in the circumstances which I have outlined there is such a prima facie breach. If that is in order, Sir, then the motion will be moved and the matter will be decided by the House and from then on according to the decision of the House.

MR. SPEAKER: The hon. member for Twillingate.

MR. SMALLWOOD: Mr. Speaker, I wonder if I might be heard as a senior member of this House, as a Privy Councillor and as a former Premier for twenty-three years. Nothing worse could happen to Newfoundland than that anyone in high place, in high position, would lie under this kind of charge, silently, so that across Canada and across

MR. SMALLWOOD:

the world tonight, by Canadian Press and by CBC, the word will go that a responsible member of the House, namely the Leader of the Opposition, makes certain categorical allegations that are not answered except orally by the Premier himself.

Now we must, every member of this House, be jealous of the Premier's reputation because he is the Premier of the whole Province and in his name and in his holding, in his hands, lies the reputation of this Province. We cannot have the leading - next to the Governor, who is the personal representative of the Monarch - the highest person in the land, higher than the Chief Justice, higher than the Supreme Court judges or any judges or any courts, the highest person in the land must not allow this to stand by a mere and simple denial. In his own interest, but more especially in the interest of Newfoundland, the whole Province, all of us, he must, I think he will agree, I would hope that he would be eager and very anxious and eager, determined, that this matter be exposed.

Now if, as, God forbid the Premier is shown to have committed an indiscretion - and surely it would not be very much more than that even if it were as alleged - it would be too bad. But much worse would be the word to go right across Canada, "My God, what kind of a crowd are they down there in Newfoundland. What kind of a crowd are they? The Premier is charged in so-and-so and merely denies it." The Premier will be surely the first to want this thing exposed and put at rest. He will want that done.

The House cannot blame the Leader of the Opposition. If information comes to him, what is he going to do? He cannot suppress it.

SOME HON. MEMBERS: Hear, hear!

MR. SMALLWOOD: And it has come to him and he has put it before Your Honour. He has put it to Your Honour. He has put it to the House. And surely the one honourable member of this House who with most alacrity, most eagerness, will want the matter ventilated properly, in proper parliamentary fashion, is the hon. the Premier. And I, as one who occupied the position he occupies, and one who was under attack many a time, I want to express

MR. SMALLWOOD: my sympathy for the position in which he finds himself. I express sincere sympathy for that, but by the same token he surely, more than anyone, will want this matter disposed of.

MR. SPEAKER: I recognize the hon. member for Burgeo - Bay d'Espoir. I would hope that if there are any further hon. members going to speak that they would realize that a number of opinions have been canvassed on both sides of the House and obviously this cannot develop into a debate. So I will certainly hear the hon. gentleman. Anyone else who feels that he has a contribution to make I will hear, and then I shall give my decision at the earliest opportunity.

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

MR. SIMMONS: Thank you, Mr. Speaker.

Mr. Speaker, it is fairly clear what has happened here in the past few moments and also quite serious what has taken place. And I believe the first thing we must avoid doing is the instinctive thing, pound our tables and to shout, Shame. Either the Leader of the Opposition has some facts which are correct, or they are not. I have known, as many of us in this House has known, the Leader of the Opposition for a long time. And he, even in his own - if he had no other motivation, in his own selfish interest, would not come into this House today and lightly toss some irresponsible allegation across the floor or some innuendo or whatever else it has been labelled so far in the past few moments.

So let us, Mr. Speaker, let us clear the air first of all, and I say that a lot more in sadness than in anger, because what I have heard from the Leader of the Opposition affects me. John Donne - was it? said, "No man is an island," and as this goes out across the Province it only re-enforces what the public, or too large a portion of us thinks already about politicians generally, including me, is that

MR. SIMMONS: somehow we are less than an honourable lot. So this affects me and affects me adversely. I am sure it pains the Leader of the Opposition to bring it here today as much as it does me, because nobody gains, Mr. Speaker, let us be clear, nobody is gaining from this kind of a charge this afternoon and the suggestion that somehow it is being done for that kind of a motive is regrettable.

MR. MURPHY: (Inaudible)

MR. SIMMONS: Mr. Speaker, if I may have some order, I can appreciate the situation. I was as shocked at the minister from St. John's Centre (Mr. A. Murphy) was shocked when I heard it about a quarter to three. I can appreciate his shock but if he could contain himself for a moment I will complete my remarks very, very soon.

Mr. Speaker, we have heard in the comments made by the Premier and the Leader of the Opposition respectively two bits of information, both bits are not correct because they are mutually exclusive. And the Premier has said that separate sets were delivered on separate days. The Leader of the Opposition said that three sets were delivered in turn on the same day.

MR. ROBERTS: Two sets on one day, the third later.

MR. SIMMONS: I am sorry. Two sets on the one day. I correct what I just said, two sets on the same day and another on a separate day.

AN FON. MEMBER: Three of them.

MR. SIMMONS: No. No. No. Mr. Speaker, in turn and the understanding is they were returned and another set brought in.

MR. SPEAKER: Order, please! Order, please! I must ask the hon. gentleman to conclude his remarks now. I believe certainly in the past ten or fifteen minutes I think I have heard various aspects and comments on the question which I must decide, and I would ask the hon. gentleman to bring his remarks to a conclusion so there will be no tendency to debate.

MR. SIMMONS: Sure. Thank you, Mr. Speaker. I was not wanting to

MR. SIMMONS: drag the House into debate. I think it is far too sad and far too serious a matter for that, and I apologize if I contributed to that, Mr. Speaker.

MR. MURPHY: Is that right?

MR. SIMMONS: Mr. Speaker, could I have some silence while I speak?

MR. STRACHAN: There is no need for that nonsense over there.

PREMIER MOORES: Do not be sanctimonious, for Christ's sake, Let us just get it out.

MR. SIMMONS: Mr. Speaker, is that parliamentary language we hear from the Premier?

MR. MURPHY: No, it is very natural though.

MR. SIMMONS: It is very natural for that Premier perhaps, but I do not think it is par for the course.

Mr. Speaker, if I may conclude without having to suffer the harassment I am right now? Mr. Speaker, I believe there are right now deeper and broader implications than are immediately apparent from the statements from the Leader of the Opposition. I have reason to believe that. And I would caution all of us, Mr. Speaker,

MR. SIMMONS: not to practice the creed here today, "My party right or wrong," before we know what we are talking about. I cautioned the Minister of Public works three weeks ago to make sure he made a full statement and I believe he did in so far as he knows.

MR. SPEAKER: Order, please! Order, please!

I feel I have heard the hon. gentleman's arguments up to this point. If there are no further additional, relevant, new points to be made then I will consider I will have heard sufficient.

AN HON. MEMBER: On a point of order.

MR. SPEAKER: Order, please!

I cannot hear a point of order or a point of privilege -

AN HON. MEMBER: Mr. Speaker -

MR. LUNDRIGAN: He cannot hear a point of order.

MR. SPEAKER: Order, please!

MR. LUNDRIGAN: Sit down, boy!

MR. SPEAKER: Order, please! Order, please!

It is quite clear that a point of order cannot interrupt during consideration of a point of privilege. That puts the onus quite strictly on the Chair to maintain order. But I cannot hear a point of order or a different point of privilege while a point of privilege is being considered. That is quite clear. I can give references, I gave them about two weeks ago and they are in the Hansard of about two weeks ago.

The hon. the Minister of Justice.

MR. HICKMAN: Mr. Speaker, I draw to Your Honour's attention page 96 of Beauchesne, which I am sure is familiar to all hon. members. If it is not, and an hon. member ever brought a charge here without first reading it he would be subject to great censorship, I would suggest. It says this, "A dispute arising between two hon. members as to allegations of facts hardly fulfills the conditions of a privileged question, and, if deemed to be a matter to be once entertained, it is more convenient to postpone other

MR. HICKMAN: business rather than extend the area of privilege."

I say, Mr. Speaker, that at the very most, at the very most, this falls into this particular category. With respect to the questions raised by the hon. gentleman from Twillingate (Mr. Smallwood), I have no doubt at all that if the Chair finds that there is not a prima facie case made out against the Premier, then the Premier most assuredly has his own action he can take with respect to the imputations raised by the hon. the Leader of the Opposition without first consultation with the Premier.

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

MR. ROBERTS: Mr. Speaker, if I might be permitted to respond very briefly to the point made by the Minister of Justice, Sir, this is not a question of differences of fact or difference of opinion, allegations of facts, this is the normal rule that is applied in debate at all times on most so-called questions of privilege.

Sir, this is a question not of difference of allegation if the Premier has admitted receiving the television set in question. He then says he paid for it and I do not quarrel with that. I do not quarrel with that, I accept the Premier's word. But I will say, Sir, as the point was made so eloquently and with such force by the gentleman from Twillingate, that in the circumstances this is a prima facie - now that is not a breach of privilege as Your Honour will agree - it is a prima facie breach of privileges in the circumstances and that it should be put to the test. It, Sir, is the Committee which will consider the evidence and report thereon. It is the Committee which will recommend to the House whether there has been a breach, in their opinion, and if so what further action, if any, should be taken. The only question now before the Chair is whether Your Honour wishes to allow - whether Your Honour feels it is in order to allow a motion

MR. ROBERTS: to be made, which I assume would be put without debate, and then a Committee would be struck immediately and set to work, and then the evidence could be - as the gentleman from Twillingate said, speaking from twenty-three years in the Premier's chair, the Premier should be the very first to do this. I might add that it is fairly - I have made no allegations and statements other than what I have said, and I do not intend to - but it is fairly common around St. John's. I have heard it several places, and I finally was given some evidence today and felt it my duty to bring it to the House which I have done.

MR. SPEAKER: I shall have to give this matter serious consideration and will make my decision known as soon as I can.

ORDERS OF THE DAY:

MR. HICKMAN: Order 4.

MR. SPEAKER: Order 4, the adjourned debate on Bill 14.
The hon. Leader of the Opposition.

MR. ROBERTS: Mr. Speaker, I believe I adjourned the debate. This is the Minister of Education's bill, I believe, to set up the polytechnic institute. Somewhere in this mass of parliamentary procedure and reference books I have the bill. Here we are, Sir, Bill No. 14.

Mr. Speaker, when I had spoken yesterday I had most of the points that I wished to make with respect

MR. ROBERTS: to this bill. Perhaps I might be permitted to reiterate them briefly. First of all, Sir, let me make it quite clear, as my colleagues who spoke earlier did, that we have no objection to the bill. We are not going to vote against it. It would be very difficult to vote against it because it really does very little, as the minister I think will concede, except to set up a new board to replace the existing boards of two separate institutions and then make some provision for the establishment of new faculties and so forth. In other words, at best it is an idea. At best it is the statement of an intention, the statement of a policy. I made further references that it was a cosmetic bill, and I mean that. I think it a fair and an honest and an accurate criticism, that it is a cosmetic act and not one of any new substance. It is hardly a great step forward.

I had also given it as my opinion and those of my colleagues that some real consideration ought to be given to making available outside St. John's, outside the St. John's area, out in the area to the West of the overpass, to use the familiar phrase, some form of post-secondary institution. We now have the Western Regional College in Corner Brook, and all of us whose constituencies lie in the Western part of this Province will say that has been a very fine thing indeed. But, Sir, there is nothing in between and if we are going to establish new institutions then we believe, Sir, that consideration should be given to establishing those institutions in some other part of the Island.

There is the matter of the unresolved promise, the promise made by the Premier at the Rotary meeting in Corner Brook some three or four years ago, at which time the then Minister of Education was then the minister for the then district of St. Mary's, there was considerable discussion here in the House between the then minister, who now occupies an even more august position, Sir, and my friend and colleague and sometime supporter, the member

MR. ROBERTS: for Trinity - Bay de Verde, who was then the member for St. Barbe North, and at that time a commitment was made by the Premier speaking in Corner Brook in behalf of the government, made to the people of Corner Brook in Western Newfoundland that a regional college would be built, and that an institution would be built in Stephenville in the Bay St. George area. That has not been kept in our view, and the bill which I know I am not allowed to debate and so I will not - the bill which comes a little further on to establish a - I forget the name of it - the Bay St. George Community College or whatever the exact title of it is, in our view that is not sufficient discharge of that commitment.

But also, Sir, we think consideration should be given to the Central Newfoundland area. We think it is a very valid and a very valuable point. We think the people of Central Newfoundland should have as much consideration given to them as the people of any other part of this province. I have made the further point, Sir, that the reasons for establishing this institution other than in St. John's includes the fact that it is an economic benefit to the area concerned. It will create a significant number of positions. The gentleman from Humber East, the president of the council, confirmed my opinion yesterday when I said that the Western Regional College has been almost a new industry to Corner Brook. It has put a lot of money in circulation, created a number of jobs, brought new people into the community and provided work for people who were there.

Also there is the matter of access. St. John's happens to be in the least accessible part of this province. It is at one end of the province. Obviously the reason it was settled first is that it sticks out furthest into the Atlantic, given the fact that Cape Spear is hardly a salubrious place to live, the nearest and logical harbour. The same reason that Conception Bay

MR. ROBERTS: was settled, led the first white man to live here permanently - not the first white men but the first Europeans to come to Newfoundland, they were the Norse people the better part of a thousand years ago. But the first Europeans to come to Newfoundland to live naturally chose Conception Bay and St. John's. The district of Port de Grave I guess is probably the longest continuously inhabited part of this province.

MR. SMALLWOOD: I take it to be the Southern Shore.

MR. ROBERTS: My friend from Twillingate, an acknowledged authority on the history of the Province, says that of course the Southern Shore was inhabited early on in. In fact the Carter family, now represented by the present member for St. John's North, I believe a descendent of the Carter family, the surrogate Carter was it family go way back, a well known Southern Shore family.

MR. SMALLWOOD: 1749.

MR. ROBERTS: 1749.

MR. SMALLWOOD: They were there 200 years before that.

MR. ROBERTS: So, you know,

MR. ROBERTS: the Southern Shore. But Eastern Newfoundland the Atlantic Face of the Avalon Peninsula, was settled early on and people have stayed here, I often wonder why when I get up and look at the weather and compare it with other parts of the province, but fair enough, no argument with having the university here, the Capital here, but we should realize that it is not the most convenient place for many citizens of this province. Accordingly I think we should do what we can to help to make it easier for students who live in other parts of the province to come to these new post-secondary institutions.

In our mind, Mr. Speaker, those are powerful reasons for establishing this new institution outside of St. John's. The government is supposed to establish it in St. John's. We think that is a bad policy, We ask it to be reconsidered.

Mr. Speaker, there are a number of other points which could be made with respect to the Bill. I thought some of the points made by hon. gentlemen opposite were very relevant and very pertinent and very strong. The member for St. John's East, and Heaven's alone knows, Sir, that he and I do not agree on a great number of things in this House, but I think for once we are in agreement, and I might say the same with the gentleman from Kilbride, the former minister of Health, the former member of St. John's South, now representing the District of Kilbride, when they said that this House does not have sufficient control over the new institution proposed to be created. Then the gentleman from St. John's East extended that to the present university, I believe, I did not hear all of his remarks of the university, Hydro and he named another one - Liquor Corporation, was it? Housing Corporation? - I do not know if the honourable gentleman mentioned the Liquor Corporation or not.

But, Sir, these are great agencies of the state involving great sums of money, involving large parts of our public debt,

MR. ROBERTS: involving great parts of our annual expenditure. A large portion of the spectrum of the services offered by the Government of this Province to the people of this Province is embodied in these agencies. It is right to say that they are not subject to any effective control by this House. Newfoundland and Labrador Hydro, we may get a crack at it once a year Sir, if a Bill happens to come in for debate involving Hydro. The Liquor Corporation, I do not even know if there is a token amount in the estimates any more for them. If it is it is only a token, we do not see their budget here. The university rise up in righteous or self-righteous wrath and indignation if anybody even asks a question. I will wager that the president of the Treasury Board gets that reaction when he goes or sends his officials to talk to them. They send the budget, which at least when I saw them as a minister and as a member of the then Treasury Board was somewhat cursory. They resented supplying further additional information and I will wager the minister who is in the House can gainsay me if I am wrong. I will wager things have not changed too much since then.

The Housing Corporation, I suspect the same way. I did not have a great deal to do with them during my time in the Cabinet. It never fell within an area of ministerial responsibility for which I was responsible. But I suspect that they too would resent government prying in and asking questions; 'prying' would be the phrase they would put on it. I would put on another phrase, the government exercising proper and legitimate control.

Maybe the answer is to constitute a standing committee or committees, not a select committee but a standing committee or committees, let these agencies appear for these committees, the budget should not be secret. I agree we have no right to interfere with the academic freedom of the university, and I know that no member of the House would want to interfere with the academic freedom of our university. But wanting to know

MR. ROBERTS: where the money goes, Mr. Speaker, is not interfering with academic freedom, it is preserving democratic freedom. Because, Sir, we are the boys - I know the government are the government, but it is the House of Assembly that approves the expenditure of money - we are the buckoos who have to find the money and we are the buckoos who have to levy the taxes, not the government. The government represents the majority in the House and thus has the control of the House. The Government is not the House, Sir. I think we have the right to know this. The standing committee, or committees, could function within the parliamentary system. It is not the congressional system, that is a different thing altogether. But a standing committee, much like the Public Accounts Committee that is bringing out good information, a committee before which officials could appear and the budgets could be submitted. We might do the same for Medicare. There is precious little information in the Medicare, about Medicare submitted to the House. When I was minister of Health I insisted that the Medicare budget be printed as an appendix to the estimates which I as minister of Health brought before the House.

There was a lot of grumbling, but you know, in the long run, the minister puts his foot down on a matter like that he will have his way. I did put my foot down and I did have my way. If any hon. member wants to go back to the estimates for 1970-71 fiscal year he will find-

MR. ROBERTS: and the 1971-1972 fiscal year—he will find printed therein a very complete summary budget of the expenditures which Medicare would incur in that year, some of which would come from Ottawa and some of which would come from us. In those halcyon days much of it came from Ottawa, but I know the Minister of Finance and the Minister of Justice will agree with me now that those halcyon days have gone forever, unfortunately. Now the Government of the Province must find the money for Medicare and have been given a little extra taxing room and a few extra equalization points to enable them to do so, and the Minister of Finance, I know, would welcome that. I am sure he was looking upon that as a challenge to fill in the odd moments in his daily routine.

MR. DOODY: I know I am odd.

MR. ROBERTS: I did not say the minister was odd, but if the minister feels he is odd— But, Mr. Speaker, I think we should look at a standing committee, or a number of standing committees. They could obtain some expertise. The House does not meet that often that there is not sufficient time in the year for a committee to go to work. A budget could come in. There would be some questions, if questions were asked by members, much like the Public Accounts Committee, which I think has functioned well and functioned effectively. I think the House, Sir, has a right to be proud of the Public Accounts Committee.

So I put that suggestion up to the minister. I think it builds upon the point raised by the gentleman from St. John's East and the gentleman from Kilbride, and I think it represents a logical and a proper extension. I am not sure the House itself is the proper place to do it. I would have no objection, but the standing committee at least gives members of the House the opportunity, and might be a little less cumbersome than the House itself, particularly given the fact of course the estimates debates are limited to seventy-five hours and whether it is caused by that

MR. ROBERTS: fact or not, and in my view it is the estimates debates for the last three or four years are not something of which any member of this House can take any pride or in which he could take any joy.

Mr. Speaker, the bill itself is almost innocuous. I believe it is the first substantive bill other than an amendment, the first substantive bill that the minister has presented during his term as minister. Am I correct? The minister nods acquiescence. It is too bad that he could not have had better stuff than this for us. You know, there is nothing to it. It is cream puff. You know, it sets up a new board, a new institute, that section 3, and it talks about separate colleges and training programmes in fisheries, navigation, marine science and marine technology. Well that is what we now have. We have the College of Fisheries - one of the greatest things started by the gentleman from Twillingate during his years as Premier. He had this idea and I think he was jeered at by a lot but he persevered, great qualities of perseverance and he carried through with it with the help of men like, I guess, the late Dr. Cooper. Doug Cooper is dead now I believe, Dr. Cooper?

AN HON. MEMBER: He is dead.

MR. ROBERTS: And the late Dr. William Hampton, a Newfoundlander who went away to the Boston States and did extraordinarily well and then came home again and put the last years of his life into the Fisheries College. So that is not new. Pharmacy and paramedical technology - well the College of Trades and Technology now offers pharmacy courses. I got that going during my time as Health Minister, and the paramedical technological courses have been offered there I guess as long as there has been a College of Trades and Technology. Before that the General Hospital offered them. Business education and applied arts, again that is now at

MR. ROBERTS: the College of Trades and Technology, probably the backbone of their courses..And finally,vocational trades and skilled handicrafts,and again there is nothing new on that. These are now-courses to this effect are now being offered by the government through I guess the divisions of adult education and through the vocational schools throughout the province.

So there is nothing new. It says the Governor in Council may by order add additional colleges to the institute, well fair enough. Perhaps a large grant of power to give to the Cabinet but not necessarily offensive in principle. So there is nothing very exciting in it, Sir. It simply puts the College of Fisheries and the College of Trades and Technology under a new administration. If it represented a great new idea, a quantum leap forward in educational policy,then, Sir, we would welcome it. But it does not. It does not represent a new commitment or an expanded commitment to the idea of post-secondary education or specifically post-secondary non-university education. It does not represent a commitment to the idea of making post-secondary educations more acceptable to the young people of this province.

As I said, Sir, it is a cosmetic bill. It is cream-puffery. There is nothing of real substance in it. It is pretty thin gruel indeed. We will vote for it because how can you vote against motherhood? But, Sir, we will vote for it with no joy and with no elation.

MR. ROBERTS:

We will vote for it simply because, Sir, if it is the best the minister can do we will welcome that. But, Sir, in so doing we must express the hope, the very strong wish, that he, Sir, will come in with a real policy for post-secondary education. I could talk for hours on that, the need to co-ordinate our post-secondary education, the need to expand our post-secondary educational facilities both at the university and at the trades schools and at the College of Trades and at the College of Fisheries. They are all bursting at the seams. My friend from LaPoile (MR. Neary) gets on it every now and then. But they are bursting at the seams. They turn away one, two, three students for every student they can take. Some courses have ten, twelve, fifteen applicants for each post, each spot, each seat available in the Fall. Every member of the House I know has had the experience of members - I am sorry, of constituents coming to them and saying, "Can you help my son or my daughter to get into the Trades College or a vocational school?" And you call the principal, and the principals are inevitably accommodating and they do what they can, courteous, very courteous, very efficient. Sometimes the students are in, sometimes they are not. But often the answer comes back saying, "We have a dozen - the secretarial courses - sometimes a dozen applicants for every single seat that is available."

I think pharmacy is another course that has a very high ratio of applicants to available seats. There is a need for more of these trained people. There is a great need for more facilities, more space to train them. I do not know if we need more buildings. Buildings are very expensive. Buildings are the easy things to do. We have an awful lot of school buildings in this Province that still are not being used as fully as they could. I think that given the financial position of the Province it would be folly to talk about vast new buildings, and it would be misleading to pretend that they are going to come quickly because they are not.

The new campus for the polytechnical, you know, my guess is five years away, ten years away, any significant new campus at least.

MR. ROBERTS:

The site was picked out some time ago. The gentleman from Twillingate (Mr. Smallwood) as Premier -

MR. HOUSE: You agree with him?

MR. ROBERTS: I do not even remember where it was, to be honest.

I think it is somewhere up in the back of town here. The gentleman for Twillingate (Mr. Smallwood) and the then, I guess, Minister of Education, or maybe the Minister of Public Works picked out the site. It has not been changed in five years. At that stage of course it was only part of an overall plan. If the minister wants to get up and try a cheap, partisan shot, I would say it was only part of an overall plan involving the Western Regional College and expanded facilities in Central Newfoundland. You know, he may find that the much-maligned Smallwood Administration had a lot more plans and thoughts than the present administration, and a lot better plans and thoughts than the present administration.

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: The fact remains that we have not seen any new policy. We have not seen any new ideas. We have not seen any way to expand the system. We do hear constantly of rising costs and of pressure on the costs. I can understand those and I appreciate them. I would not want to be president of Memorial University right now because I think the president and the university have a hopeless job. The government cannot afford to give them the money they need and yet they have to make the university run with less money than they really need to do the job properly.

I think the same is true of Dr. Ken Duggan, the president of the College of Trades and Technology and the principals of all the schools. There just is not enough money to do the job.

MR. SMALLWOOD: I think Ken has been lobbying for at least ten years.

MR. ROBERTS: The hon. gentleman for Twillingate (Mr. Smallwood) reminds me that Ken Duggan has been lobbying for at least ten years. I have been subjected, when I was Health Minister, to some of Mr. Duggan's lobby and Mr. Mose Morgan as well in behalf of the university. But what

MR. ROBEPTS:

they say is right. Perhaps they should not be given more priority, perhaps, they should be given more priority, these demands for expenditures. But the fact remains that given the demands from all sources and given the priorities it is not going to be very early before we see a great new campus. What we are going to have to do is make do and that means we should look at the buildings at Stephenville, and for that matter the buildings at Goose Bay, vast buildings there abandoned. The buildings at Stephenville are still nothing like fully used. You know, these should be look at with a view to seeing if we can use them. They might not be ideal, but if we cannot have Cadillacs let us at least have Chevs. It is better than walking.

As I said, Sir, we will support the bill, not that that, I guess, particularly concerns the minister. The government are not going to be defeated on this issue. But whether they would be or not we will support it. There is nothing wrong with it, but we are not excited about it. We do not think it means very much to the young people of this Province. I think it is, as I said yesterday, Mr. Speaker, it is a piece of cosmetic tomfoolery designed by a group of men who have no real programme or policy to put forward. So they said, "Well, we have got to do something, boys. Let us put together a bill and we will try to pretend it is something," you know, more than

MR. ROBERTS: in my view it really is. Mr. Speaker, with these few remarks I will conclude what I have to say. My friend from Stephenville, wished to say a word or two on this Bill. I do not know where he is - here he comes. My friend from Stephenville, Sir, has a real interest both in education, and in particular education in the Western part of the province, and not surprisingly, educational matters in the town of Stephenville. I wished to say a few words, and I am glad he is back in his seat because I think the minister, you know, the minister obviously will rise if nobody else does and of course when the minister rises he closes the debate, a fact that Mr. Speaker will inform us of by Standing Rule, by Standing Orders.

So, Mr. Speaker, with these few brief remarks I will conclude what I have to say on this. What I have said I say with regret and not with any enthusiasm, with any glee. It is not a bad Bill but it is certainly not a good Bill. It is a pity that the minister, a man of ability and knowledge and talent and dedication and skill - A lot of good things about him; a little off in his political opinions, in my view, but a man of very real talents and achievements. It is a pity, Sir, that the government could not have made it possible for him to do as I know he wanted to do, that is to bring in a meaningful policy, a substantive policy, one that could benefit the younger people of this province. This Bill will not do either Sir.

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

MR. CARTER: Thank you, Mr. Speaker. I just have a very few words to say, as I understand the hon. member for Stephenville wishes to say a word or two so I can assure him that I will not be that long. The first consideration in this Bill, I suppose, the first matter that most hon. members have mentioned when speaking about this Bill, is the location of the facility. I understand that the location is already picked out and it is quite near this building, on the Higgins Line.

However, Mr. Speaker, it is certainly possible it could be located either in one other place or in several other places. It may eventually

MR. CARTER: grow to be quite a large institution. It could possibly be located in St. John's South, or perhaps in LaPoile. However, it may very well be that it will have multiple locations. I hear the name Windsor. I think we all, all hon. members, ought to get up and give an impassioned speech that it be put in their particular district. I, myself, would opt for St. John's North, but there is not enough space in St. John's North to locate any more major buildings. It is pretty well filled up. The one thing I do hope when it is established that they do not follow the present practice of many of the schools of just passing out high marks for very little effort. It is the most unfortunate development in education that pupils seem to get extremely high marks with very little effort, and teachers who do not pass most of their class are most highly regarded. I think this is a deplorable development and I hope that the current trend will soon run its course.

Now, Mr. Speaker, we are living in times of tremendous change. Everybody says this; it is trite to say it any more. But it has been estimated that our children may have to change their jobs three times in the course of their life as their technical skills become outmoded and they have to learn new technical skills. In my own short life I have seen tremendous developments, plastics, electronics, television, automation where repetitive physical processes are done by machinery. The latest thing now is a thing called cybernation, where repetitive mental processes are now done by machinery. In fact, perhaps the day may not be too distant when the work of this House of Assembly could almost be done by a computer. However, until it is, we mortals must try and do our best.

In any event this technical college that we are speaking about, this polytechnic, should grow to deal with all the relevant developments of our increasingly technical society. Of course,

Mr. J. Carter.

no one can predict just how great the developments in the next years will be. The only thing one can say is that if the past twenty-five or thirty years are any yardstick, the developments in the next twenty-five or thirty years will be many times greater. There is no question in my mind, or I am sure in the minister's mind, that this facility is going to be expensive. And, of course, the question has to arise, Who is going to pay for it? Now, of course, we are all looking towards the federal government, and we expect that the federal government will share this at least on a fifty/fifty, preferably on a seventy-five/twenty-five, and maybe even a ninety/ten basis. I think one hundred per cent is too much to expect, but we can certainly expect that the federal government, if properly approached, will fund this on a greater than fifty to fifty basis. And, of course, there will be many endowment funds that we can look for. The Ford Foundation has, as I understand it, hundreds of millions of dollars for worthy causes. And then this is not to mention various wealthy members of our society in Newfoundland. As an example, I would take the hon. member for Twillingate (Mr. Smallwood), who cannot possibly, with all charity, live much longer, and who it is said has amassed a great deal of wealth in his long life, both by efforts of writing and dint of other activities. And I am sure that he would gladly remember such a facility in his will.

MR. SMALLWOOD: Would the hon. gentleman yield?

MR. CARTER: Yes, certainly.

MR. SMALLWOOD: So far from having amassed wealth, large or small amount, the fact is that I am bankrupt, and anyone could go to the court and move my bankruptcy and the court would have no choice. I myself could go and petition to be declared insolvent and the court would have no choice. I am living on sufferance that no one will move my bankruptcy. That is a long way from great wealth, is it not?

MR. J. CARTER: The hon. member for Twillingate (Mr. Smallwood) underestimates his worth. Many of his publications and his various papers I am sure in the years to come will be worth a great deal and perhaps he would undertake to -

MR. SMALLWOOD: If the hon. member would allow me? I have given all my papers as a gift to the university, also my complete collection of books and pictures and prints and paintings on Newfoundland, all of them as a free gift to the university.

MR. J. CARTER: Perhaps the hon. gentleman is willing at least to leave his body to this facility, because I understand there are to be some paramedical studies. However, be that as it may-

MR. NEARY : Leave your brain so that they can have a look at it.

MR. J. CARTER: In any event, Mr. Speaker, I understand that this facility is going to cost a great deal and the funds for it will have to come from many sources. I would like at this point to concur with the hon. member for St. John's East (Mr. Marshall) when he said that any such facility ought to table its budget. Not only should the Auditor General have access to its books for after the effect, but its budget ought to be tabled so that we can predict, and they should come to this House of Assembly for the authority to spend their year's allotment of funds. And I firmly believe, Mr. Speaker, that Memorial University, the Hydro Company and certain other Crown corporations, in fact all Crown corporations, should come to this House of Assembly to seek the permission to spend their allotted money, to tell us what it is exactly they want, and what it is they want it for. To my way of thinking one of the saddest developments in parliamentary history is the ability for Crown corporations to hide themselves away, poke themselves away in the corner of some budget under some innocent looking heading that may cover many millions of dollars.

MR. J. CARTER:

I understand from reading the bill that there is going to be a paramedical emphasis. How great it will be depends, I suppose, on medical developments and the funds available, but I do not think it is beyond the scope of this bill for me to have a word or two to say about the denturists. I think that their programme is a most disappointing one. It is a most - I am sad to see that here is an effort by what should be a responsible group of people, to escape

MR. J. CARTER: the medical umbrella, to try and work outside the medical authorities. The implication that they leave is that mankind were sort of made like the gingerbread men in an oven, that they are very simple, all you have to do is pick a set of teeth and they will work perfectly. I would like to ask the denturists how many of them have ever dissected a human head? It is not a very pleasant subject but I understand all dentists have. Not only that, but I think they have all had very, very complete courses in anatomy.

Now if a denturist wants to work on teeth I would say to him let him go and spend seven years in a college and then come out and call himself a dentist and not try and pass this kind of nonsense in front of an intelligent group of people. I think it is a scandalous - the more I think of it the hotter I get. I have had a great deal of trouble with my own teeth in my life and the last group I would like to allow near my teeth is someone who is untrained. And thank goodness, Mr. Speaker, that we now have a trained dental community in Newfoundland, something that did not always exist, not even in my short memory.

There is also a mention in this act, Mr. Speaker, that all the members of the board should be appointed. I would like to ask the minister, so that when he gets up to speak on it, what he thinks of the possibility of having some of the members of this board elected - and elected, well I am not sure how they should be elected, whether they should be elected by the alumni of this college or by the community at large - but I would like to ask him what he thinks of the possibility of having some members of the so-called Board of Governors, not Board of Regents, Board of Governors, as mentioned in this Act, having them elected.

I think another department that this polytechnical college should have is some department to do with roads, and I am glad the Minister of Transportation is here in the House because the roads in this Province, and I do not think it is any fault of his own, partly neglect from the previous administration, partly the

MR. J. CARTER: vagaries of our weather and partly the poorly designed roads. I think that if we could turn out a few road scholars this facility would certainly be well worth having.

Anyway, with these few thoughts, Mr. Speaker, I will defer to the hon. member for Stephenville (Mr. McNeil) who I believe also would like to contribute to this debate.

MR. SPEAKER: The hon. member for Stephenville.

MR. W. MCNEIL: Mr. Speaker, I just have a few remarks to make on the polytechnical college. I would like to support the bill but I would just like to refresh the government's memory that when the bid was going on for the West Coast Regional College our community, Stephenville, made that bid and we lost. But in return our Premier made a promise to the community of Stephenville that the community of Stephenville would get a polytechnical college and he did say that maybe in the long run it would be better suited to Stephenville because Stephenville is more inclined as an industrial development area. And now we have not got the regional college, we have not got the polytechnical college that is now promised to St. John's and it will be established here, which is merely to my way of thinking a name change on existing facilities.

The people of St. John's are being sucked in like the people in Stephenville. The Moores PC Government is killing two birds with one stone. They are giving the people of Newfoundland a polytechnical college by just changing a few names of the Trades and Technical School and the Fisheries College. And also they are providing an expansion on a building, on the existing facilities that are already there.

The people in Stephenville asked the government of the day, and the present administration, to utilize the facilities left by Uncle Sam in the wisest manner possible. Recommendations,

MR. MCNEIL:

reports were made by independent groups, non-political groups from outside the Province as well as inside, and the Stephenville area and the facilities left on the complex were recommended as an ideal location for a college of some sort. But in return we got a community college. And if I can just read to you the concept of the community college, or maybe if I am permitted - "The community college at present is an idea!" And, Mr. Speaker, that is what we in Stephenville end up with - an idea. The polytechnical college as proposed can also be implemented - or some programme of that polytechnical college can be implemented in the community college concept. If the community college concept is functional, well then it will give advanced training in existing courses or in existing programmes, vocational advanced training. And then it will be more meaningful to the community. But if the polytechnical college will only take the advanced training and that alone and will not allow the community college to take up any of their programmes, I feel that the community college will be a failure, as it is proposed, and the polytechnical college will become a giant monstrosity. The idea that small is good is getting further and further out of our reach. And I think that our government should try to implement the idea that small is good and put more emphasis on the community college. The area in Stephenville right now - we have a problem that the Regional College is experiencing in Corner Brook is the lack of space for their students, accommodations. In Stephenville we do not have that problem. We have a high rise building, one apartment, two apartment buildings, well we have 118 units. Only thirty-six are filled at the present moment. We have had the adult centre at one point had a high enrollment of students. We saw a reduction of the adult centre and now that has been scaled down to - it is spread across the Island.

MR. MCNEIL:

Mr. Speaker, I think that the Bay St. George area has enough students to support a polytechnical college. Now it looks like we will not be receiving a polytechnical college because it is due to St. John's. And I say here it is only a name change with an extension to be provided sometime in the future. The future is not defined. Again, the Moores Government is getting the people off their back on the West Coast, and also the Newfoundland people, especially the people in St. John's will be very pleased that they are getting the polytechnical college. But I hope, Mr. Speaker, that it is not in name only. I hope that it is functional and meaningful to the people of the whole Province.

Mr. Speaker, I would like to support the bill as it stands, and I look forward to the minister presenting the bill on the community college. And I will have more words to say when that bill comes up.

SOME HON. MEMBERS: Hear, hear!

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

The hon. minister.

HON. W. HOUSE: Mr. Speaker, either the unfortunate thing or fortunate thing about being a Minister of Education in presenting a bill on education is that you get a lot of reaction both positive and, of course, some cases not so positive. Everybody seems to know a lot about education. And of course we have always laboured under the adage that education is everybody's business. And I have been delighted with the debate. I might say it started off in a little bit of a negative way. But then the hon. member for LaPoile (Mr. Neary) set the more positive tone and then it got back on a negative tone again.

Mr. Speaker, when we are introducing a bill of this nature, I

MR. HOUSE:

have picked up a number of bills in the past and I could read the Memorial University Act, in inception and certainly that act did not spell out all the things that were going to be expected of the college. I am sure

MR. HOUSE:

when I saw it in its initial stages, and their first one, I never thought it would grow to what it is today and I am sure a lot of other members in this hon. House thought the same thing.

The other thing I saw - I came to Memorial University the first time in 1952, and I was there at the laying of the cornerstone and you know it was a bit of dream then but it was something in the future and we can see what it is today. I was there for five years after that, and I never got the opportunity to go in that building. So when you are getting something like this ready, you cannot spell out exactly what is going to happen in the institution.

Now in my initial remarks I mentioned that we were planning to build a new institute, and the rationale we gave for it was the fact that the present institutions that we have, the College of Trades and Technology and the Fisheries College, have outgrown their usefulness in the strict sense of the word. They are overtaxed. They are overcrowded. And the Fisheries College that was initiated years ago started off with an idea, then it grew and grew and now they have got courses and programmes that were never expected. The same thing applies to the College of Trades and Technology. We have got programmes now that were never intended when it started but there was the flexibility there to develop them.

That is the idea of a polytechnical institute. It embodies a number of colleges and we cannot say what the programmes are going to be. There is flexibility enough to take care of the foreseeable future, flexibility to develop programmes. That is what we have to have. There is nobody can spell out - I think it would be foolish for me to try and spell out before this House what is going to be offered next year or the year after. For instance, last year we responded to some needs that we have. The year before we did the same thing.

Now I do not think it is cosmetic. I do not think it is window dressing. I am very sincere about this and I am sure government is. Now with respect to the location, the idea has not changed about

MR. HOUSE:

location since the time when the hon. member for Twillingate (Mr. Smallwood) was Premier and selected the Ridge Road area as the location. That is the same - the Ridge Road I think - is the same location. I have it here somewhere.

You know if we uprooted - for instance, suppose we took the present College of Trades and the people from the College of Fisheries, uprooted everybody, and went to some other part of the Province, what would that do? Now I do not for the life of me -

MR. SMALLWOOD: Nobody has suggested that.

MR. HOUSE: Oh, I think so. I think the polytechnical -

MR. SMALLWOOD: Not disturbing the two colleges there are now.

MR. ROBERTS: Nobody has suggested that.

MR. HOUSE: Well the polytechnical basically is made up of the College of Fisheries and the present College of Trades and Technology. That is what we have got to expand, the central programmes and there will be expansions of these programmes.

MR. NEARY: They are sure that the old Fisheries College is going to be torn down.

MR. HOUSE: I do not know if it will be torn down, but I do not suspect that it will be serving the same purpose that it is now. But may I go on? I said one reason for I suppose locating a college in a community is to give employment in that community. But the main reason of relocating this place here is for what I have just said, and the ability to accommodate the largest number of people at the least cost. We know with the large center of population here we can accommodate more people with less student resident accommodations. Anywhere else in the Province where you would put that institute would cost more.

Now I did mention that one of the main reasons for getting the act presented now was to facilitate the building of a new structure, and also implied in the act is the fact that we are going to integrate the present boards and the present colleges under one. That cannot take place overnight and that is the reason why we have

MP. HOUSE:

set up our proclamation - you do not uproot these things overnight - that the act would become effective.

Now I was asked about what the size of the building is, when tenders were going to be called and how long it would take and how the tenders were going to be called and so on. Well the point is we have got our plans ninety per cent completed. The building upon completion will be about 450,000 square feet.

Mr. House.

In the first phase it will embody, I think, 313,000 square feet. We had hoped to do it in a three year span of time. The Premier had made reference to that the other day, and we would hope that some of the work will get underway in the next fiscal year. That is going to depend on a number of things, because we want a complete package now to present to the federal government. And somebody made reference to the fact that education is the responsibility of the Province. That is true in I suppose a strict sense of the word. But for post-secondary education in this Province, and in all provinces of Canada I guess, the federal government has assumed a fair amount of responsibility. And, of course, that was shown in the initial twelve vocational schools. It was shown also to some extent in the DREE agreements. And I believe the last five vocational schools came under that aegis. I am not so sure of that. Also they have been paying fifty per cent of the cost of post-secondary education in the Province. So it is not unreasonable to think that when a federal government is interested in the manpower development in the Province that we should not expect some input. And that is one of the reasons why we want this bill to get the total package to present to the federal government.

I want to bring to hon. member's attention, there is an error there, a typographical error in number four, It is, "The institution shall consist of separate colleges offering training programmes in fisheries, navigation, marine science and engineering technology." And that was a misprint. I did not pick up until the other day. So the four colleges are mentioned there quite plain. Now down at the end, vocational trades and skilled handicrafts - and we expect that the building that exists as the College of Trades and Technology will be used for that purpose. I want to make reference

Mr. House.

there to the hon. member for Bay de Verde who mentioned that he thought it would be a vocational school. We had given that a lot of thought - a separate vocational school under the existing vocational school plan - but we felt that it would be a regressive step because we believe that it should be a vocational school, all right, but it should come under the polytechnic institute. It will still serve the same purpose, because we are thinking of another bill which another hon. gentleman from Stephenville alluded to, the community college. And we would hope that these would come under local boards also.

Now we do plan to build a new building. It is not a plan to just integrate the older ones. We got to have more space, and we have got to provide a flexibility to respond to the future needs of the Province.

I just wanted to mention - I was going to go a little deeper into this about the fishery. We know about the 200 mile limit. We know about offshore oil and gas. We cannot sit down today and develop any programme that is going to look at the needs in the future, but as they arise I am sure that the people we have in the colleges will be responding to the Manpower Needs Committee and to government and industry and be able to meet their needs as they arise.

I wanted to make some reference to the concerns of people about our schools being places for people to go, to get in out of the warm, or that you get trained, and they do not take advantage of their training. And I submit to anybody in this House, be their educators or not, that there is no way when we take students into the various trades that we have got the ability to determine whether they are going to finish what they started to do or whether they are going to go into a meaningful trade. I will give you some examples. Right now the Fisheries College last year had just about ninety per cent of the people they trained go into the fishery

Mr. House.

or marine related industries, ninety per cent of them. The vocational schools - I am sorry - the College of Trades had a less success ratio. They do not know how many. The vocational schools, there is a very low percentage

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of people who go in for free employment programmes who finish their apprenticeship, and there is no way that we can do it. We have guidance people out in the schools trying to guide people into the proper professions and trades. We have contact with the industry as to what trades they need people trained in. But we got a large percentage of our people going out and not finishing up their apprenticeship programmes. So for people to say to us, you know, we have to be more selective, there is no way of doing it. But I am happy to say that in the Fisheries College there is about a ninety per cent batting average that a person who graduates from that will go into fishery or some related field.

I want also to point out that my deputy minister just came back from Ghana where they were in universal discussion about education, and one of the points that came up for a lot of discussion was the ability of a country to train people for their future needs. And this is what most countries are running into, that problem. They cannot predict and project what manpower they will need. And you can have all the manpower needs committees or placement officers you like, and in this fluent society it is very difficult to predict. And the best that we can do, in our estimation, is to provide flexibility in our programme, and flexibility in our buildings that we will be able to take advantage of the programmes, to take advantage of it to prepare people for the programmes that will be coming in the future. We have had, for instance, meetings with people on oil and gas, and they have been telling us what they need. But they cannot tell us when they need them. But they tell us this, You need a good sound academic education; you need a lot of the conventional trades that we have such as welding, drilling and so on. And, of course, these are in combination. You may need deep-sea divers which make up combinations for these kinds of trades. But the important thing that they emphasized was a good education.

MR. HOUSE.

Now we talked about the university. I do not want to get too involved in that because it is not specifically on this bill. But I agree with the member for Kilbride (Mr. Wells) mainly, I think, in what he said, in that there has to be certain accountability. I agree with that, and I am sure that the university is willing to give a certain amount of accountability. But I think it is very dangerous to have everything described or given in great detail. I think first of all it is impossible, and secondly, I think, total disclosure or total discussion would not be in the best interest of the university. And that brings me down to the budgetary considerations implied in this particular bill. We talk about the present trade schools, the present College of Fisheries and the present Trades and Tech. We get a detailed analysis, a detailed breakdown. It is implied in here that we get that. That must be submitted to the minister, and consequently it is available to the House of Assembly for analysis and debate. Now I do not know if that has to be done. But it is available and this act implies the same thing. And I will certainly take a look at it and see what the legal implications are regarding the member for St. John's East (Mr. Marshall), who raised the question, and the member for St. John's North (Mr. J. Carter) and the member for Trinity - Bay de Verde (Mr. Rowe).

There was one reference there made to the liability of individual members. I want to point out that that is quite standard. It is quite standard that any board is able to be sued and any board can sue. But the individual member cannot and should not be sued for any action that results by his being a member of the board.

There was some reference made in some of the hon. members' speeches - and I cannot identify all the members, because there were so many speeches -

MR. HOUSE: that there should be involvement with industry, the fishery and, of course manpower-needs people, and I am sure that is well taken. I am sure right now that the present principals of the colleges, or presidents, do have a close contact with industry. But I hasten to add that we cannot get all the information. I might point out a couple of years ago we were talking about our manpower needs and the trades told us that they could not get carpenters, that the average age of a carpenter in Newfoundland was fifty-five and that in a couple of years we would have no carpenters. The unions were telling us they had lots of carpenters. Now where were we going to take our cue from. As a result of that we kept on trying to train carpenters but we had no serious input because it was not available. We do want input from industry. We look for it daily. We know that there is a great need right now in the fishery. They tell me that a young man can jump off the street anywhere and go on one of these draggers and command a salary of \$17,000 a year without any training. I have had people tell me that. I have had people in the industry tell me that. I believe that is one of the reasons why we have a lack of productivity; it is because we are not training the people for the very kind of industry that we have in the province.

MR. LUSH: What about staffing?

MR. HOUSE: The hon. member for Terra Nova mentioned the staffing. You know the present two colleges as I say have -

MR. SIMMONS: Would the minister permit a question?

MR. HOUSE: Yes, sure.

MR. SIMMONS: The minister mentioned those persons who are going on to trawlers without qualifications. I believe he might want to clarify it because I hope it is not an implication that somehow the trawlermen are not competent to do the job they are doing. The minister is not saying that is he?

MR. HOUSE: No I am not saying that but -

MR. SIMMONS: You believe it.

MR. HOUSE: - the possibility is there and I have had comments made to me regarding that, that a fellow without any seamanship or without any real experience in the fishery can get on one of these boats and command the same wages and you do not know whether he is good or bad. In some cases some are better than others and sometimes it is the result of a lack of training.

The people who are in the colleges- there is no intention of replacing these people. We said that we will be integrating some of the services like they have power engineering at the College of Trades, they have power engineering at the Fisheries College. What we are saying is that the one amount of facilities would do and not necessarily the one number of teachers. We still need the same number of teachers with the one facility.

I was interested in the member for St. John's North who made reference yesterday to hiring Newfoundlanders. That is something we have no control over. I guess everything else being equal we could, but one of the things that the Federal Government has done is made it very difficult, increasingly difficult to hire foreign academics in either universities or trade schools or trade colleges. So as a result of that kind of legislation, at the federal level, it would be incumbent upon us, of course, to appoint Newfoundlanders or people from other parts of Canada at least.

Mr. Speaker, we talked about productivity, we talked about a number of things in education. There is one thing I have to say about that and that is I do not think you can teach productivity. I think you can teach people to work in a specific trade, teach them to be skillful but I believe a lot of people in this province, a lot of people in this House of Assembly, expect too much from education. You know productivity - you can teach a person to work well in a skill but put him out in the industry and what is going to condition his productivity is not necessarily

MR. HOUSE: his attitude in productivity, it is not necessarily what he learned. He will be able to do his trade but the attitude he has towards it is going to be conditioned by the people around him.

It kind of irks me sometime that every time we have a rash of vandalism, every time we get some statistics on alcoholism and every time we get statistics on violence education

MR. HOUSE: becomes the fall guy, you know. It is the result of education. I do not believe it is all the responsibility of education. I think we have got to give the skills of living, and the skills applying trades, the skills of learning the higher professions, but I think the conditions that go on around is what conditions violence, alcoholism and vandalism. So while we may, as our secondary aims in education, be looking at the problems in society I do not think we can remedy them I think the school follows rather than leads in that respect.

I took note of a few remarks here regarding the make-up of the board. The board is deliberately made up of people in the various trades, professions, so that we can get a cross-section of society. I will also take a look at the possibility of elections. Right now I do not know of any board in the Province who have elected people from the student body as yet, members of the main board. I believe the university has a committee that meets with the students but I do not know of any precedents for having members on the board.

Mr. Speaker, I know there are a lot of questions that were posed and a lot of remarks that were made that I cannot comment upon or I have missed on the way through. But I have great hopes for the new building. I have hopes and faith in the people whom we already have in the development of programmes to meet our needs and we are hoping this building when it is finished can accommodate 3,500 people, that is of course including the present College of Trades and Technology. Some of the buildings that exist will still be used. For instance we have the Job property down on the waterfront. I will see that that will be used in the future in the fishery because, of course, we need to be near the waterfront in a lot of cases.

So I hope that we can serve the 3,300 people that we will be expecting per year and serve them well. It is a very favourite project of mine. It is not window dressing. I am not

MR. HOUSE: embarrassed by it by any means. I am elated about it.

And I think it shows that this Province has a faith in our youth

and it shows that the people have a faith in the Province and

I am sure it will enhance our resource and social growth.

I move the second reading, Mr. Speaker.

SOME HON. MEMBERS: Hear! Hear!

On motion a bill, " An Act Respecting The Establishment And Operation Of The Polytechnical Institute Of Newfoundland," (No. 14), read a second time, ordered referred to a Committee of the Whole House on tomorrow.

Motion second reading of a bill, "An Act To Amend The Fish Inspection Act." (Bill No.20)

MR. SPEAKER: The hon. Minister of Fisheries.

MR. W. CARTER: Mr. Speaker, this is strictly a housekeeping amendment to the Fish Inspection Act whereby the Province will now be given the authority to carry out inspections of fish that is processed in the various processing plants for local consumption and for export. Under the existing act the Province does not have the right or the authority to inspect fish that is being exported, but only fish that is being used for local consumption.

MR. SMALLWOOD: That would be a concurrent feature of the BNA Act.

MR. W. CARTER: Yes, right, Sir. So like I said, Mr. Speaker, it is strictly a housekeeping piece of legislation, the amendment to The Inspection Act.

MR. SPEAKER: The hon. member for Pogo.

CAPTAIN WINSOR: As the minister has outlined it is just a housekeeping bill. But the inspection - is this not sort of a double-barrelled thing. Is not the federal government responsible for the inspection? I know of exports, but this is for local consumption. The minister may be able to take note of anything I make but there is one point I would like to make

CAPT. WINSOR:

on this inspection. And that is, you know, the Minister of Fisheries has the desire and the will, I am sure, to make sure, as far as his responsibility is concerned to produce - not to produce-but to see to it that nothing but A-1 quality of fish of any species goes on the market. But it is almost impossible to do that. We have a situation - I am thinking now of the district which I represent, the district of Fogo - on Fogo Island they have to truck fish from Tilting to Seldom, from Joe Batt's Arm to Seldom, from Deep Bay, Island Harbour and Stag Harbour all over the Island, they have to truck fish. And the road conditions there and the dust by the time that reaches the plant, you know, there is, in my opinion, no way that that fish can ever go and be exported or consumed or put on the market as an A-1 quality.

Now in order for the Minister of Fisheries to see to it that nothing but a good quality of fish goes into the market then he will have to use his influence with the Minister of Transportation and Communications to see to it in areas where we have those dusty conditions-and those dusty conditions are very severe and very effective too I might add especially in the Summer months -

MR. MURPHY: Does all that fish which comes in bulk have to be prepared?

CAPT. WINSOR: No, it goes in trucks and whether it is fresh or salted does not matter. It picks up the dust all the way along. Of course it is difficult to rewash or wash or salt to take off that coat of dust which accumulates on the fish in transporting it. So that is one area I would like for the minister to take note of.

Now that the Minister of Transportation and Communications is in his seat I would plead with him, for the sake of the fishermen in areas like Fogo Island, if it is not possible to pave those roads to ensure that a good quality of fish is put - I am sorry he was not here at the beginning. I am thinking of on Fogo Island which the minister saw first-hand last year, you know, from Tilting to Joe Batt's Arm. Joe Batt's Arm to Seldom, Island Harbour, all around there the

CAPT. WINSOR:

dusty conditions. It is impossible to transport any quality or quantity of fish or any other product that is going to reach the market in A-1 condition because of those dusty roads. But I would ask the Minister of Transportation very sincerely, that if it is not possible to pave the roads this Summer then for goodness sake put some calcium on to keep that dust down. You will be doing the fishermen a great favour. You will also be assisting your colleague, the Minister of Fisheries, to be sure that this bill is carried out and nothing but a good quality of fish is put out to go to market. That is all I have to say.

MR. SPEAKER: The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, this bill if passed by the House will regulate the movement, I presume, of fish within the provincial boundaries, will regulate the marketing of fish and will decide—the minister can decide, and his officials can decide, on regulations as to standards and where fish can be processed and sold. So the first question I have to put to the minister, Sir, is what happens to my hon. friend's buddies down in Steer's Cove, the hon. Minister of Consumer Affairs who is always there fighting for the little man, first starting off his great crusade on the poor man's champagne and then on behalf of the consumers? And I am continuously fighting and battling, struggling, scratching and scrawbing for the poor man of this Province.

MR. SMALLWOOD: I have not heard that word for quite a while.

MR. NEARY: Scrawbing, scrawbing.

MR. SMALLWOOD: That is a real St. John's word.

MR. NEARY: Scrawbing is a real outport word.

MR. SMALLWOOD: Oh, no! It is a townie word.

MR. NEARY: Townie is it? We used to use it around the bay then.

MR. SMALLWOOD: Scrawbing.

MR. NEARY: Scrawbing. The Minister of Consumer Affairs, Sir, I am sure will be interested in the answer that will

MR. NEARY:

be given by his colleague, the Minister of Fisheries, or what will happen to these gentlemen who have a wheelbarrow and a scales and a bit of plastic, paper or a few plastic bags down there in Steer's Cove? Will they now be driven out of it, by this act if it is passed by the House, or will the Minister of Consumer Affairs, on behalf of his constituents, vote against this act? I will be interested, Sir, in hearing - and there are a number of other places around Newfoundland and not only down in Steer's Cove, but you will find them all over the Province, Sir. Will a man be able to sell a fish off the wharf? Can I, for instance, in the Spring of the year do as I have done so often, go down to Portugal Cove and buy a fish out of the boat or will the regulations prohibit me from doing this? I think these are questions that have to be answered by the minister. You know it is a funny thing about this administration, Sir. Ministers get up and introduce bills and they just say, "Oh, this is a little bit of housekeeping, a little bit of housekeeping. Nothing to it. Trivial matter, no." I do not know if the intention is just to try to lull the Opposition into a sense of complacency and just ram it through the House because it is getting near six o'clock or why. But these bills, Sir, are not housekeeping bills. They are bills of major importance.

AN HON. MEMBER: Hear, hear!

MR. NEARY: And just looking at the explanatory note. "The purpose of this amendment is to draw a distinction between the power of Lieutenant-Governor-in-Council to make regulations relating to the licensing of persons engaged in handling, processing, storing, grading transporting or marketing of fish in the Province and the power of the Lieutenant-Governor-in-Council to make regulations regarding the quality and the standard of fish to be marketed in the Province. Is that a minor matter, a bit of housekeeping? It is a bit of housekeeping.

MR. NEARY:

No way, Sir. It is a major piece of legislation. And, Mr. Speaker, it will probably turn out in the long run to be a pretty good bill because I personally feel that it is time that we took this matter of quality control seriously, that we took this matter of transporting fish in this Province from one plant to another seriously, especially now, Sir, that we have gotten into this joint venture with the West Germans and fish is being landed in Harbour Grace and being transported down to the fish plant in Marystown. The minister should have the right to see that the proper kind of equipment is used to transport this fish.

We see in a lot of cases, Mr. Speaker, we have seen it over the years, I have seen it myself, dump trucks and pick-ups and stake body trucks out hauling fish around this Province that just came in out of the garden, not even washed out in a lot of cases and it would almost turn your stomach if you saw some of the conditions under which fish is being transported. And then there is one of my hon. friends, I think it was the former Minister of Fisheries indicated, that you see fish being transported in trucks around this Province kicking up all kinds of dust, no protection from the dirt roads, from the dust from the dirt roads, guts and pieces of fish falling all over the place sometimes, blood and guts all over the highway because they do not have the proper -

MR. CANNING: Flies chasing the trucks.

MR. NEARY: Flies stuck on to the side of the truck everywhere and chasing the truck. And so, Mr. Speaker, I must say in that regard, I am inclined to go along with the minister, that this would be a good thing. But what happens to all these people who have traditional rights? We hear a lot about the Indians and the Eskimos rights in Labrador and in other parts of Canada, but what happens to that poor little lonely salesman down in Steer's Cove that my hon. friend is

MR NEARY:

always fighting so hard for? Will he now be forced out of business? Will he be given a pension by the administration when they bring in regulations to get him out of Steer's Cove? Will he be paid in lieu of selling his fish? Will the Cabinet have an emergency meeting and bestow some compensation upon the gentleman - I presume there is only one down there now -

Mr. Neary.

in the form of a pension, and what will become of all those people who sell fish on wharves and from sheds? Will they overnight have to bring their facilities up to provincial standards or will they be given a reasonable period of time in which to meet the regulations that automatically will follow from this piece of legislation?

So, Mr. Speaker, I just merely raise some of these issues, because I think it is a fairly important piece of legislation, this Act to amend the Fish Inspection Act. It requires now - anybody who transports, sells, markets fish in this Province to have a licence. And with that licence goes certain responsibilities and certain obligations on the part of the people who apply for licences, otherwise their licences could be very easily cancelled by the minister.

You know, Mr. Speaker, this piece of legislation could be the forerunner in encouraging our people to eat more fish. You see, Sir - I suppose here we are, we land more fish than any other province of Canada, catch more fish probably than any other province of Canada, yet I would say, Mr. Speaker, that we eat less fish per capita than any other province of Canada. I do not know why it is. I would think, Mr. Speaker, that over the years there has been a certain stigma attached to fish. People could not stand the odour. We cooked our fish in a certain way that there was always a smell from it. And I know when I was growing up I could not stand - when I would come home and I would walk in the house, and I would smell the fish cooking in the pot, I used to -

MR. MORGAN: That is what it is to be a Townie.

MR. NEARY: No, Sir, I was not a Townie. But my father used to get up in the morning, take a bit of salt fish, shove it down in the stove and roast it.

AN HON. MEMBER: You are right.

MR. NEARY: You are darn right. And sometimes that is the only thing you had for breakfast, a bit of that black - it was coal black.

MR. MURPHY: Scrape it off and then go to work.

MR. NEARY: Yes, you would have to scrape it off, put a bit of butter on it, if you had a bit of butter, and then chew it down, and then go off to school, Sir.

And so maybe we turned ourselves off as far as eating fish is concerned. When we got a little bit affluent, a little affluent in Newfoundland, a little bit prosperous after Confederation, and the Industrial Revolution started to take place in Newfoundland, everybody wanted T - Bone steaks, no more fish, no more going down and bringing up your caplin and stringing them out and drying them and having them in the Wintertime, no more of that. I would say probably we were never real good fish eaters in this Province. Even in the depression years, people somehow or other just could not adapt to fish, and it was probably, Mr. Speaker, due in large measure to the way that the fish was handled, and the way the fish was packaged, processed and marketed.

I know the first time I ever ate squid, Sir, was in - let me see where it was - Lisbon, in Portugal, and I must say it was absolutely delicious and anybody who has travelled in Europe will know, Mr. Speaker, that the Portuguese and the Spaniards and the Italians and people who live in warmer climates really know how to cook their fish. And if you sit down for a meal, Sir, the fish would be the best part of it, because they know how to cook it.

MR. MURPHY: Are you saying Newfoundlanders cannot cook fish?

MR. NEARY: That is what I am saying, Sir. I am saying in actual fact -

MR. MORGAN: Best cooks in the country are Newfoundlanders.

MR. NEARY: Probably in recent years Newfoundlanders have probably become more conscious of how to cook their fish. But there was always only one way to do it that I knew of and that was, you put the salt fish in the pot and then you fried up a bit of fatback pork in the pan, rendered it out, and that is the best way I used to like it as a matter, of fact,

MR. NEARY: and scrunchions and that was absolutely -

MR. MURPHY: Drawn butter.

MR. NEARY: - That was absolutely delicious as far as I am concerned, and a bit of fish and brewis. They do not make fish and brewis today like they used to a few years back. And then there was your fish cakes. But, Mr. Speaker, this may be a blessing in disguise. The minister may not realize the revolution in the fishery that may take place right within our provincial boundaries as a result of this piece of legislation. It may encourage Newfoundlanders to eat more fish.

And you know, Mr. Speaker, it is a funny thing, talking about eating fish. I remember I had a sister living down in the United States, she is an American citizen, this is another thing that used to happen in the old days long before Confederation, if you came from a big family, and I was one of nine, and you had a relative in the States, the thing to do apart from sending the clothes home, if you could get one of your brothers or sisters or their parents could get their son and daughter down there, there was a sort of an unofficial adoption took place. They went down to live there and work there and became American citizens. And every time I went to visit them - they would not eat fish when they were in Newfoundland - but every time you went down you had to go across the border with a bundle of salt fish under your arm.

MR. H. COLLINS: In a Carnation Milk carton.

MR. NEARY: Nine chances out of ten wrapped up in newspaper or a Carnation Milk carton and when the Customs Officer opened it up you were ashamed of your life with the smell in the -

MR. MURPHY: They referred you to the Department of Health to be fumigated.

MR. DOODY: When clothing coming back in the box that was the embarrassing part.

MR. NEARY: That is right, Sir. You would get the used clothes. I must say, look I am going back to the old style myself look, the cuffs are only about what six or eight inches, that is all I can afford these days.

MR. LUSH: A fourteen - cuff.

MR. NEARY: Well they probably are. But anyway, Mr. Speaker, this could be the beginning. It could be the beginning of a major revolution in this Province to encourage our people to eat fish and then in turn, Mr. Speaker, our people could encourage Canadians to eat fish because Canadians have a very poor reputation for eating fish. I do not know if it is caused by advertising, but somehow or other Canadians generally speaking I suppose, like their meat, they like their steak and I think they should be eating more fish. I do not know if this bill will do anything to make more fish available to Newfoundlanders. The whole problem in St. John's today, Sir - I know there a couple of years ago, in the last several years, I once walked into this House and tabled a codfish because the fishermen down in Tappers Cove, down in Torbay, could not find a market for their fish. They had to dump their fish and so they wanted me to present a petition on their behalf so I brought a codfish into the House and presented it on behalf of the fishermen.

But, Mr. Speaker, while they were dumping their fish 100,000 people in St. John's could not buy a codfish, a fresh fish, could not buy a fresh fish. So perhaps the minister might - I do not know if this is under the minister's jurisdiction or not - might look at the possibility of making more fish available to the people of St. John's. I know there was a fish-market opened on the Southside there a couple of years ago. I believe it is still, -

MR. LUNDRIGAN: What happened to that fish plant? Is it still open?

MR. NEARY: Well the Fishermen's Wharf, I believe, is still functioning on a limited scale but unfortunately that particular premises is owned by the Government of Canada, they could not get a lease on it. And my hon. friend, the Minister of Justice did not do that cause any good when he seized a part of their property that they were going to use to promote that business. The minister took it under his control and that matter is still -

AN HON. MEMBER: That is the schooner.

MR. NEARY: That is the schooner, that is right. And it is still over there tied up by the Fishermen's Wharf, by the way. But, Mr. Speaker, if this bill does all the things that I hope it will do, promote the marketing of fish within our provincial boundaries, and teach our people how to package fish, how to transport fish from one plant to another, because that is going to become big in the years ahead, because as you increase your catching capability one plant on days that they cannot handle all the fish may have to transport it twenty or thirty miles away or fifty miles away to another plant to have it

MR. NEARY: it processed so it is very important that the quality - and that is the key - that the quality be maintained. So, Mr. Speaker, having made these few remarks, let us see what it says about tabling the regulations. "Regulations made under this section shall be laid before the Assembly within fifteen days after they are made; or if the Assembly is not sitting on any of the first fifteen days thereafter that the Assembly is sitting."

So, Mr. Speaker, we look forward to seeing the regulations. The whole idea today is that we were told over at the minister's Fisheries Conference the other day by the marketing gentleman who was there from Ottawa, quality is the thing. Quality! Quality! Quality!

And the way we beat the fish around in this province, Sir, it is a wonder sometimes that we can market it at all. Since the Canadian Salt Fish Corporation came in they laid down some pretty stiff standards and guide lines for the protection of the quality of salt fish which is a good thing, because we lost some of our finest markets, Mr. Speaker, we lost them. We lost the West Indies market because we were dumping trash on the West Indies market. That is why we lost it and we lost all our European markets for salt fish for the same reason - that we thought we could pawn everything off on them, anything, get rid of it. Fish that was battered and beaten about and maggoty and every other thing and we used to bring it down and fling it in the warehouses in the West Indies. I did a study on it when I was the minister responsible for transportation. I did a study on why we lost the West Indies market for our salt fish and if the members only knew - My hon. friend from Burin-Placentia I bet could tell you a few stories about the way that he had seen our salt fish, and not only our salt fish but our fresh fish, handled in this province. We have to do something about it. We have to

MR. NEARY: build up a reputation, Sir. We have to build up a reputation for a good product. That is almost a matter of life and death as far as this province is concerned, Sir, - build up a reputation for a good product and we will get better prices and our fishermen and our plant operators will be better off if we can improve the quality of fish in this province.

So it is not just a trifling matter. It is not just a piece of housekeeping legislation. It is a very, very important matter, raises a lot of very important questions as far as the quality of our fish is concerned. Because whatever we do with the fish within our provincial boundaries will reflect on our reputation in the international world. The minister, I believe, will be the first to admit that. So, Sir, we have to be restricted, if that is the proper word, in the transportation and in the marketing and in the packaging and in the way we supervise the various methods of handling fish. Then there is the matter of today too, we are seeing more and more offal being moved around the province in trucks, being turned into fish meal and sometimes that leaves one big mess along the Minister of Transportation's roads. They do seem to do it in a sloppy and a careless way and it makes one awful mess in the summertime, Sir. It makes an awful mess, awful mess, Sir.

Mr. Speaker, it is getting near six and I have not finished my few remarks yet. Could I move the adjournment of the debate, Sir?

MR. SPEAKER: It now being six o'clock, Sir, I do leave the Chair until eight o'clock.

I N D E X

ANSWERS TO QUESTIONS

TABLED

MARCH 22, 1977

Answer to Question No. 87 asked by Mr. Stephen Neary (LaPoile), directed to the Honourable the Minister of Public Works and Services appearing on the order paper dated February 9, 1977.

- QUESTION:
- (1) What contracts either oral or written were awarded to Viking Helicopters Limited by various Government Departments during the years 1972, 1973, 1974, 1975 and 1976?
 - (2) List details of all work or services provided by Department and the cost of each individual project.
 - (3) Were public tenders called for any of this work, and if so, did the lowest bidder get the job?

ANSWER: The Department of Public Works and Services is not responsible for air services and the information requested, therefore is not available from the Department of Public Works and Services.

Answer to Question No. 123 asked by Mr. Stephen Neary (LaPoile) directed to the Honourable the Minister of Public Works and Services appearing on the Order Paper dated February 17, 1977.

- QUESTION: What is the number of journeys involving public business which he has made since January 1, 1976 to places outside Canada, showing for each journey:
- (a) the names of the countries visited;
 - (b) dates of the journey;
 - (c) the total cost to the Government for hotel accommodations, meals, ground and air transportation and other expenses;
 - (d) whether or not any member of his staff, or any other person, accompanied him for all or a portion of his journey, and if so,
 - (i) what is the name of each such person;
 - (ii) what is the title of the position each such person holds or held;
 - (iii) what was the total cost to the Government for hotel accommodations, meals, ground and air transportation and other expenses for each such person;
 - (e) the nature of the public business attended to on the journey?

ANSWER: Honourable J. G. Rousseau, Jr. has not made any trips outside the Province which were charged to the Department of Public Works and Services since he was appointed as Minister of the Department of Public Works and Services during 1976.

Answer to Question No. 149 asked by Mr. Stephen Neary (LaPoile), directed to the Honourable the Minister of Public Works and Services appearing on the Order Paper dated February 25, 1977.

QUESTION: What is the total cost of the construction and equipping of the Engineering Building on Memorial University Campus?

ANSWER: the total cost of the construction of the Engineering Building on Memorial University Campus (construction and engineering fees) is \$8,464,065.

Since the Department of Public Works and Services is not responsible for equipping the building figures on the cost of such equipment are not available from my Department.

PRELIMINARY

UNEDITED

TRANSCRIPT

HOUSE OF ASSEMBLY

FOR THE PERIOD:

8:00 p.m. - 11:00 p.m.

MARCH 22, 1977

The House resumed at 8:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER: Order, please!

MR. NEARY: Is Your Honour going to give a ruling?

MR. SPEAKER: I am about to give a ruling.

As hon. members are aware, this afternoon the hon. Leader of the Opposition rose on a matter of privilege and I am about to give my decision on that matter now. I think hon. members are aware of the serious nature of the whole area of privilege and I have waited until now so that I would have sufficient time to consult the authorities to look for, and study if I could find them, precedents, and to refer myself to the arguments put forward by the various hon. members this afternoon.

I am not aware of any exact parallel situation in this House or in the House of Commons at Ottawa, so I have had to take the general principles and relate them to the specific matter at hand. I refer hon. members to May, the latest edition, pages 346 and 347, and I shall read one portion therefrom now and then a portion therefrom in a couple of minutes or so. Page 346, the last paragraph, the heading, "Speaker's discretion in permitting matter to be raised. - As a motion taken at the time for matters of privilege is thereby given precedence over the pre-arranged programme of public business, the Speaker requires to be satisfied, both that privilege appears to be sufficiently involved to justify him in giving such precedence (or, as it is sometimes put, that there is a prima facie case that a breach of privilege has been committed): and also that the matter is being raised at the earliest opportunity."

It appears to me that the sentence, "The Speaker requires to be satisfied, that privilege appears to be sufficiently involved to justify him in giving such precedence," is a matter on which I must make the essential decision.

I think that questions of privilege and the duty of the

MR. SPEAKER: Chair are frequently misunderstood or clouded by hon. members and I think May puts it very succinctly. What the obligation of the Chair is, and again I quote from May, 347, about one-third of the page down, "The Speaker's function in ruling on a claim of breach of privilege is limited to deciding the formal question whether the case conforms with the conditions which alone entitle it to take precedence of the notices of motions and orders of the day standing on the order paper of public business; and does not extend to deciding the question of substance, whether a breach of privilege has in fact been committed - a question which can only be decided by the House itself."

Mr. Speaker.

I think perhaps that some of the confusion relates to the term 'prima facie', which in the section of May I read is in parenthesis and goes as a kind of qualification or further definition or comment upon what is not in parenthesis. "The Speaker requires to be satisfied that privilege appears to be sufficiently involved to justify him in giving such precedence." In other words, the decision that I must make is whether I will interrupt the order of business which is determined by our Standing Orders, one order for Mondays, Tuesdays, Thursdays and Fridays and another order of business for Wednesdays, whether to interrupt that order of business so that the House may decide whether in fact there is a breach of privilege or not. That is a question that only the House can decide. Prima facie, in the parliamentary context, as I understand it, does not refer to the formal matter or the question of substance, which according to May only the House can decide, does not refer to allegations of fact or substance or question of accuracy, but to the question of whether privilege appears to be sufficiently involved to justify him in giving such precedence; and the Chair's function does not extend to deciding the question of substance, and that is whether a breach has in fact been committed, a question which can only be determined by the House.

In my opinion the matter of privilege appears to be sufficiently involved to justify me in giving that precedence, in altering the order of the business of the House's consideration. And in so doing I am limited and limiting myself, as indeed I must, to deciding the formal question whether the case conforms with the conditions which alone entitle it to take precedence over the Notices of Motion, Orders of the Day, standing on the Order Paper of public business. And in doing so I give to the House its right, as I must, to determine whether there has been a breach of privilege.

Mr. Speaker.

I, therefore, have ruled that the matter is in order and that the House should now proceed to its determination.

The hon. Leader of the Opposition.

MR. ROBERTS: Mr. Speaker, I moved seconded by my colleague from Burgeo - Bay d'Espoir (Mr. Simmons) that the matter of the allegation that A. B. Walsh Electrical Limited purchased and caused to be delivered to the Premier a television set worth in excess of \$1,000 to be referred to the Committee on Privileges - I think, Sir, that should be the Committee on Privileges and Elections according to the Standing Orders - so that the Committee may investigate the allegation and report with respect thereto with the Committee having the power to send for documents and persons and to examine those persons under oath.

Mr. Speaker, it is not for me or any member of the House, Sir, to comment on Your Honour's rulings, but let me say, Sir, that I am - and I think every member of the House should be - pleased that this matter was found to be in order so that it can be debated, decided and the whole matter cleared up. As I told the House when I rose this afternoon to raise the original point of privilege, which has now become the motion before the House, I came into possession of information this day. In fact the last piece of information, the information that the television set in question was paid for to the vendor thereof by the A.B. Walsh firm, I got just seconds or moments before I came into the House to raise the matter. I came into that, and I feel it my duty, Sir, to raise the matter, and the only way I can raise it;- I believe the proper way to raise it - is as a matter of privilege.

MR. ROBERTS:

I do not do so with any glee or joy Sir. I do not do it as a partisan matter. I do it because I genuinely believe the privileges of this House, privileges of the people of this Province are affected by this.

Now, Sir, I do not intend this to be an emotional debate, certainly not on my part. I shall lay out the facts as I have them, the information or the deductions that I believe are to be drawn from those facts. I expect I shall be attacked by those on the other side in a personal way. I saw the Premier on the television and I think his words were, "This was a low, low thing," or words to that effect. Well, Sir, I say that I reject and spurn such accusations. If the Premier has as he says - and I accept his word, of course - nothing to fear, then I would think the Premier would be the very first to ask that this motion be adopted, that the committee be set up and that the matter be put to the test and then, of course, the report would be made to the House, would be made public and then we would see exactly what the situation is.

Now, Mr. Speaker, let us be clear exactly what we are doing with this motion. The motion makes no charges. It makes no accusations. It makes statements which are statements of fact. In fact, Sir, these facts, I believe, have been admitted by the Premier this afternoon. He did not question or challenge them. A.B. Walsh Electrical Limited purchased and caused to be delivered to the Premier a television set worth in excess of \$1,000.00. Those are facts, Sir. That is a fact. The Premier maintains that he subsequently paid A.B. Walsh Limited for that television set. That may well be the case. I do not challenge that at all. I believe it should be put to the test and to the proof. And I have no doubt that the Premier will be able to prove the statement.

MR. ROBERTS:

But, Sir, the place to prove it is not here. The place to prove it is before a committee which can send for witnesses, can send for documents, can examine witnesses under oath.

Mr. Speaker, what we are deciding here this evening, or whenever this motion is put to a vote, is to refer the matter to a committee. Now it is a matter of regret that this particular committee has not been constituted. Our Standing Orders, I believe it is (84), Mr. Speaker, 84(a) requires that the commencement of the first session of each Assembly - this, of course, is the second session of this Assembly - a committee of five to be named by the mover shall be appointed on motion of the Leader of the House or other member of the government whose duty it shall be to prepare and to report within the first twenty sitting days after its appointment lists of members to compose the following standing committees of the House. Now, Sir, such a committee was appointed last year, somewhat late. I believe the gentleman from Green Bay, who was then the Minister of Municipal Affairs, was Chairman of it. And let me call it a striking committee. I think that is an accurate term. Shortly afterwards the striking committee reported, but it only recommended the appointment of two committees, Sir, the Committee on Standing Orders, which was appointed but has never met, the Committee on the Public Accounts of which my friend from Burgeo-Bay d'Espoir (Mr. Simmons) is the Chairman, which was appointed and which has met. The other committees, which include the Privileges and Elections Committee to consist of five members, have not been appointed. Obviously, Sir, that is a dereliction on the part of the government and I think on the part of every member of the House that that committee should be appointed forthwith. It would have to be appointed, of course, if this particular motion were to be accepted. But that is what the motion would do, Sir.

MR. ROBERTS:

It would cause certain matters to be referred to the committee. What would the purpose of the committee be, Mr. Speaker? Well, as Your Honour has told us, reaffirming an old and crystal clear principle of parliamentary law, the House itself decides whether there is a breach of its privileges. We are told in the authorities that no new privileges can be created, that whatever privileges are in effect are the only privileges that can ever be in effect. But it is for the House itself to decide whether any given set of facts is a breach of privileges. There are privileges of the members and there are privileges of the whole House. The books give examples, Sir, but the books do not say what is or is not a privilege. There are hundreds of examples. I gather Your Honour and Your Honour's advisors are not able to find a situation on all fours with this case. I gather that this is unique in that sense, at least in parliamentary history. So the House must decide, Sir. Now the House can decide on a breach of privileges in two ways. We can decide, not on the basis of this motion, for it would have to be another motion, we can decide

MR. ROBERTS:

without reference to a committee. That has been done. The former member for St. George's, Mr. Alec Dunphy, and I had an altercation a couple of years ago. The former member for Green Bay, Mr. William Smallwood, and the gentleman for St. John's East (Mr. Marshall) had an altercation three or four or five years before that. Both of them were ruled by the House to be breaches of privileges and there was no committee set up. There was a motion put. The motion was debated and the matter was resolved by the House, straightforward.

But that is not the case here. That is not the motion before the Chair now. The motion before the Chair is to refer it to a committee, a specific committee, a committee provided in Standing Orders, a committee, incidentally, on which the government would have a majority. They would be entitled to three of the five members who would sit on that committee, given the fact that they have in round numbers, thirty supporters among the fifty members of this House. In fact they have twenty-nine, twenty-eight without Your Honour to twenty-one on this side.

What would the committee do, Sir? Why have a committee? Well when I debated in my own mind what motion I would put if it were in order to put a motion, as Your Honour has now ruled, I had to weigh which of these two alternatives. I could frame a motion which made certain statements with or without whereas clauses and say that therefore it is deemed that a certain state of affairs is a breach of the privileges of the House. I choose not to do that. I choose the present motion. Whether the Premier and his colleagues accept it or not, the truth and the fact of the matter is I choose that course, the course I have chosen, because it gives the Premier the opportunity to appear before a committee and to give evidence, to submit it. The Premier could appear and be examined under oath as could I or any member of the House. It also gives the opportunity for Mr. A.B. Walsh, the principal in this company, I believe in fact he is the president of A.B. Walsh Electrical Company Limited and he holds one-third of the shares, he holds three out of nine. The company

MR. ROBERTS:

which is number 6681 in the registry of companies of this Province, the most recent share list was December 31, 1975. They have not as yet filed the 1976 share list. At that point there were 25,000 no par value shares constituting the capital of the company. Nine of those shares had been issued, three to Mr. A.B. Walsh who was listed as president, three to Mr. Desmond Walsh, as vice-president, three to Mr. Leo Walsh as secretary-treasurer. All are residents of St. John's. I do not know the relationship if any between them. But Mr. A.B. Walsh is the principal in this company. Mr. A.B. Walsh would be, of course, subpoenaed to appear before this and to bring his records and documents.

Among other things of course, his records and the bank records would show conclusively whether the Premier, as he maintains, paid the money. It would be quite clear, no hesitation at all. It would show very clearly in the records. The cheque - the Premier probably has the cancelled cheque and so we will table it. If it was paid in cash - an usual transaction but nothing wrong with it - then of course, Sir, there will be a receipt and a copy of that receipt in the company's records and the receipt will be dated at the time the television set in question was received - no, I am sorry - paid for, which was in December or January most recently, December, 1976 or January, 1977.

So that is what the committee would do, Sir; it would get the facts. It would get all of the facts. I will in a few moments lead into the records of the House some other facts because it will be shown, Sir, that A.B. Walsh Company Limited are an extraordinarily generous company. The Premier is not the only recipient of largesse from this company. There are a number of fortunate people.

Mr. Speaker, the committee would consider these matters. It would have the power, it would have all the powers of a court to send for papers, to send for witnesses, to cross-examine those witnesses under oath. They of course would have the right to have legal counsel to appear to advise them of their rights, to make sure

MR. ROBERTS:

their rights were protected. It would have the duty to enquire into the circumstances of these allegations. It would have the right to subpoena Mr. Walsh. It would have the right to subpoena the vendor of this machine or these machines as the case may be to Mr. Walsh or to Mr. Walsh's company. It would have the right to commit for contempt if answers were

MR. ROBERTS: not given. It would have the right, Sir, to have entered in the normal and appropriate way prosecutions for perjury, if evidence that was given was in fact perjured evidence. It would have all the powers of a court. And that is only right and proper, Mr. Speaker. This House is the highest court of law in this land. There is the supreme court, and it is supreme for the Supreme Court exists only by virtue of a statute of this Legislature, Sir. Within the constitution, in this land of Newfoundland and Labrador, there is no power sovereign to that of this House of Assembly, no power, subject to the British North America Act, Sir, subject only to that and the various prerogatives spelled out there, the powers reserved to Ottawa, the powers reserved to the Crown perogative. This is the highest court in the land, Sir.

So that is the power the committee would have. It would meet publicly. Obviously it would meet publicly. It would have to meet publicly. It should meet publicly and it must. And it would enquire into the circumstances and it would get all the facts. The evidence would be taken down and transcribed, just as our Hansard evidence is transcribed, just as the Committee of Public Accounts evidence is transcribed. And it would then make its report, Sir. Its report will be made to the House. The Chairman would produce it and normally it would be debatable. And if it were found there was a breach of privilege of the House, if that were found, then of course the committee could or could not, as it wished, recommend appropriate action; in any event it would be up to the House to decide. The committee would not decide whether it was a breach of privilege, but they could decide whether in their opinion there was a breach and they could so report to the House and they could so recommend to the House.

Mr. Speaker, what are the facts? Well, Sir, the facts of course would have to come out. I can make statements which I believe to be true, and any statement which I make or have made I believe

MR. ROBERTS: to the very best of my knowledge and ability, Sir, to be true. I am sure the Premier equally.

The situation, as I understand it, Sir, is this: The Premier, as he told us today, had a TV set - we all have TV sets, I guess, one way or another - a TV set that was not working. He or somebody acting in his behalf called a firm here in St. John's. I do not think it was the A. B. Walsh firm, maybe it was, but I do not think it was. I am told it was not. And said in effect, "I have a television set, it is not working very well, can it be fixed?" That firm, as I understand it, subsequently sent a man to look at the set at the Premier's home. It came out that it could not be repaired at home, it had to go into the repair shop.

The owners of that firm, or the vendor, of course anxious to oblige the Premier, to do him courtesy, said, "We would like to supply you with another set in the interval," the kind of set that I gather in a common phrase is called a loaner, l-o-a-n-e-r, one on loan! Not an unusual or improper practice in any way. Garages do it I think all the time; when you put your car in, if it has to be in for the day or two or three days, they will lend you a courtesy car. Well this is sort of a courtesy television set. Nothing wrong with that at all.

The loaner apparently was not satisfactory because shortly thereafter Mr. Alex B. Walsh called the repair shop and said, and I am told that is the first appearance of Mr. Walsh in the train of events, and said, "The television set is not what it ought to be; it is not a new one, it is a used one; it is not good enough, Please send the Premier the newest one you have and send me the bill." There is not necessarily anything wrong with that. That is not illegal. That is not a criminal act. It is an act of kindness and of courtesy and of generosity. So shortly thereafter the set

MR. ROBERTS: was carried up, I believe that same day, to the Premier's home. It was a good set, a nice set. I have seen one that I am told is much like it. And shortly thereafter, a few days at most, Mr. A.B. Walsh was in touch again with the firm and said, "That is a lovely set but it is not just perfect because it has not got the latest word, It has not got a remote control thing on it. You have got to get up and go across the room to adjust it. Will you order a remote control or a remote control set instantly and when it comes in deliver it

Mr. Roberts:

to my friend the Premier and send me the bill?" Nothing wrong with that. So far that is consistent with what the Premier said in his admittedly brief comment to date, and he will, of course, have opportunity when I finish to speak.

That was done, Sir, I am told, I understand, in December, 1976. And the set came in, in due course. Rush, rush, rush. It came in with the remote control, it had buttons you push, and it even had a zoom on it, I never even heard of a zoom on a television set, but it is a button you push it, and it zooms up, as if it comes closer, I am told if you want to watch a football game or a hockey game you push the zoom button, and it is as if suddenly the camera had come much closer to what was being shown on the screen. Apparently a very good set, colour, the works, \$1,500, \$1,600 worth.

Mr. Speaker, I take this as a matter of utmost seriousness, the gentlemen opposite may not. But I would ask them to do me the courtesy to hear me out. Because I have been in this House ten or eleven years, Sir, and I think I am as conscious as anybody else of the gravity of the matters we are now discussing. And I would hope that hon. gentlemen opposite, Sir, will discuss it with the same gravity that we on this side do, I believe this is warranted, Mr. Speaker.

Now, Sir, in due course the new set came in. It had to be ordered specially. No such set, I am told, was available in Newfoundland at this time. It came in, it was delivered to the Premier's home. The bill for that set was paid by A.B. Walsh Electrical Limited. That is not to say the Premier did not pay for it. I want to stress that. It is only to say, Sir, that the Premier did not pay the vendor for it; the Premier paid, he tells us, A.B. Walsh Limited. A.B. Walsh Limited paid the vendor.

Now, Sir, is that unusual? I mean there is nothing wrong with it. Nothing wrong with anything I said so far, but is that unusual? Well I submit, Mr. Speaker, it is unusual. And that

Mr. Roberts:

is why when I first heard about this chain of events, and it has been common knowledge around St. John's for weeks. I am sure my friend from LaPoile (Mr. Neary) has heard it, he hears many things, and most things of this nature. Sure he has heard it, the rumours, the talk. It has been common knowledge around, the delivery boys going back and forth, two or three trips to the Premier's home in an afternoon or in the course of a day. It is bound to cause comment. And we in the Opposition hear about these things.

So I began to do a little looking.

CAPT. WINSOR: Research.

MR. ROBERTS: A little research, my friend from Fogo (Capt. Winsor) tells me. Now I do not know much about the firm of A.B. Walsh Electrical Limited. In fact, until their name surfaced in connection with the Auditor General's report I doubt if I had ever heard of the firm, Sir. But I have done a little research on them. And as far as I know, Sir, they are a fine firm. Mr. Walsh is a fine man, I have nothing against him or any of his employees. They are in the electrical business, Sir. They were formerly a relatively small firm but they have come in to good times these last few years, and a good fortune, and they have grown somewhat. They maintain an office here in St. John's. I believe it is on Harbour View Avenue, which is just out the Torbay Road as I recall it. Yes, Harbour View Avenue. They are listed under Electric Heating Equipment and Supplies in the yellow pages, and of course, they are in the alphabetical thing. They have a nice little advertisement here, A.B. Walsh Electrical Limited Industrial and Commercial wiring, maintenance and electric heating and free estimates. A reputable firm.

They are not in the television business, Mr. Speaker.

They never have been and they are not now. They do not sell television sets retail. Mr. A.B. Walsh's firm, or the A.B. Walsh Limited firm is in the electrical business. If one wants his home wired

Mr. Roberts:

A. B. Walsh Limited would be delighted to do it, or electric heat or what have you. But as far as I know, and I have checked, I have not asked Mr. Walsh for obvious reasons, I would be delighted to have the question put to him when he appears before the select committee, and he can be questioned there, but I have checked widely, I know a number of people who work in the electrical field, and they confirm what I had earlier been told that Mr. Walsh's firm is not in the business of retailing television sets. There is nothing wrong with that. There is nothing wrong with it at all.

That does not even make it wrong for the Premier to have called A.B. Walsh Limited to ask, if in fact he did ask them to get him a television set, there is nothing wrong, there is no law saying you have to be in the business, you have to have a store with a shop in it, and people coming in and out. There is nothing wrong with that at all.

Mr. Roberts.

But it is unusual. We can all agree there is an unusual circumstance when a firm that is not in the business of buying and selling television sets at retail goes to the trouble to buy a television set, which they pay for which subsequently is delivered directly to the residence of the Premier. It does not go to A. B. Walsh's premises and then to the Premier's home. It goes directly to the residence of the Premier and in due course a cheque from A. B. Walsh Limited is paid at , paid in purchase of that. There is nothing wrong with that, Sir. Unusual, perhaps, but nothing wrong.

Now, Mr. Speaker, there are however some other facts. There is the fact that A. B. Walsh Limited do a substantial amount of business with the administration. The Auditor General, Sir - I made reference to his report this afternoon when I spoke - first brought out not the fact they do business - I do not think that is of any interest to the Auditor General. That in itself is not cause enough for him to comment upon something in his report - but he made reference to what he believed were unusual circumstances. He said - and I quote, Mr. Speaker, from page 108 of the Auditor General's Report for the year ended 31 March, 1976, the most recent report which we have, indeed the most recent year which we have - the Auditor General says, and I quote, " My audit of subdivision 1803-03, buildings, maintenance of public buildings and grounds disclose that \$2,644,756 had been paid to three companies as follows; Company A, \$1,138,715, Company B and Company C - lesser amounts - and the Auditor General says, "I note that Company B and Company C are related companies." Well that is of no interest to this point, Sir, because Company A, as the Minister of Public Works has told us, is A. B. Walsh Electrical Limited. That is common ground and common knowledge.

Mr. Roberts.

So this company, Sir, last year got \$1.1 million from the government for work which they did. They got it unlawfully. The Auditor General does say that in his view the procedures that were followed were improper. He says, in fact - I will quote the full thing, - "Company A; Included in the amount of \$1,138,715 mentioned above were the following amounts paid in respect of work performed on three particular government buildings of \$326,797, \$188,341 and \$199,425 respectively. My audit - the Auditor General, of course, speaking - disclosed that in numerous cases two or more work orders (direct purchase orders) were issued on the same day covering the one job. This procedure of issuing several work orders to cover one job creates the impression that two or more separate jobs were performed when in fact the several work orders covered the one job only. For example, two jobs performed by Company A at the one building had costs of \$17,514 and \$23,083 respectively. The \$17,514 was covered by four work orders and the \$23,083 was covered by six work orders. In my opinion tenders should have been called for these jobs as required by the Public Tender Act 1974." And still continuing the Auditor General's Report - every word that I have read is his report, and I have left out none, Sir.

Page 110: "During the year 1975-1976 406 work orders were issued to Company A. Of these fifty were issued after the the job was completed and subsequent to the date of the invoice, for a total dollar value of \$82,517, and twenty-one were issued, undated, for a dollar value of \$72,205."

Now, Mr. Speaker, that is all the Auditor General says about Company A, at least with reference to this particular point. Now, Sir, I do not want to debate nor do I think at this stage it is appropriate to debate - it is certainly not necessary to debate even if it were appropriate - the procedures in the Department of Public Works.

Mr. Roberts.

We will have the opportunity to have a go at the minister. He made a statement the other day which most of us on this side quite frankly consider unsatisfactory, but that is not the issue before the House now. What is relevant is that Company - why call them Company A - A. B. Walsh Electrical Limited received \$1.1 million, a little over that, \$1,140,000 rounded off to the nearest decade.

MR. ROBERTS:

Now, Sir, all of that business was done without tender. That is what drew the Auditor General's question in the first place. Well, what kind of business was it? Let us be clear, Sir, because it is of great importance. The business which A.B. Walsh Electrical Limited does for the government is business which is necessary to be done for the government. The Minister of Public Works I am sure, will confirm what I am about to say. The government own a great number of buildings which they operate directly. They own a great number of others which are not operated directly by the government. Most of the hospitals in this Province are no longer operated directly by the government even though the government own most of the hospitals in this Province.

But this building, Sir, buildings all over St. John's, all over the Province are owned and operated by the government, by the Department of Public Works which is the government's housekeeping unit just as the Treasury Board is the management control unit and the Finance Department collects the taxes and pays the bills. It is straightforward. And when a light goes or a window is broken or something happens to the plumbing, somebody must be brought in to fix it. Now there is nobody who could maintain that tenders should be called for every time on every occasion when a light blows and it has to be fixed. Not just changing a light bulb but where it is necessary to do some minor electrical work.

The Auditor General does not say that. All he says is that the Public Tender Act requires it and he brought it to our attention and we must dispose of it. In due course we shall. So A.B. Walsh Limited does this kind of work. They may do large quantities of work. Some of the figures to which I referred, quoting from the Auditor General, were large jobs, \$15,000, \$20,000, \$25,000, \$30,000. That is a lot of electrical work. I do not know whether tenders should be called for that kind of job or not. But in any event they were not. They were just given to A.B. Walsh Limited without any further ado. Company B and company C, I am told, were mechanical and plumbing companies and presumably they do the other work of that type - I am sorry, the work of that type of the different nature.

MR. ROBERTS:

So A.B. Walsh Limited have had conferred upon them in effect the right, and a very lucrative right it is, to be called by the government. Let us put the correct name on it. It is patronage. It is not necessarily unlawful patronage. It is not necessarily improper patronage, but let us call a spade a spade. It is patronage. A.B. Walsh Electrical Limited are obviously supporters of the administration.

Now the only thing that changed when the administration changed was the name of the firm. I do not honestly remember who did the work in our time. I was never Minister of Public Works. But I suspect the men or the companies that did it were supporters of the Liberal Party. Now whether we like that or not the truth is there. It would serve little purpose to get into a sterile debate. I am not complaining that A.B. Walsh Limited are given this work. None of my colleagues have. We are not even complaining about the price. The amounts are very large. But I have no evidence that they are overly large or that work has been billed that has not been done. I do not think that has happened or the Minister of Public Works would doubtless know about it and would do something about it. I have no doubt this work is done and I assume, and am quite prepared to accept it, is charged for at standard rates.

But the fact remains the decision was taken by government - I do not know whether it was a formal minuted decision or not. I have no access to such information-but obviously a decision was taken and the Premier, as leader of the administration, is responsible for that decision. Whether he took it or not I do not know. Whether it was a Cabinet decision or not I do not know. Whether it was the minister or not, I do not know. But it was a political decision taken for partisan grounds. There are any number of electrical firms that could have done the work, or it could have been split up among them. It does not all have to go to one firm. If the government are spending \$1.15 million this year - I am sorry, this is last year, it will probably be more this year - on minor electrical repairs of the nature, then it does not all have to go to one firm. I venture to say there is probably

MR. ROBERTS:

more than one firm in the electrical business whose principals support the P.C. Party. You know, it does not even have to go on patronage basis to one firm.

But for whatever reason the government choose to give almost all of their business to this one firm, certainly all the business in the St. John's area. If I am wrong, would the Minister of Public Works please gainsay me? Almost all of the electrical business done by the government on this basis, you know, the "emergency" stuff, is done by the A.B. Walsh firm in the St. John's area. The minister can produce the facts there.

My friend from Burgeo-Bay d'Espoir (Mr. Simmons) might have a look at the estimates for me and let us see what

MR. ROBERTS was spent last year under this subhead. Find out just how much it is and what proportion. \$1.5 million is a large proportion of the money that was spent. Subhead 1803-03. My friend, who is very knowledgeable in financial matters, has the estimates here. We will have a look to see what was estimated, what was spent the year before.

I think the minister told us there were sixteen firms in all. But he did not mention any amounts for the others and obviously none of them was even remotely close to \$1.5 million. None of them other than company "b" or company "c" was, I will even bet, over \$100,000. That I am saying, Mr. Speaker, is that the A.B. Walsh electrical firm has had conferred upon it by the present government an immense benefit. Because of course on \$1 million worth of business they will make money. They do not even have to bid on tender. They do not have to shave their prices. They charge the normal going rate. So let us say they make ten per cent. That is not an unreasonable thing. My friends in the contracting business tell me that that is what they like to make, and they try to make more and sometimes do, sometimes less, but ten per cent. That is \$100,000 a year, half of that must go in taxes of course, so that is \$50,000 net a year. And I say it is not unreasonable to say that the A.B. Walsh firm has had conferred upon them a benefit of \$50,000 a year by a partisan decision of the administration. Now, Sir, that is not illegal. It may not be imprudent or it may be improper. Certainly it is not the first time this has happened. I do not know how long the A. B. Walsh firm has had this, but I have no doubt that good Liberal supporters were given similar benefits, probably much lesser amounts, in days gone by.

The maintenance of public buildings, Mr. Speaker, the House will be interested in knowing, in 1803-03, in the

MR. ROBERTS: 1976-77 estimates was estimated at \$6.6 million, in the year 1975-76 revised was \$6.1 million, so out of \$6.1 million total expenditure in that subhead, one-sixth, sixteen per cent went to one firm. It is a large chunk of business, Sir.

AN HON. MEMBER: It is throughout the Province, Sir.

MR. ROBERTS: Yes, this \$6.1 million of course is every government building in the Province, every government owned and operated building. \$6.1 million and \$1.1 went to one firm. So it is a significant benefit. It is something, Sir, I suggest which any firm would be very pleased and happy to have. Because on that not only do you keep your men busy and have all the benefits that come from that, but it is a nice base you know. You are going to get \$1 million turnover for the year, that is important. That is worthwhile and of course you will make some money on it. You are not getting it in public tender, you are not getting it in competition from a group of companies who are all hungry for the business, and they are not hungry these days they are savage for business, every contractor in the Province is savage. Every contractor in this Province has little business, has less than he needs and certainly less than he wants. They are getting it on negotiated rates, not necessarily cost plus but negotiated rates.

The Minister of Public Works shakes his head.

I hope the minister listens carefully because this same company now - there is the fact, Sir, that the A.B. Walsh firm gets substantial benefits from the present government and it is well known that that firm, or the people in that firm I suppose more accurately, are strong supporters of the present administration. And then nothing wrong with that; I think they are somewhat wrong in their judgement but that is a matter of opinion. But they are known, Mr. Alex Walsh is known as a strong supporter of the administration, always has been. I venture to say back in the days when my friend

MR. ROBERTS: from Twillingate (Mr. Smallwood) led an administration in this Province, Mr. Alex Walsh was known as a strong supporter of the then Opposition Party.

So there we have it. This firm has conferred upon it sixteen or seventeen per cent of the total work done in a particular field was \$1,100,000 worth and it has conferred upon it in a non-competitive situation, i.e. in a patronage decision.

This same firm does not sell television sets at retail. They do not. They never have. They may have sold this one but they are not in the business of selling television sets. This same firm

Mr. Roberts:

buys a television set which ends up, a very gorgeous television set coming in the circumstances which I have outlined, you know, the third set to go in the house, especially ordered, especially delivered, especially brought in.

MR. NEARY: Were the other ones brought back, by the way?

MR. ROBERTS: As far as I know the other ones were taken back to the shop. Oh, yes, yes. As far as I know.

MR. SIMMONS: Who made the initial call?

MR. ROBERTS: Oh hold on now, let come back to that. And the same firm, Sir, that has put in its pockets \$100,000 a year net profit, I am sorry, gross profit, and \$50,000 a year net profit, goes to the somewhat unusual circumstances. Now in itself, Sir, in my opinion, that is a prima facie breach of privilege. I make no allegations, because I do not want to make allegations but, I think, Sir, that the facts demand an explanation. That explanation, Sir, in my submission, must be more than simply a denial by the Premier. I accept that. The Premier is a man of his word, of course. Mr. Speaker, the Premier is a witness in his own cause. That is fair enough. But he cannot be a judge in his cause. The only way we can judge is the House must be the judge. But the only way the House can judge, Sir, if it has all of the facts.

Now, Mr. Speaker, let me say something else about the A.B. Walsh Firm. As it turns out there - oh let me first of all make a point - Mr. Walsh, I have no doubt, will say if he has not said so the Premier may have in his possession a signed sworn statement by Mr. Walsh. No doubt there was a lot of activity over the supper hour phones going, and talks and what have you. He may well have a statement, I do not know, by Mr. Walsh sworn on a stack of Holy Writ that he received payment for it and everything was in order. But again, Sir, Mr. Walsh is hardly anything more than a witness in his own cause. If he had not accepted pay for this, he would hardly admit it, Sir. Because if Mr. Walsh, Mr. Speaker, did not get paid for that or if his firm, I should say,

Mr. Roberts:

to be accurate, did not get paid for that, Sir, that is a very grave matter indeed, very grave indeed.

Mr. Speaker, let me mention, as I said, another - so let me finish the point - quite simply, Sir, I put no credence in any statement which Mr. Walsh may make at this point, let him make it under oath subject to the test of cross-examination. Any lawyer will agree, Sir, that that is the best way. It has been shown to be so by hundreds of years in the judicial system. And all the facts that I brought out, Sir, will have to be tested the same way. I could be put under oath. And I would answer truthfully, to the best of my knowledge and ability, I would be happy to do so, indeed would welcome the opportunity to do so.

So as I said, Sir, we have the spectacle of a company who are not a dealer in television sets, who are not in the television business, I will wager, Sir, if anybody in the press gallery picks up the phone tomorrow morning and calls the A.B. Walsh Firm, I even have the number, I had it here, because they are not listed in television brokers, you can look through the yellow pages, but they are listed under Electric Heating and Equipment and Systems, 753-1405, and ask can you buy a television set, we will be told, "I am sorry we do not sell them, you better talk to a television dealer."

So the very least, Mr. Speaker, it would appear that this company accommodated the Premier. Now there is no law against that. It is a little strange that the Premier who made or had made the original call not to A.B. Walsh, but directly to the repair firm that subsequently the purchase would be arranged in the Premier's behalf, on his account, you might say, through A.B. Walsh Limited, who had figured in the original transaction at all. They had not. I say that, Sir, with the certainty of knowledge. They had not figured in the original transaction. The Premier said so this afternoon, but I think it was the rush of debate, he was not correct. The original phone call in behalf of

Mr. Roberts:

the original television set which the Premier owned, the Phillips one, was made by the Premier or by perhaps his wife or his housekeeper or, you know, somebody in the Premier's family circle, it might have been a secretary in the Premier's office. It does not really matter, it was not made by Mr. Walsh or Mr. Walsh's Company.

A subsequent request for a loaner, a new loaner, I am sorry, came from Mr. Walsh, and the order for the present magnificent set, the one with the zoom, and everything came from Mr. Walsh, who caused his company to pay for it.

Now, Sir, the Premier tells us he paid for it. And, of course, I accept that statement. But, Sir, the Premier I presume will produce the cancelled cheque when the moment comes or if he paid for it by cash there will be a receipt. It is an unusual amount to pay for in cash. Most of us, Sir,

Mr. Roberts.

pay most of our bills by cheque, particularly a bill for \$1,000 or \$1,500. This is a very large television set. It is the top of the line, a super set. I was looking at one like it today, and my bank manager would not, I am sure, even allow me to entertain the thought of even renting it let alone buying it. But if the Premier paid for it in cash, there is nothing wrong with that. But, of course, the receipts would have to be produced and the records of the A. B. Walsh Company because, Sir, it is not doing anybody a disservice to say receipts do not in themselves bear a date. There may be a date written on them, but that is not evidence that they were issued on that date, Sir. Any lawyer will agree that is self-serving evidence and needs further independent corroboration. A receipt for example could have been written three days ago and dated 1 January, 1942. It would have that date on it, but it does not mean it was issued on the first of January, 1942, not at all. There would have to be independent corroboration. And the way to get that is under oath, perhaps call Mr. Walsh, call Mr. Walsh's bookkeeper, call his bank manager. I mean these are all legitimate things. There is nothing unusual. The former Premier, the gentleman from Twillingate was subjected to a worse interrogation than that by a former Lieutenant Governor of the Province under the authority of a royal commission, far worse than that. You know, nothing unusual about it, nothing wrong, nothing unique. It has been done before.

You know the story of the O'Dea Commission, the O'Dea Commission Report - no evidence to emerge, a condemnation made in the report, but no evidence other than the evidence set forth in the report to base it on. So I mean nothing unusual in saying let us get Mr. Walsh on the stand under oath. Let us get his bookkeeper to ask when Mr. Walsh came in with the \$1,500 cash or whatever there was. The Premier has nothing to fear from that. Indeed I would think

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the Premier would welcome it. Certainly if I were in the Premier's shoes I would welcome it. I would want it. I would have interrupted when I began and said, Look, we are prepared to put the motion. We have talked to our men, and they want this committee. We will have it. Sir, there is another reason.

The A. B. Walsh firm, they say, does a lot of work for the government. One-sixth of all the work done of that type for this government - that is a pretty healthy hunk of hash, Sir, pretty healthy. I bet it is more than any other company does with the government in that type

AN HON. MEMBER: (Inaudible).

MR. ROBERTS: No, no. Company B and C together might get more, but one is mechanical and one is electrical or something. I will wager there is no other single company in the Department of Public Works doing that kind of work or any other department doing that kind of work and gets anything like \$1,150,000 or whatever the figure, \$1,138,000.

MR. DOODY: Metro Engineering.

MR. ROBERTS: Ah, well, that is an associated company, Metro Engineering, and the Highways Department can certainly be heard to talk on that.

But now, Sir, if this were the only television set that A. B. Walsh had given away, it would be, in my view, still a matter for comment, and I still think a matter for investigation, but, Sir, it is not the only one. And that is the new fact. The A. B. Walsh firm is an extraordinarily generous firm. Remember they are not in the television business. But I understand from usually reliable sources that within the past two or three years they have purchased between twenty and twenty-five television sets for gifts.

MR. FLIGHT: How many?

MR. ROBERTS: Between twenty and twenty-five for gifts. A lot of television sets. I am told there were seven this past Christmas. Now maybe all were paid for. Maybe they all went to Mr. Walsh's employees or Mr. Walsh's family. I do not know. I know where one of them went, to Mount Scio House. I know where another went. It was delivered to the first house on the left hand side of Forest Road, up in Upper Gullies. And I took the trouble and, Sir, one of my colleagues aided me to find out who lived in that house.

AN HON. MEMBER: (Inaudible).

MR. ROBERTS: No, it was not a friend of the gentleman from Bonavista South (Mr. Morgan). No, I did not say that. And it was not the gentleman from Bonavista South, not at all. And I will not name the person, although I will tell it to the committee of enquiry. But the person who lives in that house I am told is a very close friend of the Minister of Tourism, a very close personal friend, a fact which is well-known.

MR. HICKMAN: A point of order.

MR. SPEAKER (Dr. Collins): Order, please!

MR. HICKMAN: Mr. Speaker, we have listened, I certainly have and

MR. HICKMAN:

I am sure this House has, very attentively to the hon. the Leader of the Opposition as he is dealing with the motion, a very serious motion that is before this House dealing with an allegation made involving the hon. the Premier and the leader of the government of this House. I submit, Mr. Speaker, that apart altogether from the rules of common decency, that this is a case where the Chair must enforce the rule of relevancy, totally and absolutely. If the hon. gentleman is trying to cast innuendos or insinuations at any other hon. member of this House there is a procedure open to him by way of a privilege of the House which obviously he did not choose to avail of this afternoon. I ask Your Honour to rule that the comments made by the hon. Leader of the Opposition within the last couple of minutes are totally out of order and not relevant to this debate.

MR. ROBERTS: To that point of order, if I may, Sir.

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

MR. ROBERTS: I submit that my references are entirely in order. The motion before the House is that the matter of the allegation that A.B. Walsh Electrical Limited purchases and caused to be delivered to the Premier a television set worth in excess of \$1,000 be referred to the Committee on Privileges so that the Committee may investigate the allegation with respect thereto with the committee having the power to send for documents and persons and to examine them under oath. Now, Sir, what I said is that the - and I think it is relevant to a discussion of the circumstances of this - there is no doubt that A.B. Walsh Limited purchases and caused to be delivered to the Premier a television set worth more than \$1,000. I think it is relevant, Sir, to point out that this company in December - I have the date here, I have the serial numbers too - on December 6, 1975 caused to be delivered to the first house on the left hand side of Forest Road in Upper Gullies another -

AN HON. MEMBER: (Inaudible).

MR. ROBERTS: Mr. Speaker, may I continue the point of order? I think it is relevant, Sir, to bring that out, that this company apparently

MR. ROBERTS:

is in the habit of delivering television sets to a lot of people. And I submit that is relevant. I submit it is in order. If Your Honour rules it is out of order then of course I shall not proceed with it but I submit it is in order, Sir.

MR. HICKMAN: Mr. Speaker, again on the thoughts of that point of order. May I read very carefully again for Your Honour's attention the motion that is before this House, "That the matter of the allegation, singular, that A.B. Walsh Electrical Limited purchased and caused to be delivered to the Premier a television set worth in excess of \$1,000 be referred to the committee on privileges so that the committee may investigate the allegation and report with respect thereto." Now, Mr. Speaker, that deals with one specific person, one specific television set, one specific transaction. The statements made, I repeat, by the hon. Leader of the Opposition, to say that they offend every rule of decency would be putting it very mildly. I say that they also offend the rule of this House.

MR. ROBERTS: So does the Premier's conduct.

MR. HICKMAN: I say they also offend the rules of this House, Mr. Speaker, because if the hon. Leader of the Opposition wanted to cast any aspersions or innuendo which he most assuredly is doing at this very moment against the hon. the Minister of Tourism he had his right to do it this afternoon again under the privileges of this House and he choose not to avail thereof. That was his choosing and I submit, Mr. Speaker, that he must restrict himself in this debate to the matter than is within this resolution.

MR. ROBERTS: Mr. Speaker, if I -

MR. HICKEY: (Inaudible)

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

MR. ROBERTS: The hon. Minister of Tourism said something?

MR. HICKEY: Yes, I think you are very -

MR. ROBERTS: The hon. gentleman may well feel that, Sir, but I hope the hon. gentleman will then vote for a Committee of Enquiry. We will see if his courage matches his words. Now, Mr. Speaker, the point of

MR. ROBERTS:

order is that the remarks I made alleging that a television was delivered to a close friend of the Minister of Tourism, are out of order. Sir, I submit they are in order. The motion is exactly as I read it and as the Minister of Justice subsequently read it and I submit it is quite in order to show that the firm specifically referred to in the motion is in the habit of delivering television sets to - I have named two people, I have named two. The Minister of Tourism cannot deny it because what I have said is true. The Premier has admitted that in his case it is true.

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

MR. ROBERTS: No, no I am speaking on a point of order, Mr. Speaker.

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

MR. ROBERTS: Mr. Speaker, I am speaking to a point of order. Mr. Speaker, I submit that what I said was in order. Now if it is not in order then if Your Honour will so direct I will not mention it again. If it is in order I would like to be allowed to carry on.

MR. SPEAKER: Order, please!

I think I have received and understood the points made from both sides of the question in terms of relevance. The motion before the House need not be read again. But in my understanding it is a very specific motion. It refers

MR. SPEAKER (DR. COLLINS): to one particular incident and it might help if I did in fact read the section in Beauchesne on page 111, under section 119, subsection (3) in regards to relevance. And it reads as follows: "Relevancy is not easy to define. A wrong comprehension of it may have a serious effect on the freedom of speech. Members are often deprived of their right to speak on the pretext that their remarks are irrelevant when as a matter of fact they refer to matters perhaps remote but yet related, even indirectly, to the question under debate. In border line cases the Member should be given the benefit of the doubt. A great deal of latitude must be allowed in the House of Commons which is a forum where every phase of public affairs can be discussed and every member has the right to be heard, even if in doing so he sometimes disregards the rigidity of procedure."

We are dealing here with a specific matter which relates to what a particular firm was purported to have done in regards to an item of goods delivered to the Premier. What the firm does in other regards does not bear directly on this so taking that point, together with the guidance given in Beauchesne, I would say that the Leader of the Opposition, as long as he does not direct his remarks in detail and in great extent on other matters, may make reference to the operations of this firm in this particular area but that he should confine his remarks essentially to the particular transaction that we are dealing with.

The hon. Leader of the Opposition.

MR. ROBERTS: Thank you, Mr. Speaker, and I in complying as I understand your ruling, with your ruling, I will not make any further reference to it except to repeat what I said, that the - repeat it because I want everything to be clear - that on the 6th. day of December, 1975, a year and a bit ago, a year before the set went up to the Premier's house, A. B. Walsh Limited caused to be delivered to a home,

MR. ROBERTS: the first house on the left hand side of Forest Road in the Upper Gullies, not a television set, in fact it was a stereo and television set worth about \$1,700. Now there is nothing wrong with that, nothing wrong further with the fact that the occupant of that House is a close friend of the Minister of Tourism, nothing wrong with that either. The Minister of Tourism is certainly entitled to have close friends. I do not want to name the individual and I will not but the Minister of Tourism knows of whom I speak. He knows full well of whom I speak because the person in question is a good friend, a close friend of his.

Now, Mr. Speaker, when you add these two facts together with the other facts, you cannot help but wonder if there is some pattern. Are the A.B. Walsh firm, and let me put the question bluntly and squarely, are they in the habit of purchasing television sets and expensive electronic equipment and making it available on some terms or another, loan, gift, purchases, to members of the Ministry and friends of the Ministry.

MR. HICKMAN: Mr. Speaker, on a point of order.

MR. SPEAKER (DR. COLLINS): A point of order.

MR. HICKMAN: The hon. the Leader of the Opposition has very much been strayed from and disregarded Your Honour's ruling a few minutes ago. If the hon. gentleman thinks that I am going to stand in this House and have him making blatant accusations against the Ministry by simply asking question he has got another thing coming. I say, Mr. Speaker, that that is totally irrelevant, not only totally irrelevant but highly improper and if anything a breach of the privilege of this House. But I am not on a question of privilege, I am on a question of order and I realize there is a matter of privilege before the House.

MR. ROBERTS: Mr. Speaker, I could not care less what the hon. gentleman thinks. Indeed I have seen examples of his thinking and the less I see of it the more I am impressed. Mr. Speaker, the point of order, I submit, has no relevance or no foundation in fact. What I said was in compliance with Your Honour's ruling as I understood it. In fact no point of order was raised with respect

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to the question which I asked. I asked a question. I think it was a proper one to ask. I think it is a legitimate one. I think it leaps out at the facts. But, Sir, if it is not in order to ask that question, Your Honour, then I shall not ask it. But again, Sir, it is a matter for Your Honour to rule.

MR. SPEAKER (Mr. Collins): Order, please!

In regard to the remarks that the Leader of the Opposition made previously, the way I understood my own ruling was that in engaging these remarks he would then direct the subject back to the specific matter under consideration, and that is the matter between A. B. Walsh Electrical Limited and the Premier, the dealings in regard to the Premier. I think to expand this into dealings between that firm and other members of the House, be they in the administration or otherwise, would be going beyond what I understood the Leader of the Opposition should do. So I would ask him to confine any remarks which he has made or the implications drawn from these, confine those to directing them to the matter stated in the motion before us.

MR. ROBERTS: Thank you, Mr. Speaker. And, of course, I shall endeavour to do so.

Now, Mr. Speaker, since I, you know, abide by Your Honour's ruling, of course without any hesitation, I cannot refer to any other cases, as I understand it, and so I shall not. I wish I could.

AN HON. MEMBER: Is that right?

MR. ROBERTS: Oh, yes, sure. Of course—I wish I could.

Now, Mr. Speaker, I have about finished the burden of what I had to say. I do not want to delay the House. I think the Premier should reply. He is anxious to reply I have no doubt, and I am very much interested in hearing what he has to say. But let me try to recapitulate the burden of what I have been saying. Before I do so though let me -

MR. SIMMONS: You cannot tell us where the other twenty went?

MR. ROBERTS: No, I cannot say where the other twenty sets went. I am not allowed to and so I shall not. The committee could find out.

AN HON. MEMBER: The other twenty -

MR. ROBERTS: No, no. Hold on now. The Speaker made a ruling and that is that.

MR. FLIGHT: What about the other twenty sets?

MR. ROBERTS: The government are going to vote for it. The government are going to vote to set up this committee to clear the Premier.

MR. FLIGHT: We will know where the twenty sets went.

MR. ROBERTS: Of course they are. Every man over there is going to. The Premier has nothing to fear. They are going to vote. They are going to vote to clear him, and as the Minister of Tourism says, to bury me. We will let the facts take care of that, and we will see who gets buried. The government are going to vote for it. My friend from Burgeo - Bay d'Espoir (Mr. Simmons) need be in no doubt about that. He heard the gentleman from Twillingate (Mr. Smallwood) this afternoon make an eloquent and very well-reasoned, very brief, but well-reasoned and eloquent appeal. Of course, the Premier has no choice, none at all. And indeed the Premier should welcome the opportunity because when the committee meets and hears all the evidence if my concern is shown to be unjustified, then a terrible, terrible blow for me, a terrible blow for me. There will have to be the committee. Of course, there will.

Mr. Speaker, before I recapitulate the points that I have made in this respect, let me say that I hope the debate will take a positive note. I have made no wild allegations or anything else, no matter what the Minister of Justice might think. And indeed I say to the Minister of Justice, anything I have said in the House I will repeat outside the House so that I have not got the benefit of

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parliamentary privilege. And then if any hon. gentleman wishes to issue a writ for libel, I would be delighted to defend it and to have the subpoena power and to have - if I cannot get Mr. Walsh before a committee, I will get him before a court, and then we can have a question and answer session there where I know I can have him brought before a court. And, of course, truth as the Minister of Justice would agree is a defense to libel, a complete and utter defense to libel.

Now, Mr. Speaker, the debate can take one of two tacks. It can take the tack that I have tried to follow. I have not been loud voiced or I hope emotional or made the extreme statements which we all make in debate. I am certainly as prone to that as any member of the House. I have laid out the case as I understand it to be with no wild allegations. Everything I have said I believe to be true, and I believe I can show it to be true. I have made no allegations but I think the facts demand an answer and demand an investigation, demand an answer which can be done only by a committee with the power, because a committee can go outside the House. In the House only the members can speak, only the forty-nine of us who currently sit here, the forty-eight gentleman and the lady, my friend and colleague from St. George's. A committee can reach out beyond and ask witnesses in and can ask them questions and can get documents.

MR. ROBERTS:

The House is just two men or many men, but that is all the House is. The House is a partisan forum and this should not be a partisan matter. The debate can take that tone, Sir, and I hope it does. I hope the Premier when he gets up - doubtless he is angry, he may well want to say to me the sorts of things he has said on television. CBC with their usual devotion to fairness asked the Premier, gave him the opportunity and did not bother giving anybody else the opportunity -

MR. SIMMONS: Was it not the top story?

MR. ROBERTS: No, it was not the top story. It was about tenth or eleventh in their newscast. It was the top story on CJON and VOXM. But the CBC had a postal strike as top story.

MR. SIMMONS: Just one thing now. Were there twenty sets exactly or more to come or what?

MR. ROBERTS: I am not going to say how many there were but there were more than two.

MR. SIMMONS: It would be interesting if it was more than twenty.

MR. ROBERTS: I have named two. There were more than two. It is a very generous firm. They buy a lot of television sets.

MR. MORGAN: CBC -

MR. SIMMONS: No, but if there were more than twenty -

MR. ROBERTS: CBC are a television firm. They can come in on the Premier's set at Mount Scio house and the one in Upper Gullies as well.

Now, Mr. Speaker, the debate can take another turn. It could, as I said, go that the Premier get up and relieve himself of some of the anger and bile he feels, a few of his quick remarks, something as dignified as he sometimes gets off in the House. Then he can say, "Well now look I have nothing to fear. I am a man of probity and honour and integrity and I have nothing at all to fear. And the evidence that is laid out cannot be dismissed lightly, I realize that. It is not a matter that I have to prove my innocence", the Premier could say. But he could say, "I am certainly going to make it clear beyond any doubt." And he can say, "I am going to vote

MR. ROBERTS:

for this and I ask my colleagues to." It is not a party matter. I have not asked my colleagues in the Liberal caucus whether they stand with me as a party matter or not. I hope they will all vote with me. But I hope other hon. gentlemen will vote in favour of this. I hope it will be unanimous. I do not see how anybody could vote against it. The motion does not condemn anybody. There is not a word of condemnation in it. The motion simply says, we set up a committee to investigate certain facts and the facts are admitted. The Premier has admitted that A.B. Walsh Electrical Limited purchased and caused to be delivered to the Premier or to his home, to him, a television set worth in excess of \$1,000. The Premier has admitted that. There is no argument, no quarrel, no nothing. The Premier goes further and says as he will when he speaks, that he paid for it. Well so be it. I do not say he did not. I do not say that at all. But since the Premier paid for it he should be the first to welcome it and wack down the cancelled cheque and tell me in the language he so often uses exactly what I can do with it, or wack down the receipt and the carbon copy of the receipt for the cash.

Because, of course, as I explained I mean I could have signed a receipt this afternoon dated January 1, 1974. It does not prove anything. It is like a certificate of virginity dated yesterday. It is valueless. Mr. Speaker, the debate can take that turn or it can take another one. Hon. gentlemen opposite can get up and indulge in one of their little sessions of heaping calumny on myself and my colleagues here. They can do that if they want. If it is in order they will be allowed to do it. So they should if it is in order although of course Your Honour has ruled that we must strictly keep to this.

Obviously my motives no matter what the Premier may think of them or my conduct are not matters but he can try that if he wants and we will raise the matter and let the Chair decide. They can go on with that and then they can vote against the motion. If they do every citizen of the Province will draw his own conclusions.

MR. ROBERTS:

I will certainly draw mine. If the Premier and gentlemen opposite vote against this investigation, I will have no hesitation in drawing a conclusion. But I hope that does not happen.

I think, Sir, the facts cry out for an impartial investigation under oath. And we could have a royal commission. We could do to the Premier what was done to the former Premier. I am not suggesting that. I think what they did to the former Premier was shameful, shameful, shameful. The man was tried and convicted and never charged with anything and never given the attempt to defend himself.

MR. SIMMONS: A kangaroo court.

MR. ROBERTS: Yes, it was a kangaroo court. A royal commission is no place for this. Let us have a select committee and the Premier could appear. Three of the five members will be his own colleagues and they will be the best that the other side can put up I have no doubt, Sir, and so they should be. The Premier will be entitled to have witnesses called, to have a lawyer there if he wishes,

MR. ROBERTS: to examine and to cross examine, all the rights that should be given to a person in that position. The right to lead evidence, the right to introduce papers and documents. The facts, Sir, as I said cry out for that kind of investigation. Let me recapitulate them, one - the admitted fact that the Walsh firm purchased and caused to be delivered to the Premier a television set worth in excess of \$1,000. If that were not paid for, if it were not a purchase but was a gift it was a very generous gift I submit, Sir. It is not a bottle of whiskey or a meal or a book or a pot of flowers. Many of us had pots of flowers sent to us at Christmas. Probably every member of the House did. I had, or my wife I guess, had them come from a number of companies, the house looked like an undertaking parlour for a day or two after Christmas.

MR. NEARY: I did not get mine this year.

MR. ROBERTS: The hon. gentleman did not get them.

MR. NEARY: No, I got cut off.

MR. ROBERTS: I had one come from the Crosbie group of companies, and I had one come from the Iron Ore Company, Mr. Brian Mulrooney and his wife very kindly sent them, Brian Mulrooney a nice fellow but he is certainly no supporter of our party. If he had his way the Tory Party, if the Premier had his way, would have been leader of the National Tory Party, and he would have been a much better leader.

AN HON. MEMBER: Too bad.

MR. ROBERTS: But, Mr. Speaker, you know what I am saying is that a television set if it were a gift is a very generous gift. Particularly this television set which was ordered. It was not something that you would pick off the rack. It was brought in for this Province, especially for this purpose. It was ordered in in a great rush, no hang with the cost. When it came orders were to pay an extra \$20 or \$25 to the driver to take it up after hours, no matter what time it came. Get it up there as quickly as you can to Mount Scio House. That was the order. And there is in existence

MR. ROBERTS: I am told a paper to that effect and that paper could be subpoenaed and brought before the committee to be looked at. That is fact one, Sir. Fact two, is that the A.B. Walsh firm does a vast amount of business with the government. Probably as large an amount of untendered business as any company does with the government. There is probably, Mr. Speaker, no company in this world doing business with this government that is paid in a year more dollars than the A.B. Walsh firm was paid in 1975-76 on a non-tender basis. Of course there are firms that are paid more but untendered.

MR. SIMMONS: They are the highest of all sixteen listed.

MR. ROBERTS: My friend from Burgeo - Bay d'Espoir reminds me that the A. B. Walsh firm of course was the highest of the sixteen firms - is that a list of the dollar amounts?

MR. SIMMONS: No.

MR. ROBERTS: Oh the highest of the sixteen - and all sixteen together total \$6,100,000, according to the estimates, the revised estimates for 1975-76 and Mr. A. B. Walsh or his firm got \$1.15 millions, that is fact two. Fact three is that of course the A. B. Walsh firm were given this business without tender, were given it on a patronage basis. Some may find that offensive. In a way I do. It is certainly not new. But I think it should be changed and if ever I get the opportunity I will change it. But the fact remains I doubt if this is the first government and I do not think the administration led by my friend from Twillingate (Mr. Smallwood) was the first government ever to do this. I have no doubt we could go right back through history. And I have no doubt this is not the only Province. I suspect that every Province in Canada, for all I know the Government at Ottawa, have much the same thing.

AN HON. MEMBER: New Brunswick.

MR. ROBERTS: Yes, in New Brunswick they have got a royal commission appointed. The Minister of Justice has resigned and a royal commission is being set up to investigate - but that is kick-backs. That is the Scrivener type thing. Mr. Hatfield has got a royal commission. Here there is no - well we are still debating it, that is another debate.

My friend from LaPoile (Mr. Neary) has not quite finished his bite at the apple on that one and if ever the government called the Throne Speech debate, if ever they do again, and my friend will be able to carry on and other hon. members will be able to speak.

MR. SPEAKER: Order, please! Order, please!

MR. ROBERTS: Am I out of order? Am I irrelevant?

MR. SPEAKER: I think I should remind the hon. Leader of the Opposition of the need to stay in his remarks with the matter at hand, which is quite precisely defined in his motion.

MR. ROBERTS: I thank Your Honour. It is easy to stray from the straight and narrow and I am grateful that Your Honour, shepherd as Your Honour is shepherds us back into line. Thank you, Sir.

Mr. Speaker, I do not mind being a shepherd or being a sheep, but I do contend it is nothing to a speaker being fleeced. Because if I thought we were being fleeced I would be very angry.

Mr. Speaker, the three facts are there. One, that the set was purchased by the Walsh firm and delivered to the Premier. That is a fact. Two, that that firm is not in the business of buying and selling television sets. The inference is there, Sir. It was bought as a gift. Particularly given the fact that that firm bought at least twenty television sets in the

Mr. Roberts:

last two or three years, television and stereo set, the expensive one. Free. The Walsh firm got a very, very large amount of business from the government, \$1.1 million out of a total of \$6.1 millions, and got it without tenders. And as I explained, that put at least \$50,000 into their pockets, given a 10 per cent net profit, before taxes, and \$50,000 after taxes in one year.

Now, Mr. Speaker, if ever a set of facts cried out for examination this was it. As I said, I could have brought in a motion condemning the Premier's conduct, but I did not. I do not think that would have been right. I am not sure the Premier has done anything for which he should be condemned. But I think, Sir, the burden upon the Premier, given the case I have made, show us that. And, Sir, that cannot be shown in this House. It cannot. The Premier can get up and deny it. And I will listen, whether I am here or having a drop of tea, and there is only tea in our Common Room I regret. My decision, my colleagues fully endorse it, I will not only be having a cup of tea, but I will be hearing it.

The Premier may get up and may deny it, and may end it, and it could be ended when this comes to a vote. It can be ended as far as -

MR. MORGAN: (Inaudible).

MR. ROBERTS: My friend from Bonavista South (Mr. Morgan) should listen. He is hardly listening with his mouth open, Sir. Mr. Speaker, I shall listen to the Premier, whether I listen here or whether I go and have a cup of tea.

SOME HON. MEMBERS: (Inaudible).

MR. ROBERTS: Mr. Speaker, I have too much respect for the Chamber to engage in tit for tat with the gentleman from Bonavista South, the origin of the tit for tat rule, and he is the tit part of the tit for tat rule.

AN HON. MEMBER: He is the tit part.

MR. ROBERTS: Now, Mr. Speaker -

AN HON. MEMBER: The tit part.

MR. ROBERTS: Mr. Speaker -

MR. SIMMONS: You would not know about the tit part.

SOME HON. MEMBERS: Oh, oh!

MR. ROBERTS: - I think the facts cry out for investigation.

The Premier and his parliamentary friends can use their majority to defeat this motion.

AN HON. MEMBER: Never.

MR. ROBERTS: If they do do that that will be the end of it at least as far as a matter of privilege is concerned. Of course it will make a lovely subamendment. It might very well be a subamendment - we might look at it, and have another two or three days of debate on it, if it is in order, so to do. But I do not know if the government ever - I cannot have a - but in any event it will be the end of it as least as far as the point of privilege is concerned. I hope, Sir, the Premier and his colleagues do not do that. I hope the gentlemen from St. John's East (Mr. Marshall) and Mount Scio (Dr. Winsor) do not do that, and the gentleman from the Bay of Islands (Mr. Woodrow), the gentleman from St. Johns South (Dr. Collins) and the gentleman from Exploits (Dr. Twomey) and the gentleman from Placentia (Mr. Patterson) all of whom, the gentleman from Kilbride (Mr. Wells) is not here, unfortunately, or I have not seen him, nor is the gentleman from St. John's North (Mr. Carter) I have not seen either of them this evening. But I have named I think, all hon. gentlemen opposite who are not part of the ministry or not in receipt of extra emoluments.

Now, Mr. Speaker, I hope every member of the House will stand ~~when~~ the time - and there will be a Standing Vote on this - every member of the House will vote to set up this Committee, it would get to work immediately, and it will explore the facts, it would have Mr. Walsh in, it would have the vendor in, it would have the man or the men, in fact, who carried the sets in, it would have the bank

Mr. Roberts:

manager in, and the record keepers, we have them all in, and they would all give evidence relevant to the matter referred to them, in due course, the Committee would report back.

Sir, that is what I have to say in support of this motion. I do not say it with any glee or any joy. But I feel it is my duty as a member of the House, forget the fact I am leader of a party, it may or may not be a temporary state of affairs, maybe my party will end it, maybe I will end it, but be that as it may, I am a member of this House and will be given life until the next general election in which days my constituents will decide, they have been kind to me so far despite the gerrymandering of my seats, but they will decide whether they want me to come back or not, and until then I am a member of this House. I am also a citizen of this Province. I hope I am a responsible one. I realize of much what I say is often not welcome to hon. gentlemen opposite, but that is the very nature of the business we are about. I bring this matter before the House because I believe it to be of importance. I think it of the utmost importance, as my friend from Twillingate (Mr. Smallwood) said today, speaking as a - he told us as a Privy Councillor, as a man, twenty-three years as Premier of this Province, as

Mr. Roberts.

a man of wide experience in public affairs that it is absolutely essential -

MR. SMALLWOOD: Also if the hon. gentleman would allow me? Because I have tremendous sympathy for any man who occupies the burdensome position that the Premier occupies, any Premier.

MR. ROBERTS: I thank my friend for Twillingate (Mr. Smallwood) and I think he is right. I think he feels as I do that the Premier should be given every possible opportunity to deal with these facts in the House in a moment or two, but in the committee where all the matters can be brought up. I hope they will be brought up. As I said it is not a matter for party decision. I do not know how my colleagues will vote. I have not asked them. Each is an independent person of his/her own right, able to make up their minds on the evidence that has been laid out. I laid out the case - no wild allegations. Everything I have said is a fact. I believe it to be correct. It is easy enough to prove or disprove. But it cannot be done by the House. It can only be done by a committee, a committee that can hear witnesses under oath. Sir, I will vote for this motion. I shall ask every member of the House to vote for this motion, because I believe it essential, Sir, in the interest of the Premier of this Province and in the interest of the House of Assembly of this Province and in the interest of the people of this Province. Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Premier.

PREMIER MOORES: This is a very serious moment for this House. It is a very serious moment as far as I am personally concerned. I am not going to deal in wonderings of what could or could not have been. I am not going to deal in innuendo, which has been the case by the Leader of the Opposition. I hope no one on this side of the House tries to involve in any clever by play. I hope, Sir, I will not be political at this time, and I certainly do not intend to make any facetious

PREMIER MOORES:

or joking remarks. I intend and I hope that I can outline what is behind this particular resolution. I intend to give the facts as I know them, and then I would intend to propose a course of action to the hon. House.

The Leader of the Opposition started by saying that he did not intend to be emotional. Well, Sir, it is very difficult for me at this time not to be emotional. Suppose, as was said, that I may be angry. I am not at all angry, Sir. I am not even the least bit angry. I am very sad. And I am sad because of the lack of decency that was shown in the whole procedure leading up to this particular resolution.

SOME HON. MEMBERS: Hear, hear!

PREMIER MOORES: I am just as concerned, Sir, and more so obviously, than anyone that this matter be dealt with. Personal assassination either by innuendo or by direct attack or by unanswered questions that one throws out, is something that we have seen for a long while in this House. We have seen it from a lot of people on both sides. But mostly it has been in the spirit of partisan politics, in debate on what could be partisan issues. I think when we are dealing with the integrity of any individual in this House that sort of partisanship should not be included nor that sort of innuendo. I consider myself, Sir, libelled by the Leader of the Opposition in this House by these allegations. I am not going to talk about what Mr. A. B. Walsh or his firm does. I will say what I know to be the case as far as this particular accusation is concerned. I am not going to talk about the fact that the Auditor General has been dragged in as part of the reason why this allegation has been made, as if there is a tie in. The fact is, Sir, that it is alleged that I received a television set and did not

Premier Moores.

pay for it. That is what really the innuendo says. In other words, it says that a bribe, or something approaching a bribe, or it could be a bribe or it may be a bribe - we are not saying it is a bribe, but it is possible it is a bribe: What are people going to think if it is not just that?

PREMIER MOORES:

Mr. Speaker, it also says that patronage was handed out as a direct result of this particular motion, this sort of thing. So I would like to deal with the facts as they actually happened. On the weekend involved - and I am not sure if it was Christmas weekend or Christmas Eve or New Year's Eve, it was one or the other - my son was over to spend the holiday with me and there was football on the next day and our television set went on the blink. Now that is not a very serious thing. But obviously you want to have one at a time like that if you can. But on Christmas Eve, for instance, Sir, it is very difficult to get a repair man to fix a television set, believe it or not. There were several calls made to several television shops in St. John's who all said they had no one who could get the job done.

The fact is that I did phone Mr. Walsh because one of my colleagues had told me that he was in the electrical business. He knew the people who could possibly help and I did phone him and ask him if it was possible for him to get a repairman to come in. This is where the Leader of the Opposition is wrong. He was the person responsible for getting the repairman to come to the House, not me. The fact is that the repairman did come into the house. He tried to fix the set. He went back to the shop. He came back with parts. He advised me that the set would have to go in to the shop because it could not be fixed on location. When the set was taken to the shop there was a television set came shortly after, a small television set, and at the same time, Mr. Speaker, as that one was there another one arrived. It was not two that came in sequence. They both came together. The fact is they both arrived in the house, one much larger. When the larger set arrived I was advised that Mr. Walsh had requested that this set be put in for the weekend for myself and I accepted that on the loaner basis that the Leader of the Opposition said.

When the original set was returned, it still was not working very well. At that time we decided to keep the one that we had, as I

PREMIER MOOPES:

thought at the time on loan. I contacted Mr. Walsh and told him that I wished to buy the set as he had set up the thing to come in anyway. He said that was fine. He came in, saw me, and I paid the gentleman \$1,390, which will be proven. I have met Mr. Walsh probably three times in my life. The fact is that he was doing a lot of business for the government. The fact is that I did use his good offices on a Christmas Eve when I could not get any satisfaction or I did not feel like phoning myself, I suppose, to get a repairman. And eventually that is how I bought the set.

Now, Sir, I do not know if that is a crime or not, but certainly I do not think so. The fact that that was the manner in which the set was purchased had nothing to do whatsoever with the work that Mr. Walsh had received as mentioned in the Auditor General's report the year before. The fact is that what has been said here - and I will stand on what I have said regarding the facts themselves - I believe to be serious, a serious libel. I think it is more serious than just any member of the House being accused. And the reason I say that is not being egotistical or whatever. I am talking about the office of the head of government. When the head of government or the Premier has been charged in this manner it is in effect charging all the government indirectly.

It says, the Leader of the Opposition in his remarks, that I was involved or would seem to be involved with patronage. Now, Mr. Speaker, as I said before, I cannot think of anything that I consider more serious than that charge. I can, as I guess most people know, afford to buy a television set. I am hardly going to be involved in patronage of that nature, or any nature for that matter. I would like to consider myself honest. One of the reasons I suppose most of us are in politics is because we are, and I think one of the reasons that sometimes the establishment takes so much

PREMIER MOORES: criticism from other people it is because we are looked upon in a suspect manner and it is events such as this that probably cause it.

My son was in the gallery tonight for the first time in a long while, the second time in his life, I guess. He came over and I told him that I would rather he did not come in tonight knowing what was coming up. He said, No, he would rather come and hear what was being said. And that, Sir, has a pretty traumatic effect on me. Because the style of politics, the personal attacks, we have seen it so often, is so wrong, is so wrong that this Chamber, that this institution, that this sort of thing has to happen. It is for that reason, Sir, that I am not going to as I said get emotional or raise my voice but it is for that reason I move the following motion, seconded by the hon. Minister of Justice, that all the words in the motion after the first word "that" be deleted, and that the following words be substituted therefore, "That this House asks the government of this Province, at the earliest possible time to appoint a commissioner under the provisions of the Public Enquiries Act to enquire into the matter of the allegation that A. B. Walsh electrical Limited, purchased and caused to be delivered to the hon. the Premier, a television set alleged to be worth in excess of \$1,000 and to enquire whether the hon. the Premier paid for such television set and that such a commissioner be a judge of the Supreme Court of Newfoundland, either the Court of Appeal or the Trial Division, or a District Court Judge, and that such a commissioner deliver his report and findings to this hon. House at the earliest possible date."

The reason for that, Mr. Speker, is I think this charge is far too serious to afford ever to be - any investigation - to be ever accused of political bias or political motivation. I consider it too serious for that. And also, Sir, I consider it much more serious than just setting up the commission. I, Sir,

PREMIER MOORES: if it is shown, even though some people would say it is comparatively minor, but if it is shown that I did not pay for that television set by that commission, I will resign within twenty-four hours.

The fact is, Sir, I assume and indeed we on this side demand, that if that is not the case the Leader of the Opposition do the same.

SOME HON. MEMBERS: Hear! Hear!

MR. SPEAKER: The amendment before the Chair should now be put, moved by the hon. the Premier, seconded by the Minister of Justice that all the words in the motion after the first word "that" be deleted and that the following words be substituted therefor: "That this House asks the Government of this Province, at the earliest possible time, to appoint a commissioner under the provisions of The Public Enquiries Act, to enquire into the matter of the allegation that A. B. Walsh Electrical Limited purchased and caused to be delivered to the hon. the Premier a television set, alleged to be worth in excess of \$1,000 and to enquire whether the hon. the Premier paid for such television set and that such commissioner be a Judge of the Supreme Court of Newfoundland, either the Court of Appeal or the Trial Division, or a District Court Judge and that such commissioner deliver his report and findings to this hon. House at the earliest possible date."

The hon. Leader of the Opposition.

MR. ROBERTS: If I may speak to the amendment, and I will not be very long at all, first of all I think the Premier has done the right thing. I certainly will support the amendment. I am quite happy to support the amendment. I shall ask my colleagues to do the same. Secondly, and I want to see the terms of reference, because remember the Ministry, Mr. Speaker, work out the terms of reference.

MR. MURPHY: (Inaudible).

MR. ROBERTS: Ah ha, yes. Yes, of course. I want to see the terms of reference, Mr. Speaker. But if the terms of reference allow for a full and a complete enquiry, I have no doubt that whichever judge is appointed will carry out the terms of reference, Sir. But if the Minister of Justice will undertake to let me see the terms of reference and to - I will not say to agree with them. We may or may not agree. But if the terms of reference, and they will be public, provide for a full

MR. Roberts:

~~and~~ impartial enquiry, I shall certainly gladly accept the Premier's challenge.

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: And Mr. Speaker let that be recorded without any doubt at all: if the facts are not as I believe to be, if they are as the Premier believes them to be then well and good, so be it. But that, Sir, I stress, depends entirely upon an assurance that the terms of reference are not the way they were with the O'Dea Commission, not a Kangaroo Court. The hon. Mr. Fabian O'Dea, Sir, was not a judge, is not a judge, he may or may not be a judge in due course, I do not know. But he is not a judge and has never been one. The proceedings before that Commission were not, Sir, as they ought to be. But if the Commission of Enquiry in its terms of reference is fair and impartial I think the Premier has made a very fair challenge, and I quite glad to accept it in the same terms as he also did, Sir. No hesitation at all.

The facts will come out before a judge. The facts should come out before a judge, and let the facts decide what is done. I shall support the amendment, Sir.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Is the House ready for the question? Those in favour of the amendment, "Aye".

SOME HON. MEMBERS: "Aye".

MR. SPEAKER: Contrary "Nay".

MR. SPEAKER: I declare the amendment carried.

Is the House ready for the question on the main motion?

Those in favour "Aye".

SOME HON. MEMBERS: Nay.

MR. SPEAKER: Contrary "Nay".

SOME HON. MEMBERS: "Nay".

MR. SPEAKER: I think we better -

MR. ROBERTS: Mr. Speaker, three of my colleagues having risen, I hope. Let us have a recorded vote. The Minister of Justice

Mr. Roberts:

voted "Nay" to a motion made by the Premier.

MR. SPEAKER: The motion as amended.

SOME HON. MEMBERS: Oh, oh!

MR. ROBERTS: Mr. Speaker, Mr. Speaker, Your Honour put the main question - let us have a divided vote then in any event.

I distinctly heard the Minister of Justice say "Nay".

SOME HON. MEMBERS: Oh, oh!

MR. SMALLWOOD: Mr. Speaker, I do not understand.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please! The procedure is quite clear.

There is an amendment before the House. I asked if the House was ready for the question? Nobody rose. And I asked for a vote on the amendment, and to my knowledge there was no dissenting vote.

I declared the amendment carried. So the amendment was carried.

Then the main motion was before the House, the main motion as amended is before the House.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Yes the main motion as amended.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Because the amendment was carried. And then no hon. member rose, so I said is the House ready for the question, and the question then is the main motion as amended. And I asked for "Ayes" and "Nayes". And perhaps for clarification I will do so again.

Is the House ready for the question on the main motion, which is the motion as amended? Those in favour "Aye".

SOME HON. MEMBERS: "Aye".

MR. SPEAKER: Contrary "Nay".

Nil.

MR. SPEAKER: In my opinion the "Ayes" have it.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: It is obvious what it is, there are only two motions.

SOME HON. MEMBERS: Oh, oh!

MR. HICKMAN: Order 9.

MR. SPEAKER: Order 9.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order 9, please, the debate on the Act to Amend The Fish Inspection Act, Bill No. 20.

The hon. member from LaPoile.

MR. NEARY: Mr. Speaker, anything that I say about this Act now I suppose in the next few minutes will be an anti-climax.

MR. SIMMONS: I do not know, I do not know, give it a try.

MR. NEARY: Mr. Speaker, as I indicated to the House this afternoon if we pass this bill, Bill No. 20, An Act To Amend The Fish Inspection Act, we will be putting tremendous power in the hands of the Minister of Fisheries. And I would hope, Sir, that the minister will use that power wisely, and to the best advantage of both the people who will be licenced and to the people who will be buying the fish.

Now, Mr. Speaker, there are a couple of things about the Act that concern me very much, Number one is that I am afraid that, and I want some assurance from the minister that this will not happen, that the big fish companies will eliminate all of the small operators, force them all out of business, that the minister's department will -

MR. NEARY:

that the minister's department, the minister and his officials, may have a tendency as they have had over the past year or so, to favour the big companies like National Sea. And we have an example out in Port au Port that the hon. minister is very familiar with, where there is a gentleman out there, a small-time operator, who started processing fish and supplying fish to the supermarkets and so forth in Western Newfoundland, and he is doing so without a license. Even though he was dragged into court last year and was acquitted, I believe, and the department ordered to give the gentleman a license, even then he could not get his license because the gentleman was told that National Sea, the big multi-national company, is the only company allowed to operate in that area even though that gentleman, the private operator, the small-time operator rather, processed more fish, bought and sold more lobsters than National Sea and provided more employment.

MR. SMALLWOOD: The only one allowed.

MR. NEARY: The only one allowed. They would not give him a license to operate. National Sea are the only ones that have a license from the Department of Fisheries. They would not even sell him the salt, Sir. They tried every way in the book to put him, to put the poor fellow, out of business in favour of this multi-national company that have taken over all the premises out there in my hon. friend's district. And they are not even using all the premises they have.

That gentleman came to see me last year and I heard from the gentleman again this year and he is in the same position, still told that the government are not recognizing anybody, not licensing anybody in that area except National Sea. Well now, Sir, I hope this is not going to be adopted as a policy of the department once we put these powers in the hands of the minister. The small time operators, Sir, can do a pretty fair job and are doing a pretty fair job around this Province. And, Mr. Speaker, they are the only ones. You cannot go to National Sea and buy fish supplies for the supermarkets in this Province unless they take it over to Nova Scotia somewhere for further processing and send it back

MR. NEARY:

down to Newfoundland. We have to depend on the small operators, Sir, for our fillets and our supply of caplin and of fish.

So I would like some assurance from the minister, Sir, that licenses are not just going to be issued to the big multi-national companies, like National Sea and Nickerson and B.C. Packers and this crowd that have come in here and exploited our industry, exploited the fishery of this Province, that the small operator will get some recognition and will not be forced out of business when this act comes in. Because, Sir, I submit that the multi-nationals and the national companies are only interested in one thing and that is the export market. They are not interested in the local market. And this bill is designed to try and improve the quality, I presume, of fish in the local market. If we are ever going to get an ample supply of fish in the supermarkets in this Province then I am afraid, Sir, that we are going to have to depend on the small operator and not the multi national companies.

Most of the fish that you buy in the supermarkets today comes in from the mainland because our own people cannot get a license, are not allowed to market their produce to the local supermarkets. And we have a classic example of that out in the district of Port au Port. I hope that situation will be rectified before we get into the current lobster season.

One other thing, Sir, about this bill that disturbs me a little bit is the procedure for appeal, section (i) prescribing procedure to be followed in any appeal to the Minister under this Act. It does not spell it out enough, does not say whether or not, Sir, there will be an independent appeals board. I think in all these bills, and all these laws, and all the legislation that we pass in this House, when appeals procedures are involved, that we should

Mr. Neary.

see to it that the ordinary person has a recourse to appeal any grievance that may arise under that act to an independent appeals board. That could probably be the kind of situation, Sir, that could take care of this gentleman out in Port au Port who cannot get his licence even though the court ruled in his favour. The minister should, when winding up the debate on second reading of the principle of this bill, tell us a little more about the appeals procedure. Will it be an independent group or will it be a group of civil servants, an internal committee of the minister's department, almost like appealing against your own decision? That, Sir, certainly will not be good enough, will not be satisfactory. So these are a few points about the bill, Sir, that I would like to have some answers from the minister. The fact that the regulations will lay down some pretty stiff rules for conveying fish, the type of vehicles to be used, the kind of establishment that is necessary to process and package and market the fish, and the kind of establishment where fish can be sold is all good in my opinion. It is all in the best interest, Sir, of cultivating the local market within our provincial boundaries. And as I said this afternoon, it will probably overflow into the mainland market, because Canadians do not eat enough fish in my opinion, Sir, and I presume that the minister can foresee a large domestic market for our produce. And if we start eating fish, Newfoundlanders start eating fish, we may be able to encourage our counterparts on the mainland to do likewise, Sir.

So having made these few remarks, Mr. Speaker, I believe, probably, when I started the bill would have gone through as just an ordinary little - as the minister put it - piece of housekeeping legislation and then got the blessing of my hon. friend, the member for Fogo (Capt. Winsor), and I believe it would have slipped

Mr. Neary.

through before six o'clock had I not raised some of the questions that I did. And so I know now, Sir, that there will be a number of other members who will probably wish to speak on this bill. I know I have probably motivated - I would say now, Sir, that every member who represents a fishing community will now have a go at this bill and a go at the minister. I am sure my hon. friend from Port au Port (Mr. Hodder) cannot wait to get upon his feet to support what I said a few moments ago about the discrimination against the small operator out in the hon. member's district. And so, Sir, even though we are interested in progressive legislation, we are interested in upgrading the quality of our fish, we must not be blinded by the fact that sometimes when you put power in the hands of the wrong people that it could be abused and misused. In this case I hope, Sir, that the power we are giving the minister under this act will be used wisely.

MR. SPEAKER: The hon. member for Port au Port.

MR. HODDER: Mr. Speaker -

SOME HON. MEMBERS: Hear, hear!

MR. HODDER: Mr. Speaker sometime ago I was contacted by Mr. Allan Baker, who is the owner of Newfoundland Maritime Fish Products, which is located in Piccadilly on the Port au Port Peninsula. My hon. friend from LaPoile (Mr. Neary) alluded to it a few minutes ago. Now the situation on the Port au Port Peninsula was that the Fishermen's Co-op which was located there folded up, and for a year it went into receivership and for a year it was handled by a consultant of the government. But during this time this particular gentleman, Mr. Allan Baker, bought most of the fish on the peninsula and packaged a particular product which was sold throughout the stores in Western Newfoundland and throughout the Island. It was a good product. It was a well-respected product. He

Mr. Hodder:

had a good market for it. At that particular time he had trouble obtaining a processors licences, and was told that his premises were not up to standard. Well, Mr. Speaker, I went to the Federal Health people, and I talked to them, and as far as they were concerned his premises were in good condition and there was no reason whatsoever why Mr. Baker could not have continued to process his fish in that particular location, and they saw no reason why he should not be given a processors licences.

Now, Mr. Speaker, after the fishermen's co-op went into receivership, the fishermen in that particular area wanted a new co-op set up and for various reasons they were not able to get that new co-op. There were legal reasons. There were legal reasons whereby the co-op perhaps would have to undertake the debts, and liabilities of the former co-op. But what has happened since it seems to me, is that the government has moved - they asked National Sea to come into the Peninsula and take over where the co-op had left off. They gave them their buildings, they gave them their water supply, they gave them every possible assistance. Now, Mr. Speaker, I am not against that. I am pleased, and let me go on record as saying that I am pleased, that National Sea came to the Port au Port Peninsula.

However, Mr. Speaker, there was another processor, another person buying and processing fish on that Peninsula who had the loyalty of the fishermen. Last year he bought 50 per cent more of the lobsters than National Sea did, and he bought half of the fish that National Sea bought. Now what has happened - had this individual, had this Mr. Baker been allowed to continue on to process fish, to continue to stay on the Peninsula I think that he could have lived with National Sea, the fishermen would have been happy, and there would have been two buyers, two processors on the Peninsula. However, it seems that every time Mr. Baker looked to the government for some help - here he saw a multi-national co-operation coming in and getting all the help that they could possibly give, and once he saw them coming in he looked for

Mr. Hodder:

help himself. He came in he started to buy fish in 1974, he set up in a building in Piccadilly, he rented it, and he bought salt bulk fish from the fishermen, and dried it, and packaged it and sold it to local stores. I think it is the first product - clean, well packaged that ever I saw come from the Peninsula. We were proud that something was being manufactured, something was being done on the Peninsula.

Not only that but this particular gentleman was well respected on the Peninsula, and he was well liked by the fishermen. Sometime after that the store that he was renting was purchased by National Sea. He then went to another building which he rented from an old well-known firm, on the Peninsula, Abbott and Haliburton. This is the building which I referred to earlier which the Federal inspectors had given him a clean bill of health on, yet he could not get a processor's licence. At that time he had eleven men working for him. He was a small man. He was putting out a clean product. He had a clean building. I have been in it, I saw it. He had a small drier, and at the height of the season he had as many as eleven men working for him, and last year his payroll was \$30,000. Now he applied for a processor's licence, and he failed to get one. He continued to operate without one and the minister or someone in the Department of Fisheries had him taken to court. After the court proceedings the court ruled in his favour, and said, That he was entitled to a processor's licence. Then this year he ran into another little problem whereby Abbott and Haliburton decided to sell their buildings. He came to the department again and said, Would you give me some facilities? Would you give me some facilities so I can process my fish?

MR. J. HODDER: Here is National Sea, a multi-national corporation being given all sorts of buildings, all sorts of help, I would like some help, I need a place to continue on with my small operation.

Now at the present moment the man has some \$20,000 in nets and gear out to the fishermen that have been supplying him. He cannot have a building. He has gotten no co-operation from the government. I brought him into St. John's last year, we had a face to face confrontation between him and the hon. Minister of Fisheries. I sat down with him in National Sea and tried to resolve the problem between National Sea but he continued to get no co-operation whatsoever from the government in any way, shape or form. But yet he had been there. He has been processing. Perhaps the minister might say illegally, he was turning out a clean product in clean circumstances.

Now as far as I can see at the present moment he has been denied any of the buildings there. Most of them belong to fishermen's committees. He has been denied a processor's licence. He cannot get any money or any one of the suitable buildings that are around. Some of the suitable buildings, he cannot get financing for at the moment from the banks because he has to have a processor's licence first - and this is important to the financing - and he cannot get a processor's licence because he has no building. So he has been effectively - well I must say for this particular gentleman that he has an awful lot of guts, because he said that he will hold on and stay until the bitter end.

Now, I submit, Mr. Speaker, that a big mistake has been made by the Department of Fisheries because for some reason or other, and perhaps for a good reason, the fishermen of this Province and the fishermen of Port au Port - and I hope minister is listening to this - they look to the underdog. At the moment this particular gentleman on the Port au Port Peninsula,

MR. J. HODDER: is a thorn in the side of National Sea and he is a much greater thorn in the side of National Sea than if he had been given his right to carry on his business. Because the fishermen on the Peninsula at this particular moment, and in the district, support him more than they did last year. And the longer he stays there they will support him more and more. As I said earlier, and I have told the minister, I am for National Sea. I am glad National Sea is on the Peninsula. I have had Mr. Wareham, of National Sea tell me that he does not mind competition. Now whether the man speaks - but I know the gentleman and I believe what he says. But for some reason or other this government has decided that he is no longer needed, that his services are no longer needed on the Peninsula.

Now recently there was a dryer building which was used by the old Fishermen's Co-op. It is being renovated under one of the new \$2 million job creation programmes. This building would have been adequate. It could have had been upgraded and fixed and money spent on it. This would have been adequate for Mr. Baker. But as far as I can understand at the moment, the building is now being turned into an office building.

I feel that he is being forced out of business. He has \$15,000 worth of fishing supplies that he is presently putting out over and above the \$20,000 he already has out and if he does not get some help from the government he is out of business.

Now this bill, when I look at this bill, I see in this bill the means whereby the Minister of Fisheries and the Fisheries Department can do this to small processors right across this Island. I would like to read a letter, and I am willing to table a copy of a letter which Mr. Baker handed to me.

It says, "Dear Mr. Baker," it is from the Department of Fisheries, signed by "G. C. Slade, Deputy Minister of Fisheries." "We have for reply your letter of February 1, 1977, concerning your

MR. HODDER: interest in obtaining usage of the two small buildings adjacent to the breakwater wharf at Piccadilly, both of which are owned by the department. These buildings together with all other fishing facilities under our jurisdiction on the Port au Port Peninsula have been leased to National Sea Products Limited.

Furthermore, under the Fish Inspection Act, 1954, and amendments and regulations thereunder, the company was the only licenced processor of fishery products on the Port au Port Peninsula during 1976, and the same exclusive licencing arrangement will apply during 1977-78."

Now here comes the clincher, "The above is firm, departmental policy which of course has been sanctioned by the minister. In the meantime, however, if you plan to pursue a business interest in the fisheries in another area of the Province please feel free to contact us at your convenience." In other words,

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get out, go somewhere else. We might look at you if you were somewhere else.

MR. FLIGHT: That is discrimination.

MR. HODDER: Now, Mr. Speaker, this is a man who was in business, who was employing people. Now I am saying this in the House of Assembly, but this is wide knowledge throughout the Peninsula. I attended a full day's seminar with the Community Employment Agency - whatever it is on the Peninsula - Community Strategy Employment something or other -

MR. STRACHAN: Community Employment Strategy.

MR. HODDER: Community Employment Strategy, my hon. friend tells me. I spent a full day with the fisheries officials talking over this problem, and with fishermen. Last Sunday I attended a meeting of fishermen on the Peninsula and they are adamant. They want two processors on the Peninsula. Now this would never have arisen, I submit that this problem on the Peninsula, which is growing and growing, would never have arisen had the Minister of Fisheries, in the first place, given this man his processing licence.

Now I would like to read another letter Mr. Speaker, and this one is a copy of a letter which comes from the solicitor, and which perhaps -

AN HON. MEMBERS: Are you tabling that?

MR. HODDER: Yes, I will table that.

- and this comes from the solicitor of Mr. Baker, the solicitor of Maritime Fish Products Limited or Newfoundland Maritime Fish Products Limited. This letter is written by Fred R. Stagg, former member of the district of Port au Port who is presently his solicitor. It is quite long. I hope the House will indulge me in reading it.

MR. HICKMAN: If the hon. member would permit? It is not a point of order but more of a question. For his own protection correspondence between a solicitor and his client are privileged, and I assume that the hon. gentleman has received clearance. I was not even listening to the debates. I am not sure of the relevance thereof.

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

MR. HICKMAN: It is not a point of order. It is only a matter of a question for the protection of the hon. member.

MR. HODDER: To that question, Mr. Speaker. I have clearance to read the letter and not only that but the letter is written to the Minister of Fisheries from the client. I do have the authority to read the letter and table it.

It is to the Minister of Fisheries, Viking Building re Newfoundland Maritime Fish Products Limited, Piccadilly, Newfoundland. "Dear Sir, On February, 14, 1977 your deputy minister, Mr. Slade wrote Mr. Allan Baker the President of Newfoundland Maritime Fish Products Limited and informed him that his request for the use of the two small buildings adjacent to the breakwater wharf at Piccadilly, both of which are owned by the Department of Fisheries, was rejected. As you are aware National Sea Products has been given extensive concessions in the Port au Port Peninsula area. Last year these buildings were not extensively used by National Sea Products and one of them is now being renovated apparently for office space. It appears that there is a concerted effort on the part of National Sea Products, with the support of your department, to, in effect, drive Mr. Baker out of the business. Last year he was prosecuted under the Fisheries regulations for processing without a licence. I defended him at that time, and it was apparent from the testimony of the federal environment personnel and members from your own department that there was no difficulty

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with the quality of fish that was being processed by Mr. Baker."

Now that comes from the solicitor for Mr. Baker, a former member of this House who heard testimony from both the Federal Fisheries and the Provincial Fisheries at that particular time.

As a matter of fact the letter goes on to read, "Every individual who gave evidence indicated that his fish was of high quality. How can your department possibly justify its intractable position in light of his evidence? Mr. Baker appreciates the fact that a large company such as National Sea Products has a right to compete on the Port au Port Peninsula. However by your department's intractable position you have, in effect, created a monopoly for National Sea Products. It will be effectively impossible for any other processor to do business on the Port au Port Peninsula, because most fishermen, if they cannot deal exclusively with a buyer and processor will not deal with them at all. I am sure you are aware of the strong personal relationship and trust that develop between the fish buyer and the fisherman. It is this bond which is now being threatened by the actions of your department. It is patently unconscionable

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and unjustifiable and contrary to every principle which has been enunciated by your government and yourself on numerous occasions. I will say this to you, that if I were still a member of your caucus and you persisted in this course of conduct towards this man I would put my case to our mutual colleagues and I have no doubt that you would be a very small minority in the subsequent vote. I ask you to consider the total implications of your department's behaviour in this matter.

MR. FLIGHT: The next Speaker of the House.

MR. HODDER: There is a philosophical question here that goes right to the roots of your government's and your party's *raison d'être*, some French word. Mr. Stagg was famous for it. In addition you have to admit that last year Mr. Baker was given certain assurances by you personally during your visit to St. John's that his operations were not to be interfered with. Present at that meeting were yourself Mr. Baker and the present MHA for the district, Jim Hodder. This case has all the earmarks of an explosive issue. If your department's position remains unchanged this case will be initially referred to the Ombudsman with all attendant publicity. I personally plan to be a participant in that publicity.

Perhaps you might consider coming out to the Port au Port Peninsula and meeting the fishermen again as you promised in your meeting in the Fall of 1975. "Here again is a promise not kept because when National Sea Products - and the minister spoke to the fishermen on the Port au Port Peninsula. He said that - and he told me personally as well - that National Sea Products, their performance would be assessed after one year, the fishermen would be met with and then the decision would be made on whether they would carry on again. Mr. Speaker, National Sea Products has, I am told, another two year lease. The minister has not yet visited the fishermen, although I understand that they have asked for a meeting so that he should be out there in the near future. But he did not fulfill his promise.

MR. HODDER:

Now, Mr. Speaker, I know the minister is a busy man. I know that National Sea Products did a good job but I also know what the feelings of the fishermen are there. This has become an explosive issue because it has not been properly followed up by the Department of Fisheries. It could be put to them whether you wish Mr. Baker to be a buyer on the Port au Port Peninsula or not. I am sure you will find that there are a considerable number of fishermen who have developed strong bonds between themselves and Mr. Baker and trust him and want him to remain in the business. His needs are small and there is obviously plenty of room on the Port au Port Peninsula for both he and National Sea Products. Mr. Baker only has about another month in which to make his preparations for the 1977 fishing season and this matter must be dealt with by you expeditiously.

It is necessary that we receive a reply from you by Wednesday, March 16 - which was some time ago - at which time we will have to consider our various alternatives. I look forward to hearing from you before then." I understand, Mr. Speaker, that there was no reply to the letter. Maybe there has been one recently.

But the point which I wish to make, Mr. Speaker, is that a bill, the bill that we are looking at, that is in front of us now, this bill can give the minister power to do what he could not do last year in the case of Mr. Baker who is putting a good product out on the Peninsula and who has the trust of the fishermen. Not only that, Mr. Speaker, but a situation has developed which - and I will say this and I say it categorically - I had no dealings with. As a matter of fact I tried to stay away from it. One of the problems I saw on the Peninsula was the need for National Sea. I feel that the need for National Sea is still there. I would say that at any public meeting on the Peninsula, in the district. There is another buyer in the district as well, Jim Hardy buys in Fox Island River but basically the National Sea Products are confined

MR. HODDER:

to the Peninsula itself, and so is Mr. Baker.

But here we have a case of a man who has been discriminated against, of a multi-national company which should have some resources of its own. And maybe the minister had to give some concessions to get them to come in. I admit that. But the fault was that there was lack of consultation with the fishermen, number one and number two, that there was a monopoly given and the fishermen of this Province do not go for that, Mr. Speaker. In the past three or four months when word started to get around, when Mr. Baker started to tell people, "I do not have a fish plant. I do not have facilities any longer," when this word started to go around, with the fishermen the problem is worse than it ever was before and the problem for National Sea is worse than it was before.

If this bill is going to give the minister the power

MR. HODDER: to be able to wipe him out altogether which they have not been able to do yet and somehow or other I doubt if they will be able to do it because as I said before he has such determination, then, Mr. Speaker, I think that the minister must—well perhaps, I am not saying that the bill is a bad one, but what I am saying is that if the Minister of Fisheries is going to use the bill to try to continue what he is already doing on the Port au Port Peninsula then it is a misuse of powers.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: If the hon. minister speaks now he closes the debate. The hon. member for Eagle River,

MR. STRACHAN: Mr. Speaker, on the subject of the bill. The minister stated that the bill was just a simple matter of housekeeping, of cleaning up the bills previous to this and giving this some teeth. I do not think that the bill is a simple matter of housekeeping and I can give very good reasons for that. I have experienced very good reasons for it. For many years I taught quality control, I taught the Department of Fisheries fisheries inspectors quality control techniques, both organoleptic and chemical tests. I taught quality control to many students in the Fisheries College, many of whom are now fisheries inspectors all over the Province. And I also spent a great deal of time, a considerable amount of time in Burin, Grand Bank, Fortune, Bonavista, Fogo, LaScie, at the fish plants there, setting up quality control systems, setting up tests within the companies and also tests for fish being sold to foreign market places.

When Marystown opened in 1967 I spent six months down at Mooring Cove setting up the quality control practices for Atlantic Fish, and also going to sea and setting up the quality control practices aboard the vessels and for the unloading system which they had installed. But I also spent a considerable amount of time in small plants which I was far more interested in. I

MR. STRACHAN: understand there is a need for large plants, but I was very interested in small plants, especially small places which need not have the means nor many times the education or the understanding to put into system a quality control process. And what I observed over time - and I should state quite clearly before I get into it, that I believe that fish and all food products should be of the highest quality possible. Many times in the late 1960's or mid 1960's I saw fish and fish products which did not meet the market requirements, did not meet the fisheries requirements, many times because the processors did not understand these requirements. But over the years through process education, and I believe the College of Fisheries should be commended for this process, these fish plants, small fish plants slowly started to produce better and better quality fish.

But the argument comes down to the fact that large fish plants like all large corporations, large companies have the facilities, have the finances and often receive large amounts of money in the form of grants or subsidies from the government, so it is very easy for these plants to implement a quality control system. Atlantic Fish, for example, implemented an extremely high quality control system because they did have a large amount of money given to them or poured into them by government. I have no argument with them, they created tremendous employment and made Marystown a boom area.

But I also know that during the late 1960's regulations came out regulating small fishing establishments, small canneries, small processing establishments and these regulations immediately forced small companies to close down, curtail their activities or certainly harassed them tremendously to try and implement these regulations. The argument I have is that if government suddenly brings in a set of regulations then these small companies often do not have the financial means - they often are the backbone

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of small communities and they often do not have the financial means to be able to immediately implement many of the recommendations. So therefore they are

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punished, and oft times forced out of business.

As well as regulations I feel strongly that there should be a system in which small fish plants, which employ large numbers of people including the fishermen, small fish plants should be helped and should be assisted to meet these regulations exactly the same as the large companies and corporations who get such large subsidies, and in fact in many cases could be established as being government corporations and companies. I certainly feel for instance, that in many companies in this Province that the people own them, because they are certainly putting far more into it than some of the companies are doing now themselves, and without accountability either. But I feel the small fish plants, and the small operators should be given the same type of assistance so that they can carry on and upgrade their product so that they are not forced out of business or have to curtail their activities or get out of the canning industry, or get out of this.

It is very easy, extremely easy for inspectors to come in and to condemn a small fish plant. Many times, and I know federally anyway, with the Federal fish inspectors, that the Federal fish inspectors often take these into consideration, that they will come in and examine the product, and will often suggest to the small processor how he can upgrade his product. In fact I think it is an important point with the fisheries inspector that he not only inspect, but that he also teach.

However in the case, and some of the examples I know of, there comes a point in which the fish plant cannot meet these standards and the Fisheries inspector has no choice, but either reject certain products, turn them back, or eventually it means that the man is forced out of business or has to curtail that part of his operation.

And I would welcome a bill of this nature. I said I am certainly all for improving the quality of food products in

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this Province. I think it needs to be done. I have worked in Iceland and I know the Icelandic standards, I know the Norwegian standards, and I know that in many cases in this Province many of the fish plants turn out standards just as high. And, in fact, in the case of Bonavista Cold Storage in Bonavista and in Grand Bank their products will be accepted on the market when most other products done up by other companies are rejected. At times of crisis, at times when there was a glut in the market the Bonavista Cold Storage Company was always assured of getting its fish bought and supplied on to the American market.

But I would welcome a bill like this, I would also welcome, additionally, some funds to accompany such a bill to give the opportunity to small plant operators to upgrade their plants to meet the standards. Or you can say that again what you are asking for is money. That we do not have the money to be able to do that. And I disagree entirely because I see in the fishing industry that the money goes to the large corporations, the large corporations all they need to do is threaten, threaten a close down, threaten they need to cutback, and immediately they are given subsidies or grants or monies to carry on. And I feel as well as this bill here, that the small fish plant operators should be given assistance to upgrade their plants, to meet the standards which are set down. Additionally I feel, as an additional point here, as my colleague from Port au Port Peninsula (Mr. Hodder) stated, that there is a danger here, and it is exclusive licence, there is an extreme danger of a monopoly situation being created. And whenever there is a monopoly situation created then the small plant operator, the small inshore fishermen are always the ones first to suffer. The large corporations, the large companies can always manage to last through.

And I believe as an example cited by my colleague, that what we are seeing is by the application of licences, what we are seeing is the establishment of monopoly situations within areas of

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this Province. And I totally reject that principle. I totally reject this. I think it is scandalous that it should happen, that these small plant operators are often still there, still maintaining and still working when the large companies can no longer find the quantity of fish, I am clear on this, I know it has happened, when they can no longer find the quantity of fish to keep going, they very quickly will shut their doors

MR. STRACHAN: and leave after they have been assisted grandly and greatly by government, they will leave and who is left but the small plant operators. That is if they have not been forced out of business. And these people then are the ones who take up the slack in these tight situations and carry it on until they face another crisis with the next company wanting to come in to establish some other species of fish or take some other species of fish.

I will not get into too much detail on some of it but I know that in many cases, for instance, that these large companies set up their accounts and they set up accounts in order to show, in the inshore fishery, to show that they have to keep the prices down. They set up their accounts - in fact I would be very interested to see the large companies within this Province who have companies or subsidiary companies or allied companies in the States, which pick up the profit while they maintain that the operation is in a losing wicket and therefore require subsidization by government and the government pours the money in.

So I think there is a number of points about this bill. I agree with it in principle, totally and absolutely. I think there needs to be higher quality. I think things need to be examined. But when it comes to a state of giving monopolies, exclusive rights, such as an example given by my colleague, and if by exclusive rights it means the forcing out of small plant operators then I think it is wrong. I would welcome greatly to see some assistance given to these small plant operators so they can raise the standard of operations, so they are given a chance to stand on their feet, that they can manage to maintain their operations, because I believe that they will still be around after many of the large companies have closed out through pressure or through lack of quantity or through different types of operations. And I think the future, as far as I am concerned, and I have always

MR. STRACHAN: stated this, the future has always to me been in the inshore fishery, I think a blend between inshore and deep sea fishery, but I think the future will be inshore and by inshore I do not mean small motor boats, I mean the inshore fishery which will take a man out fifty miles, I think that these fishermen and these operators require all the help in the world and need to get on their feet. And many times I often feel that the money is poured into the big companies when they squeal that they are losing money, that they need subsidization, they need assistance and the price of the cod block and so on, if a similar amount of money or a reasonable percentage of that amount of money was spent on the small plant operators then we would see a healthier industry. We would see a more viable industry.

I listened the other day to the minister when he stated that the plants, I believe, are operating at thirty per cent of the total capacity. And I should indicate that I have always believed that large plants require that very large volume, and when they do not get that large volume then they are going to make a loss. You do not want a plant which will cost you \$50 to turn the key in the lock and open the door and put on a light. You want a small plant with small overhead that can process the fish in the various places. Fogo Island would be an excellent example of a small plant operation which can survive and can make small communities viable.

So I would like to see as well as this bill, and I heartily support this bill, I do not think it is just purely a piece of housekeeping, I support this bill but I would also like to see in the spirit of the bill, I would like to see some type of financing, funding or assistance given to the small plants in order so they can upgrade, or the small operators they can upgrade, so we do not force these people out of business only to give the concessions to large companies.

SOME HON. MEMBERS: Hear! Hear!

MR. J. WINSOR: I could not let this opportunity go by without saying something about this apparently innocuous housekeeping bill that the minister has brought in. Apparently my colleagues have seen a number of things wrong with the bill, not so much wrong with the bill but as some of the different clauses in it leaves much to be desired, leaves an awful lot of room for discrimination, I too have met with the same things that my colleagues have referred to, the member for Port au Port (Mr. Hodder), the member for Eagle River (Mr. Strachan), and others who have spoken on it. There is a rule -

MR. J. WINSOR:

I know about the federal inspection people. I lived with them for twenty-four years and I thought that they were the final authority in every aspect of fish plant operation inspection. From the time the net went over the side or the stern of the boat the federal government had full control. When it came aboard it had to be the right size mesh for a start. They had to have the right size fish. It had to be stored just so, iced just so - all this taught by people like the member for Eagle River (Mr. Strachan) - how to handle it aboard the boats, how to handle it when it got into the plants and these plants were crawled through.

We started off on a very moderate scale with some very minor regulations. Gradually they came up to the great CGSB standards which covered a multitude of inequities in our plants and now I see we have got a few more regulations coming in here. I like to see regulations. I think an awful lot of fish is handled in Newfoundland from one spot to another in miserable trucks with no tarpaulins over them, no ice, dust flying over it, overheating, you name it. If this bill will take care of these problems, correct them, I am all for it. If the bill is going to prevent the small entrepreneur from getting his plant going, I am not for it. I know this has happened with the gentleman up in Port au Port. I also had a call from him last year outlining what was happening to him, pressure by the larger plant. I do not see why.

We had small plants built in the Hermitage Bay area. Somebody was told that they could not get a license for it because it would be interfering with an already existing plant. It did interfere with the already existing plant but not to the extent that it would have to close up or die like the one up in Port au Port. The operators were a little larger than that. I was part and parcel of the plant in Hermitage being built. When the Minister of Fisheries of that day, Mr. Roy Cheeseman, was asked to come up to Hermitage for a meeting I flew from Burgeo, where I was at the time reopening a plant that had been strike bound for a long time and on loan from Gaultois to

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do that, I had a meeting with the fishermen and Mr. Cheeseman and they asked the Lake Company, Gaultois Fisheries Limited, if they were interested in operating this small plant, would they take over and see that the fish was properly processed and so on and marketed. It was all agreed. And I had to go back to my company and ask them if they were interested. They said, "Yes, we are interested. We would certainly like to do that." Because the people in Hermitage, they wanted a piece of the action. There were some people there who did not have work and this is what they wanted to do, process a little of their fish their own fishermen caught. We did all that and the company said, "Yes go ahead tell them we are willing to co-operate in any way we can."

Well, all right, that condensed down very fast because the minister resigned and the Lake Group or Gaultois Fisheries did not take over that plant. But it did not prevent a small operator from going in there and starting up and operating and with my blessing. At a meeting in which the deputy minister pointed out the fact that he really was not entitled to a license because he was interfering with an existing facility, Gaultois Fisheries Limited. That same gentleman has done a real good job in that plant. I am sure the minister will agree with that, the Roberts family, they have done a real good job with operating Hermitage. It has not done all that much damage to the Gaultois fish plant. I do not think Mr. Baker could close up National Sea. I do not think he should be discriminated against in any way. I do not know the man. I never saw him in my life. And on general principle it looked like a tremendous job, somebody, a

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a big corporation buying up all the buildings so you could not get in out of the cold. That is what it looks like. That is what it read like when the hon. member, my colleague from Port au Port outlined what was going on in his letters and so on. I think that is wrong. I would not want to be part or parcel to a thing like that. There is the Belleoram plant again which caused the government a great deal of grief and which Mr. Roberts has now taken over, and hopefully he will do as good a job with that as he has done with Hermitage. I hope the regulations outlined here will not interfere with that proper operation. To be utterly frank with you I do not know what your regulations are going to cover that the federal regulations do not already cover. But I am subject to your pointing out this. I would love to know what they are going to do. Boy! I would love to know if the act goes through tonight where you are going to get the fish inspectors, where you are going to train them? You have not got them now. The federal government has not got enough.

MR. W. CARTER: It will be carried out by their inspectors. They will enforce the act for us.

MR. J. WINSOR: Maybe. We will see.

MR. W. CARTER: The regulations are pretty well identical.

MR. J. WINSOR: I was quite amazed as an operator of a fish plant. The regular inspection certificate used to come from the federal people for the plant operation and lo and behold one day another certificate came. It look more like the first certificate I got in school. You know, it was that kind of a thing, rather large, and my remark was - and I am not ashamed to say it - was, My Gosh! They must be short of money, because here is another licence required. This one was \$100 against \$10 I believe the other one was. It was like buying two licence

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plates for your car. And I thought, well, you know, they are short of money. It is a very good idea. It was not coming out of my pocket directly. And I hope that this bill is not another means of getting a few dollars out of the poor people. It is going to make employment for -

AN HON. MEMBER: How many?

MR. J. WINSOR: I do not know.

- twenty fish inspectors. Great if it will improve the quality of some of the fish that I see in the supermarkets. Some of it should not be there. It is the worse display of the whole thing. The meat is all very carefully taken care of, beautifully done, and laid out every day. Things are just so. But the fish is piled in like a bunch of potatoes or like the grapefruit and turnips on the other end of the supermarket. But what I am trying to say here is that I see a new Fish Inspection Act, and I went through the tortures of the federal one being brought up to maturity, and it took a long time to do that. There were many changes that had to be made by the operators, and it cost a barrel of money. A lot of men had to be trained. And I think they have only just now finished training them. And I suggest to the minister that he is going to be a few years down the road, to use a local and modern phrase, before he will have a sufficient staff to police this thing. And I see where the policing is required as my friend from Eagle River said in the trucking operations, the small handling operations. That is also supposed to be done by the federal people but I am not against the bill. I am just pointing out, based on long experience, some heartache, some rows, because there were rows galore then the federal people started their fish inspection

Mr. J. Winsor.

regulations and started putting their thumbs down here and there, and there was many a time when there was danger of one or the other, the fish inspector or the plant manager going over the wharf. I hope that will not happen again. So I really am in favour of the bill in the context that it will improve the quality of fish being sold locally, the way it is handled. And if it will do that I am certainly in favour of it. But I had to point out these few items. The hon. gentleman from LaPoile (Mr. Neary) started the ball rolling because he saw, as I did, that there were certainly some points there that should be talked about. I do not think we should ram bills through, especially if there is something wrong with them in the light of people with some experience in that line. And I do not think we should spend all night trying or all day or a month trying to get one simple little, as you said, housekeeping bill through. But I am quite sure that the minister looked upon it in that light. Unfortunately,

MR. WINSOR: we who have had more experience, I venture to suggest, than the minister himself in this particular line of control. We are all for controls where they are necessary. But over-control sometimes is not necessary.

So with these few remarks I say to this House, I support the intent of the bill, possibly later on there may be some points raised by others when it comes up again.

AN HON. MEMBER: Are you still on the fish bill.

MR. WINSOR: Yes, we are still on the fish bill. I am just about to finish. And I have played my points as fairly as I can and I do not think there is much more to be said about it. So I therefore say that I do support the bill in principle.

MR. SPEAKER (DR. COLLINS): The hon. member for St. George's.

MRS. MACISSAC: Mr. Speaker, I will just say a few words on it. I feel that I should have something to say since we have a situation in St. George's district, possibly, that does not exist anywhere else. I believe that just about every other district in the Province has at least one fish plant and in my district from the Codroy Valley, right through to Stephenville Crossing area, including Bay St. George, we do not have a fish plant. And it puts our fishermen in a very awkward position.

We did however have a small fish plant a few years ago. I believe it was in 1970 or 1971 the former member for St. George's (Mr. Alec Dunphy) operated a small fish plant in St. George's area and I must say it employed quite a few people and handled quite a bit of fish. But it only operated for a short time, a year or so and then it was closed down. And for some reason it has not been operated since.

But I do believe, I understand that there are a few fishermen, a few individuals in the area who are interested now in

MRS. MACISSAC: acquiring that operation and trying to make something worthwhile out of it. It is not a matter of not having the fish, there are plenty of fish in Bay St. George but it is a matter of the fishermen having to peddle it from door to door. And I can see the intent of this bill is probably to take care of a situation like that too. But what I am scared of is that the fishermen, the individuals who are concerned now about trying to get this small fish plant into operation, to handle the fish in that area, may very well not be permitted to operate and if this is the case we have a situation in St. George's area, in the whole Bay St. George area that has to be dealt with.

Last year I believe it was, to refer to everybody defending Mr. Baker, I have to say too that he came to see me last year and said that he was ready, willing and able to set up an operation in the Bay St. George area, in fact from the Highlands in. And he had trucks, drivers, buyers, and he had everything ready to go and could have handled and collected all the fish that was caught in that area. For some reason that deal did not go through so right now the fishermen in that area are, as I said, in a position where they have to dispose of their fish in whatever manner is available to them and that is usually peddling it from door to door. I hate to think that I live in an area where so much fish is caught and I often end up buying it from the supermarkets, frozen fish that has been imported.

So my main concern is that there will be some protection for the small operator. I know there are a few individuals in that area who have made application and - or I have been told they have made application or representation to the Department of Fisheries to find out

Mrs. MacIsaac:

what the possibilities are of acquiring this building because at the present time nobody seems to know who owns that small fish plant in St. George's.

So if and when this bill is passed I certainly hope that it will not have too much effect on the small operator, because if it does we are faced, in my district, with a situation where there is just no means of the fishermen disposing of their fish with no plant in the area.

Thank you.

MR. SPEAKER (DR. COLLINS): The hon. member for Burin-Placentia West.

MR. P. CANNING: Mr. Speaker, some speaker this afternoon said that we do not eat too much fish in Newfoundland, we are not fish eaters. If this bill had been brought in twenty years ago in this House or even before that by the time I would be finished my remarks there would be nobody eating fish in Newfoundland.

But, however, as far as I am concerned at the moment, I have given some thought to this since it came in, and in my district strangely enough at the present moment this bill is not as important as it would have been years ago. But what has happened in Burin-Placentia West is that most people are selling to the big plants, the plant at Burin and the plant at Marystown. And I am quite satisfied that there will be no fish go out through either one of those plants that is not a good article because for the simple fact that they would not dare ship any fish that was not of good quality to the markets because it would be to their own detriment. And I think in the plants if the inspection is very thorough I think all the plants will make certain, certain as possible, there is not a package of fish that will go to the market other than the best quality or the proper quality, because it is to their own detriment, it would damage their market, they would lose the market.

And the only thing that I meant to ask the minister about a few minutes ago, but I thought we were coming to the end of the speakers, that I am not clear on - I will give an example of a plant that is built now at Baine Harbour. It is ready I believe,

Mr. Canning:

or almost ready to go into production this Summer. I do not have the particulars of what will actually go on there. It is one of the latest plants with an ice-making machine, so I am sure that the quality of fish coming out of that plant will be no fault of the facility. But I am most certain if the federal inspectors will have control there, will they visit there, or the Salt Fish Corporation, if they have people there, I think they will, to see that this - because it comes under them through somebody managing the plant. I think, that is what I understand. I meant to have a word outside of the House with the minister one of those days just to see what is going to happen there. I think it is one of the most modern plants set up in Newfoundland in all times. I think it is just the thing that we need, with splitting machines, but particularly the ice. In the last few years - I think, that most of the fish being shipped, of course, and most of the boats, particularly the longliners are using ice - that we are producing a better quality.

But however surprisingly enough the inshore fishery has gone down considerably in my district in the last seven or eight years. It has not gone down the people have left it. And then apart from that there is very little fish being stowed in stages, very little made on the flake except - I was fortunate enough last Fall to go to a little settlement and I got some fish that was still being made on some flakes, some dried, which is something that has practically gone out. And to compare it with what I can get at the supermarkets - I would advise the minister when he gets his inspectors set up to go to the supermarkets and look at some of that fish, They have it covered with salt outside, coal black inside.

MR. CANNING:

When you bring it to your house if you have not got a fan, well you had better get out behind the house to cook it because there will be an odor go through the house that you would need a lot of air florient going around afterwards to destroy it. But where that fish comes from I do not know. I never saw anything like it in my district. I never say anything like it up our way. It is not fit to eat. I like dried fish as well as anybody in Newfoundland, expecially for my breakfast. But I came to the point after I tried it several times, bought it, looked at it, and I know a little bit about fish and I have to say that I was not satisfied with it. But I actually just stopped buying the fish in the supermarkets. Now it is coming from somewhere in Newfoundland, I do not know. But wherever it comes from, I do not know what happens. There is not enough salt. It is just not fit to eat, and I do not think it is selling very much. But that is not because Newfoundlanders do not eat fish, it is because Newfoundlanders are not producing the decent product for themselves.

I support it, Mr. Speaker, because I am aware that the greater the inspection or the more thorough the inspection is, it will give our access to new markets a boost. There is one other thing I would say, that is that someone again today detected in the past that we made a very poor product but one thing that did happen or used to happen in my earlier days was that we had several different culls, we used to call it. We call it grades now of the culling of fish. You had West Indies and you had merchantable, you had Spanish - I just forget them. What happened was, of course, that the merchants used to go to the fishing premises, you would have a culler there, you would cull the fish and the West Indies was thrown over there and the merchantable was thrown over here and the Spanish, which was top I believe, was thrown somewhere else. The fisherman was paid as it was thrown out. But it came into St. John's and it was being packed, or it came to other firms on the Southwest Coast or in Placentia Bay and then it went into barrels at

MR. CANNING:

the time. But what happened was that what the fishermen had been paid for as West Indies went over in the merchantable sometimes and went off to the markets. So the merchants were doing good with the markets, better than the fishermen.

But we have come a long way with making the better product. We have tried down through the years with our salt fish plants. I believe we have one in practically every fishing port in Placentia Bay of some type. The unfortunate part about it was that in my district I had - oh my, I have a dozen, I guess, but there was one, two, three plants built, pumps were put in, a lot of improvements for hoisting up fish, did not have to use the pitchfork any more. But we had a heck of a job in persuading the fishermen to bring their fish to that plant and some of them - actually there was never a fish salted in them. They just stayed on the stages. But those people at the moment are bringing in their fish. In the evening the collector comes in and takes it off to the plant mostly by truck.

So I am not too much concerned about the product in the district because, as I say, in the fish plants, Grand Bank and Fortune, I believe, every plant has its own inspector always on the spot and there is a thorough examination of every package and every fish. And if they do not - well it is common sense, eh. If they send bad fish to the market, they are just going to lose the market. I support it and I hope it will be carried out. And I hope a good inspection will be carried out because it is only logical, common sense, from every viewpoint.

When the minister puts his first man on the road I will point out to him the supermarkets where there is very bad fish. They should trace it back and see where it is coming from or what they are doing because there is an awful lot of it. It is just not fit to eat. I believe everybody who looks out for dried fish in the House will agree with me. I support the bill entirely.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: If the hon. member speaks now he closes the debate.

MR. SPEAKER: If the hon. minister speaks now he closes the debate. The hon. Minister of Fisheries.

MR. W. CARTER: Thank you, Mr. Speaker. I will attempt to deal with some of the questions raised by the members opposite. I should point out by the way that the amendment to the bill is giving the Province jurisdiction over all fish plants established within the Province, irrespective of the market destination of their products, whereas now under the existing act we are restricted to provincial jurisdiction, to those plants that are processing establishments whose products are sold locally within the Province. So I do not think it is as world-shattering as my colleagues opposite would have the House opposite believe.

But let me deal first with the comments raised by my friend from Port au Port concerning the situation with respect to Mr. Allan Baker, a small fish processor of that area. Now I am quite interested in hearing all of the support that is coming in from the member and his colleague from St. George's, and a friend from LaPoile in behalf of Mr. Baker. Because I think the gentleman from Port au Port knows as well as I do - at least he should - that when the Co-op in that area failed, folded up, there was chaos pretty well in the fishing industry. Quality was down, catches were down, the entire area was in a state of utter confusion. Officials at the Department of Fisheries and myself, we went out there and had meetings with the fishermen. We found out that they wanted somebody to come in there and to take control of what was happening. And I believe at the time there were tenders called in the various newspapers in the area requesting interested parties to make a proposal for the establishment of a fish processing facility in the area. There were three proposals I am told. I think one was the Hardy Company from Port aux Basques

MR. W. CARTER: the other I think was - is it IMF or some? -

AN HON. MEMBER: UMF.

MR. W. CARTER: UMF and National Sea. I am told that - I believe two of the companies backed away from it and that the other company, National Sea, stuck with it, honoured their undertaking in their proposal and moved in. And this was done certainly with the concurrence of practically all the fishermen in the area. This was the ultimate as far as they were concerned. National Sea was the Messiah. After what they had gone through with the failing of the Co-op and with the problems that they were encountering as a result, National Sea was their answer to the problem.

But National Sea, Mr. Speaker, like most companies was not prepared to move into an area, to make certain investments, to undertake certain responsibilities if the industry was allowed to remain fragmented, and part of the deal was that they would be given an exclusive franchise for which I make no apologies. Because while it is not our intention to deprive a small plant operator from establishing an operation but certainly, I think we must use some discretion when it come to issuing licences. We cannot have small fish plants springing up in every community in the Province because what you will have then is rather than maybe one or two or three large and economically viable plants, you will have ten, twelve or fifteen plants that are barely able to stay afloat.

So therefore we must reserve the right to be restrictive in cases where it is necessary in the issuance of licences for the processing of fish. National Sea undertook to go to the Port au Port Peninsula and to do a job out there with the concurrence of the fishermen and all those concerned, on the condition that they would be given an exclusive franchise for a certain period.

MR. W. CARTER:

Mr. Baker was acting illegally. His operation was not being conducted consistent with the regulations that were laid down by the Province and I believe by the federal government as well. The Salt Fish Corporation.

MR. NEARY: What do you think we are boy?

MR. W. CARTER: He was acting illegally at the time.

MR. NEARY: Was it a legal case?

MR. W. CARTER: Well later with the court.

MR. DOODY: You move to adjourn

MR. W. CARTER: I move the adjournment of the debate, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. HICKMAN: Mr. Speaker, I move that the remaining orders of the day do stand deferred and that this House on its rising do adjourn untill tomorrow, Wednesday at 3 o'clock.

On motion, the House at its rising adjourned until tomorrow Wednesday, March 23, 1975 at 3; p.m.