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**VERBATIM REPORT**

THURSDAY, MARCH 27, 1975

SPEAKER: THE HONOURABLE M. JAMES RUSSELL

The House met at 10:00 a.m.

Mr. Speaker in the Chair.

MR. SPEAKER: Order, please!

ORAL QUESTIONS:

MR. SPEAKER: The honourable Member for Bell Island.

MR. NEARY: Mr. Speaker, I would like to direct a question to the honourable Minister of Social Services, Sir, and I would like to ask the minister if the government has yet taken a decision on whether or not they are going to provide financial assistance to the Teach-A-Tot Centre?

MR. SPEAKER: The honourable Minister of Social Services.

HON. A. J. MURPHY, Minister of Social Services: Yes, we have taken a decision on that.

MR. NEARY: Mr. Speaker, a supplementary, when will the minister be making his decision known to the Teach-A-Tot people?

MR. MURPHY: I do not know, Mr. Speaker, who the honourable member represents but we are meeting daily almost with the committee, As a matter of fact there is a committee down now with my Deputy Minister, but I did not hear the honourable Member for Bell Island's name mentioned so I will deal with the committee, and then when the discussions are through, then I can make a statement to any question in the House.

MR. NEARY: Supplementary to the minister, would the minister indicate to the House whether the financial assistance will be an across the board grant or will it be based on need.

MR. MURPHY: No, I think it will be under the table, Sir.

MR. ROBERTS: It probably will be.

MR. NEARY: It would not be the first time, Mr. Speaker.

MR. ROBERTS: We will take the minister's word for once.

MR. SPEAKER: Order, please!

MR. NEARY: The minister told the truth for once in his life.

AN HON. MEMBER: Inaudible.

MR. SPEAKER: Order, please!

MR. NEARY: Mr. Speaker, would the Minister of Social Services care to indicate to the House, Sir, whether the request from the Funeral Association for an increase in rates has been granted?

MR. MURPHY: I did see some correspondence on it, Sir, whether it has been granted or not I do not know but we have been looking at the thing very closely, Sir, and I think it was last year we brought in some new rates because we wanted to remove the stigma that was attached to the pauper's funeral that existed under the previous administration. But there is a request, Sir, for an increase. But has it happened yet? I really do not know because we have not had a chance to consider it yet.

MR. DOODY: The honourable Member for Harbour Grace could inform you.

MR. MURPHY: The President is not in the House is he?

MR. NEARY: Mr. Speaker, I have a question for the Minister of Transportation and Communications, Sir, would the minister please tell the House whether or not either he or his Director of Air Services authorized a special trip of the Churchill Falls jet to transport the Premier to Halifax enroute to Bermuda.

MR. SPEAKER: The honourable Minister of Transportation and Communications,

HON. J. ROUSSEAU, Minister of Transportation and Communications:

Mr. Speaker, the Air Services Division has no authority, jurisdiction or dispatching ability in respect to CFL. The Churchill Falls jet is purely under the sole jurisdiction of the Churchill Falls Power Corporation, not the Department of Transportation and Communications.

MR. NEARY: Mr. Speaker, I am dissatisfied with that answer, Sir, and I wish to debate that matter at the late show this afternoon at 5:30.

MR. ROUSSEAU: Excuse me, Mr. Speaker, may I on a point of order? You know we do not have any jurisdiction on it, I say. If you are talking about the Department of Transportation and Communications you do not have jurisdiction.

MR. NEARY: Well, Mr. Speaker, somebody in this honourable House, Sir,

has to be responsible for that jet. And the Minister of Mines and Energy is not here, Sir, the most logical person -

MR. ROUSSEAU: I will do it. I will do it.

AN HON. MEMBER: Ask the Acting Premier.

MR. NEARY: Well, I ask the Acting Premier if he authorized it.

MR. ROUSSEAU: I just want to make sure you understand the point I made.

MR. SPEAKER: The honourable Minister of Fisheries.

HON. J. CROSBIE, Minister of Fisheries: Mr. Speaker, no one in the government authorized or did not authorize or had anything to do with the matter because the CFLCo jet is owned and operated by CFLCo and presumably if their jet was used for any purposes authorized by the Board of Directors or the Managing Director or somebody -

MR. ROBERTS: We know that that is a subterfuge.

MR. CROSBIE: That is not a subterfuge. We do not own it. We own two-thirds of it.

MR. ROBERTS: Inaudible.

MR. SPEAKER: Order, please!

MR. NEARY: Mr. Speaker, I am not satisfied with either one of these answers, Sir, and I wish to debate the matter at 5:30 during the late show.

MR. MURPHY: Will that be two debates?

MR. ROBERTS: Hopefully.

MR. NEARY: I beg your pardon.

MR. ROBERTS: He asked would there be two debates and I said hopefully.

MR. NEARY: No, that is three now. We have another one for Pooh down here, the teddy bear.

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

MR. SPEAKER: The honourable Member for Bell Island is -

MR. NEARY: Inaudible.

MR. SPEAKER: Order, please! The honourable Member for Bell Island, or any other honourable member for that matter, should refer to another member in his rightful capacity or constituency and I would ask them to do so.

MR. NEARY: Thank you, Your Honour.

Sir, I have another question for the Minister of Transportation and Communications. Would the minister care to indicate to the House, Sir, whether he or his Director of Air Services authorized a trip to Port au Choix on St. Patrick's Day, March 17 of the King Air CF-GNL and then arranged for a helicopter to take Captain Piercey out to the Lady Anderson II to bring flippers back for officials of the government?

AN HON. MEMBER: That is twofold.

MR. ROUSSEAU: I have to take that question as notice, I have no idea, no idea.

MR. NEARY: You will find it is true.

MR. ROUSSEAU: I hope not.

AN HON. MEMBER: Inaudible.

MR. SPEAKER: Order, please!

MR. NEARY: Mr. Speaker, a supplementary. Would the minister undertake to get me the information, and to also let me know who went on that trip, who accompanied Captain Piercey? And would the minister also find out for the House the cost of this trip? Who paid for it? Who the flippers were for?

AN HON. MEMBER: For what department?

MR. NEARY: Would the minister also find out if either he or his officials or the Director of Air Services authorized for the same gentleman a flight of the government aircraft to fly Captain Piercey and other people and their families to St. Pierre on a holiday?

MR. ROUSSEAU: One second - what day? The same date?

MR. NEARY: No, that is not the same date. I am not sure of the

dates on that one, but I know the date of the flipper pie deal was St. Patrick's Day, March 17.

AN HON. MEMBER: That was a good day.

MR. NEARY: It was recently, the trip to St. Pierre was recently, and I think Captain Piercey was accompanied by Mr. Frank Spencer, the Chairman of the Newfoundland Development Loan Corporation.

AN HON. MEMBER: Inaudible.

MR. NEARY: Mr. Speaker, I wonder if the Acting Premier could tell us how many shut-downs Price (Nfld.) are going to have in this calendar year?

MR. SPEAKER: The Hon. Minister of Fisheries.

MR. CROSBIE: Mr. Speaker, I mean this is an extraordinary question to ask the government, how many shut-downs Price may have during the year? You know, we hope that they will not have any more shut-downs than what has been announced on the radio, that it is likely to have a two week shut-down in July. But quite obviously,

AN HON. MEMBER: Inaudible.

MR. CROSBIE: if they had any more shut-downs other than that it will all depend on what the market conditions are. As far as we know they are contemplating one period of down time during the coming year. Whether or not there will be more, of course, they would let us know in advance, the same time as they would let the union know or anyone else know. But it would all depend on the market, and whether the market improves or does not.

MR. NEARY: Mr. Speaker, I have a question for the Hon. Minister of Justice, Sir, concerning the dog situation in Newfoundland. Would the minister care to tell the House who or what enforces the dog regulations in this Province? In view of the fact that so many children have been mauled in recent months by dogs, and so many animals have been attacked by dogs, and the dog menace has become so much trouble -

MR. SPEAKER: Order, please!

MR. NEARY: Would the minister tell -

MR. SPEAKER: Order, please! The Honourable Member for Bell Island is now proceeding to make a speech. He is out of order.

MR. NEARY: Well, would the minister care to tell us who enforces

the dog regulations in this Province?

HON. T. A. HICKMAN (MINISTER OF JUSTICE): The honourable gentleman for Bell Island, I must note, his bark is considerably worse than his bite, Mr. Speaker.

AN HON. MEMBER: He is like a dog in heat.

AN HON. MEMBER: Inaudible.

MR. HICKMAN: The enforcement of the Dog Act which is a provincial statute is carried out by the R.C.M.P. in consultation with the municipalities. And from time to time I have received complaints from a particular council that they would like a more rigid enforcement of the Dog Act. And whenever I receive such a complaint the necessary instruction is issued to the R.C.M.P. and they act upon it very promptly. At the same time I should advise the House that I have not seen any reports coming in to my department of the mauling of many children in Newfoundland by dogs. There was a programme on one of the television stations recorded in Bay Roberts where a

lady had indicated that one particularly ferocious dog had harassed a child and that both she and the child were now quite concerned about the dog. But, as far as receiving complaints of that sort of incident I am not aware of any coming into my department.

But the RCMP outside the city are given the responsibility to enforce the Dog Act, outside the City of St. John's.

MR. SPEAKER: The honourable member for Hermitage.

MR. SIMMONS: I have a question for the Minister of Forestry and Agriculture. I wonder would the minister indicate whether Mr. Ed Ralph is still acting in any consultant capacity with the government. Mr. Ed Ralph?

HON. H. COLLINS (MINISTER OF FORESTRY AND AGRICULTURE): Not to my knowledge, Mr. Speaker, and certainly not for our department. I do not know of any - I cannot speak for any other department, but I do not think he is for any department.

MR. SIMMONS: Could the Minister of Forestry indicate what the policy is on those forest access roads, specifically who controls the access to these access roads? Who is permitted on them and does government or perhaps the minister's department administer the control and determine who can use these roads or is it a public road and every citizen's concern?

MR. COLLINS: Mr. Speaker, since the Forest Access Road Programme is a relatively new programme, we have not really defined that policy in terms of usage for additional purposes or other purposes other than to -

MR. SIMMONS: I am thinking in terms of use for forest access purposes, mind you.

MR. COLLINS: Well, for forest access purposes, generally speaking, Mr. Speaker, when an access road is built it is built for a specific purpose, generally for a specific company or individual or whoever it might be, if they are utilizing the forest in that particular area. To my knowledge, they would have some control on the road. But, as I said, it is an area which we are looking at very carefully in terms of being able to derive some other benefits. Chances are we will permit cabins to be built on them or permit people to use them for other purposes. It is up in the air at the time because it is a



relatively new programme.

MR. SIMMONS: A supplementary for the minister. Is the minister indicating then that it is quite possible that an individual company or holder of cutting permits could control the access to a particular forest access road?

MR. COLLINS: Mr. Speaker, that could or could not be possible. Certainly the person or the company who might be reaping the forest, cutting trees in the area, would be required to exercise good forest fire management, for instance, and other management requirements. I do not know what the honourable member is really getting at. What is the specific case? Is there a specific case he has in mind?

MR. SIMMONS: Mr. Speaker, there is a specific case. I am thinking of a case where I am told that Ralland Forest Products has actually designated those roads as private roads and have placed signs to that effect. I am wondering if this is within the law. There are persons who have been prevented, it is my understanding, from using those roads for forest access purposes. There are actually chains across the road. That is my information. I have not seen them personally myself. I wonder would the minister indicate whether this is strictly above board or if not, what he could do about it?

MR. COLLINS: Mr. Speaker, I am not aware of the incident which the honourable member refers to, but there could be a very good reason for that approach to controlling the roads. Very many of those companies might have some valuable camps, some very valuable equipment on the roads and certainly they would not want every Tom, Dick and Harry to be wandering around at night or on weekends when they might not be there. I will certainly have a look at the case in point and get back to the honourable member on it.

MR. SIMMONS: I had a question for the Minister of Transportation but I seem to have lost him. If the Minister of Transportation is within the hearing of my voice, perhaps he would come back into the chamber if he would and I will put a question to him.

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Tape 814 (morning)

IB-3

MR. NEARY: Or the acting Premier.

MR. SIMMONS: Yes, in the absence of the Minister of Transportation perhaps the acting Premier could respond. I am thinking in particular about the twenty mile stretch of road between Jacques Fontaine and Harbour Mille. I am wondering if the Department of Transportation, if the minister or the acting Premier would bring us up to date on what is going on insofar as maintenance is concerned to avoid the threatened closing of that section of road, Jacques Fontaine to Harbour Mille.

I am wondering what the department is doing. Would the minister indicate what the department is doing to avoid a closing of that road? I understand the condition of the road is such now that it may have to be closed, twenty mile stretch from Jack Fountain to Harbour Mille.

MR. ROUSSEAU: You are asking me -

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

MR. ROUSSEAU: Right now, as I know, we put all our trucks together in various areas of the Province. We are trying to get the shale and the sand stone that is necessary to keep these roads open. In certain areas, of course, it takes some distance to get this equipment, but we are working on it and undoubtedly we are working in that area. I cannot give you specifically what we are doing, but I am certain because I have checked with officials yesterday to find out about other areas down around the South Coast and I know that the trucks have been pulled out of certain areas as people seem to think, but they are actually not assigned to these areas. They are pulled out in groups and we are attempting to get as much shale and as much hard material as we can to keep these roads open. I am certain that that is one of the areas, but I will have to check out the individual road that the honourable member brings up.

MR. SIMMONS: A supplementary: I appreciate the fact the minister cannot be intimately acquainted with every mile of road in the country, but this particular one is causing a lot of concern. It is from my knowledge, it is at the point, it has deteriorated to the point that it may have to be closed altogether. At least, this is the fear of the residents in the area. I wonder would the minister undertake to find out specifically what is going on and let me know later in the day perhaps?

MR. ROUSSEAU: Yes, I will undertake that and I will bring it to the attention - I have no doubt that officials are aware of it, but I will undertake to bring it to their attention in any event.

MR. SPEAKER: The honourable Member for Dell Island.

MR. NEARY: Mr. Speaker, I wonder if the Minister of Manpower and Industrial Relations would care to tell the House what is happening concerning the task force that was appointed to look into the Buchans situation? Would the minister care to give us a progress report?

MR. SPEAKER: The honourable Minister of Manpower and Industrial Relations.

HON. E. MAYNARD: Mr. Speaker, the task force has not been formally constituted at this time although we are hoping to have it finalized over the weekend and probably make an announcement on Monday. Unfortunately, due to the trawlermen's strike which my Deputy and I were tied up for four weeks, we were unable to get the progress that we would like to have had. But I am pretty sure that by Monday I will be able to make an announcement to the House as to the formal structure of the task force.

AN HONOURABLE MEMBER: Tuesday.

MR. MAYNARD: Or Tuesday rather, and their schedule will be from there on in.

MR. NEARY: Mr. Speaker, a supplementary: If the task force is not already properly constituted, is the minister aware that the task force have already held one or two meetings in Central Newfoundland? Is the minister aware of what is going on concerning this matter?

MR. MAYNARD: Mr. Speaker, the task force has not held one or two meetings in Central Newfoundland. I convened a meeting in Buchans some weeks ago, a committee of officials, made up of officials of government, the unions, the companies, the town

officials and whatnot. That was not a task force meeting. That was an initial meeting to discuss the setting up of the task force. There has been no meetings since that and there will be another meeting when the task force has been properly constituted.

MR. SPEAKER: Before we proceed to Orders of the Day, I understand the House may be into committee, so I would advise honourable members now with regards to the questions for the so-called late show this afternoon, I understand that because the administrator will probably be arriving by 5:45p.m., we may with leave of the House start the late show at 5:15p.m.

The first question will be one by, debated by the honourable Member for Bell Island with the honourable Minister of Provincial Affairs and Environment, if he is in his place.

I would like to mention a point here. The Standing Order as amended says that honourable members who are dissatisfied with answers should provide in writing to the Speaker the question they wish to debate by, I think it is, 4:30 on the same day as the question is raised. The honourable Leader of the Opposition did raise a question on Monday and I did not get any written notice of it until Tuesday. I am quite willing to let him debate the question this afternoon, but I would prefer in the future that honourable members adhere to the standing orders with regards to this particular matter.

Of course, the third one is the question raised by the honourable Member for Bell Island, today's question period to be debated by the honourable Member for Bell Island and the honourable Minister of Transportation and Communications.

MR. SPEAKER: The time for the question period is now over.

MR. ROUSSEAU: If I could have leave to answer the question that the honourable Member for Hermitage brought up?

AN HON. MEMBER: Inaudible.

MR. ROUSSEAU: No, not about the flippers. I am trying to find that out. About Jacques Fontaine Road.

MR. SPEAKER: The Chair does recognize the Hon. Minister of Transportation and Communications by leave.

MR. ROUSSEAU: Yes, I checked the matter out quickly there, and we have been in contact with the Clarendville office. We have been doing some reconstruction down in that area. Of course, they are going to have problems with the soft roads. But the people in the Clarendville area who are responsible for that are aware of it. There is some grading going on down there, and some attempts to keep the road in the best shape possible but you are going to suffer that kind of thing, of course, in the Spring where reconstruction is going on. And I know that the work is going on, they are aware of it and they will do everything they can to keep the road open.

ORDERS OF THE DAY

MR. CROSBIE: Motion (1).

MR. ROBERTS: Is there an Order Paper, Mr. Speaker?

MR. SPEAKER: The Order Papers are not here yet. This is -

MR. ROBERTS: I wonder if Your Honour would go on with Motion (1).

MR. SPEAKER: Is it the pleasure of the House that the honourable member shall leave to introduce a bill entitled, "An Act Further To Amend The Summary Jurisdiction Act."? Those in favour "aye", those against "nay", carried.

On motion a bill, "An Act Further To Amend The Summary Jurisdiction Act." Read a first time, ordered read a second time on tomorrow.

MR. CROSBIE: Motion (3), from yesterday.

MR. SPEAKER: It is moved and seconded that the honourable member should have leave to introduce a bill entitled "An Act Further To Amend The Judicature Act". Is it the pleasure of the House that

the honourable member shall have leave to introduce the said bill?

Those in favour "Aye", those against "Nay", carried.

On motion a bill, "An Act Further To Amend The Judicature Act", read a first time, ordered read a second time on tomorrow.

MR. CROSBIE: Order (5), from yesterday.

MR. SPEAKER: Order (5) is second reading of a bill entitled, "An Act Further To Amend The District Courts Act". The Hon. Minister of Justice.

MR. HICKMAN: Mr. Speaker, in rising to close the debate on this bill, which is very self-explanatory, I just want to make a couple of comments because during the debate on second reading it seems to me that the rules of relevancy were somewhat strained.

MR. ROBERTS: To a point of order, Mr. Speaker.

MR. SPEAKER: Order, please!

MR. ROBERTS: To a point of order, Sir. I distinctly heard the Hon. Minister of Justice just say in this House, and I raise a point of order, and a point of privilege, Sir, that in his opinion the rules of relevancy were seriously strained. Now, Sir, that can be -

MR. HICKMAN: Somewhat.

MR. ROBERTS: Capable of only one meaning, that Your Honour presiding did not enforce the rules. And I would submit, Sir, (a) that is a point of order, a breach of order, and secondly a very serious breach of the privileges of this House for the Minister of Justice, the Assistant House Leader carrying that heavy, that heavy title of Assistant House Leader to question the Chair's conduct in this underhanded and backhanded way. Sir, this cannot be tolerated. And I would ask Your Honour to exercise the utmost stringency and leniency, because as Shakespeare said, "The quality of mercy is not strained it dropeth as the gentle rain from Heaven upon the place beneath." But I would ask the minister, Sir, be urged to pay due and proper heed to proper procedure in this House, Sir.

MR. HICKMAN: Mr. Speaker, on that point of order may I make it abundantly clear that I have nothing but the absolute confidence in Your Honour's -

MR. ROBERTS: Hear! Hear! Well then no -

MR. HICKMAN: fine impartiality and your strict enforcement of the rules. My comment on the words with respect to the somewhat relevancy of the debate was that obviously I have an obligation to answer the one or two small points attempted to be raised by the honourable gentleman opposite. And in so doing I realize that I too am straying somewhat from the rules of relevancy.

This bill, Mr. Speaker, deals only with the appointment of supernumerary judges in the District Courts.

AN HON. MEMBER: Inaudible.

MR. HICKMAN: If and when,



an amendment to the Judges Act, which is presently before the Parliament of Canada becomes law. That bill contains a similar provision. This bill was drafted in consultation with the officials in the Federal Department of Justice. It is complementary legislation. It will not, I repeat, it will not substantially increase the number of judges in this Province. I am only aware of one District Court judge in the Province at this time who would qualify as a supernumerary judge, should that judge so decide to avail of this provision of the act.

AN HON. MEMBER: (Inaudible).

MR. HICKMAN: No, no, he is gone.

AN HON. MEMBER: (Inaudible).

MR. HICKMAN: This is District Court judge now, one District Court judge.

The Hon. Member for Bell Island inquired as to whether or not the enactment of this piece of legislation will speed up trials. I seriously doubt, Mr. Speaker, if the enactment of this particular piece of legislation will do that.

MR. NEARY: (Inaudible).

MR. HICKMAN: Mr. Speaker, there were three points raised by the Hon. Member for Bell Island, let me deal with them in the order he raised them. One, the honourable gentleman inquired as to why the delay in filling a vacancy that presently exists in the Supreme Court? That, Mr. Speaker, I am not in a position to answer. I do not know. The appointment of judges of the Superior and District Courts of all provinces is the exclusive prerogative and responsibility of the federal government and the appointments are made by the Governor-General in Council.

MR. ROBERTS: Mr. Speaker, would the honourable gentleman permit a question?

MR. HICKMAN: Yes, definitely.

MR. ROBERTS: My question, Sir, would be this, and it

arises out of the minister's statement. It does not challenge it because, of course, the minister's statement is correct. Has the minister made any representations - and I would urge the minister to walk carefully, because, although I was not at a meeting of the Benchers, a number of gentlemen I know were - any representations to Ottawa with respect to the timing of the appointment of the judge, the member of the bar who will become the judge in room of the late Justice Higgins?

MR. HICKMAN: Only, Mr. Speaker, the - not specifically along these lines because the gentleman in - the statement that was made by a gentleman in the cabinet of the Government of Canada with respect to the appointment of judges was that if the Fathers of Confederation had thought there should be consultation or input by the Provincial Attorney General, they would have provided it in the British North America Act, and they did not do it. But in answer to the question of the honourable Leader of the Opposition, immediately following the tragic death of Mr. Justice Higgins the question arose as to who has the responsibility of advising the Government Of Canada that a judge of a Superior Court had died in office, and after some consultation, it was suggested that the responsibility -

MR. ROBERTS: Did the minister know the gentleman?

MR. HICKMAN: No. - that the responsibility may have been mine, so I telephoned Mr. Lang, and I am sure he will not be annoyed at my disclosing this conversation, and asked him. He said, I do not know. But he said I was aware of the fact that Mr. Justice Higgins had died, because it was carried in the national press. But I said, supposing you have a -

MR. ROBERTS: Justice Higgins died in office, surely.

MR. HICKMAN: - but supposing you have a County Court judge in a remote part of one of the provinces, who has never been a national figure, it may -

MR. ROBERTS: It is a good question. Whose responsibility is it? The Clerk of the Court?

MR. HICKMAN: Well we came back and forth, and anyway it was finally discovered that the responsibility was that of the registrar.

MR. ROBERTS: Of the court?

MR. HICKMAN: Yes, he advises the paymaster, I guess.

MR. ROBERTS: Some one sort of stopped the cheque.

MR. HICKMAN: Yes, Mr. Justice so and so has died, will you please issue -

MR. ROBERTS: When Sidney Smith died as Secretary of State of External Affairs, Henry Best was his executive assistant. Dr. Best worked for the Tory Party here.

MR. HICKMAN: Yes.

MR. ROBERTS: Three o'clock that afternoon, he got a phone call from the Treasury Board saying, you are off the payroll, your minister died this morning.

MR. HICKMAN: I see.

In any event

my view at that time and I, you know, I -

MR. ROBERTS: You are dodging the point of what I was -

MR. HICKMAN: Oh! No, I am not dodging the point, but I want -

MR. ROBERTS: Then you are not saying it.

MR. HICKMAN: - to be careful how I say it because I do not want to give the honourable the Minister of Justice in Ottawa the impression that I would disclose any conversation that he would consider to be confidential. I do not think he would consider this one to be because he subsequently confirmed the same view to the Benchers of the Law Society.

MR. ROBERTS: Inaudible.

MR. HICKMAN: I simply pointed out to him that we have but a four man bench and that a delay of any substantial period might make it very difficult for the other judges.

MR. ROBERTS: Should have been appointed weeks ago.

MR. HICKMAN: At that time, that was the first week in November or the last week in October, at that time the Minister of Justice of Canada was about to give notice of the amendment to the Judges Act and he optimistically predicted that that bill would be through the House of Commons by December 31 and he sort of said then, would there be any objection to doing all at the same time. Of course, that is, I agreed with him. It was an eminently sensible idea. Since then, I understand that the Benchers of the Law Society have made representation to Mr. Lang inquiring as to when he is going to fill the vacancy. Whereupon they very properly received a very curt reply from him rather suggesting that that was his responsibility.

I understand the telegram in reply is posted in a prominent place in the Courthouse at this time, but that was the end of that. But it is the sole, exclusive responsibility of the Governor-General in Council to make these appointments. As far as delays in trials are concerned, Mr. Speaker, we now

have in my department on the criminal side, not all the crown prosecutors we need, but a reasonably substantial number. When once the police investigation is completed, and then it depends on the seriousness of the offense and sometimes where the witnesses are, but when once the police have completed their investigation the crown prosecutors on the staff of my department are then ready to go. It is up to the magistrate or judge to set a date.

AN HONOURABLE MEMBER: What about private prosecutions?

MR. HICKMAN: No, Mr. Speaker, we do not. We can. We have the right to intervene if we so desire or we have the right to authorize or permit a solicitor who is already acting as counsel in the private prosecution to continue. The one that the honourable gentleman is speaking of, and I have to be very careful because I know it is before the court, my understanding is that the counsel for the complainant has been to a judge of the Supreme Court indicating that he would like for an early trial and they are now awaiting work from counsel for the accused. This is where we run into a problem. I am not talking about that case, but I see - I have read a couple of times where there has been a statement emanating, say, from the Magistrate's Court where some gentleman doing his best for his client gets up and says, the Crown wants a postponement today. This is the fourth time and we have checked and, lo and behold the first three postponements were at the request of counsel for the accused. You know, he has to go out of town, he has -

AN HONOURABLE MEMBER: Inaudible.

MR. HICKMAN: Well, I cannot talk about the ones before the court, but that one was delayed because of the necessity, I understand, to have certain medical evidence. The medical doctors were not in the Province and they had to come here at their convenience

because I believe they were outside of Canada, but I am not certain of that. But there is where we run into the delays. I think it is grossly unfair to the Crown, grossly unfair to the court for counsel for an accused person to come in, give three adjournments which throws off the Crown schedule. You know, telephone call from Montreal at ten o'clock in the morning saying Your Honour, I just remembered I had a case this morning, will you please postpone it? I cannot be there. This is counsel for the accused. We try to accommodate because it is not fair to the accused to be without representation if he so desires, and that is what happens. I move second reading.

On motion, second reading of a bill, "An Act Further To Amend The District Courts Act," read a second time, referred to a Committee of the Whole House now by leave.

Motion second reading of a bill, "An Act To Amend The Solemnization Of Marriage Act, 1975."

MR. SPEAKER: The honourable Minister of Justice.

MR. HICKMAN: Mr. Speaker, this act simply transfers responsibility for the administration of the Solemnization of Marriage Act from the Minister of Provincial Affairs and the Environment to the Minister of Health and the reason for it is quite obvious. The Registrar of Birth Statistics and Marriages is within the jurisdiction of the Minister of Health.

MR. SPEAKER: The honourable Leader of the Opposition.

MR. ROBERTS: Mr. Speaker, after a long and prayerful consideration of the matter and after four task force studies, the minister should not look so apprehensive, I have no hidden time bombs on this one, Sir. After a prayerful consideration and much consulting of our consciences, my colleagues and I have come to the conclusion that we will accept the minister's explanation. We are prepared to vote to support the principle of this major piece of legislation.

The only comment I would make really, Sir, grows out of the bill. The bill, which we are amending, the act which we are amending with this bill was enacted a year and a half ago, last Spring, the Spring of 1974 and what we are doing now is correcting what amounts to a clerical error. The Minister of Health is responsible for the Registry of Marriages and Births and Deaths - the people who were hatched, matched and dispatched, as somebody once said - and you know it is only appropriate that he should be the minister who is notified of marriages under The Solemnization of Marriage Act. Otherwise it makes the whole registry system quite meaningless.

What concerns me though, Sir, is that this act, The Solemnization of Marriage Act, is like so many statutes. They are passed and then a long time goes by before there is any action. Now I realize that the Minister of Justice has difficulty in recruiting

and then in retaining draftsmen. Draftsmen are unusual legal animals. Very few lawyers have a knack for drafting and even fewer have a desire to be legislative draftsmen and I know the problem exists all across Canada.

But I am wondering if there is any way in which we can be a little better in Newfoundland. There must be on the statute books, Sir, and I have not checked it up recently, there must be fifty pieces of legislation that have been enacted by this House that have not been proclaimed.

The lack of proclamation I submit is not a matter of policy. If some act has not been proclaimed because of a point of policy, well that is fair enough, the ministry can be challenged on their policy and will defend it in the normal way and will answer for their action or inaction.

What concerns me is the sort of situation we have with The Solemnization Of Marriage Act. The Act was enacted last Spring, the better part of a year ago, I do not have the precise date but it was ten months ago or eleven months ago or a year ago. There are all sorts of people over Newfoundland who heard or read that the House of Assembly had authorized marriages by the civil power as opposed to marriages only by the religious authorities which was the hitherto prevailing situation. Most of the people sort of in a sense queued up to get married under the civil authority, under the new Solemnization Of Marriage Act, I do not think any hardship has resulted from the fact that there has not yet been anybody married in a civil ceremony in Newfoundland but I do know of some inconveniences which have resulted.

The act was changed to allow civil marriages with the full consent of the religious authorities and with the full approval of this House, was changed because there are people who wish to be married by the civil process. That is their right. We have established that right in Newfoundland. Now, hopefully within the next matter of days or at most weeks, with this change in the law, the rules will be proclaimed,



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the rules which allow the act to function and then the act will be proclaimed at the same time.

Nothing can

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he done about that. I am not accusing the minister of shirking his duty of being derelict in meeting his responsibilities, but what does concern me is that this process goes on and on. The Condominium Act was much the same. It was enacted back in 1970 or 1971, and it was only proclaimed within the past two or three months. Again the reason why it was not proclaimed, we were assured and I believe this, was not a matter of policy. If it were a matter of policy, one could understand that. If the administration simply said, we do not believe this should be done therefore we are not prepared to do it, well, that is fine. I mean, that is the way life is.

But it was not proclaimed because of the difficulty in drawing up the regulations. I merely ask the minister if there is any way in which we can act more quickly. I do not think the minister is going to be able to get any more draftsmen. He and his predecessors have scoured the world, at least the common law world, for legislative draftsmen. There are just not going to be any more. I do not know if there are any young lawyers now in Newfoundland who are contemplating following the drafting side of the law and making it their life's work. It could be a very secure and lucrative and interesting branch -

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: The Minister of Municipal Affairs has a very good voice and I am grateful to hear from him, but if he could keep it down a little in the chamber, I would be grateful. There are no magic sources of draftsmen anywhere in the world. We have to accept that and we are going to have to live with it. Despite the monetary inducements and despite the security and despite the attractions such as they be of working as a legislative draftsman, there just are not very many coming forward.

I do not know what the current situation is in Ottawa, but every time I mention it to anybody up there, a minister or an official, I am told that they have essentially the same problem, great delays in getting legislation drafted, even greater delays in getting regulations drafted and enacted and of course delegated legislation regulations are going to be a feature of life more and more so. A few

years ago, fifty years ago or so, regulations were unheard of. They were very much the exception. Now, most of the legislation which goes through this House, Your Honour, amounts to a delegation by this House to the government of authority to implement certain principles. We debate the principles and we decide upon the principles but the implementation of them is left to regulations.

Sir, is there anything that can be done? Is there an way the common law provinces can get together? Our marriage regulations surely in most respects will be quite similar to those which exist in other common law provinces. They will be different than the Province of Quebec which follows the civil law regime, the regime which grows out of the Napoleonic code, the French system. But Nova Scotia, Prince Edward Island and New Brunswick, and Newfoundland, we may have some local differences. There may be some that are here by force of history. There may be some that are here because we have different circumstances, but surely the basic legal requirements of a marriage in Nova Scotia, and the basic legal requirements of a marriage in Newfoundland are not that dissimilar.

So, all I am saying, I guess, is there any way we can get some co-operative effort. This might be a field where the common law provinces could come together. If the Province of Ontario has regulations on condominiums and they have developed them, then possibly we could adopt them with making relatively few changes. Now, I know that is largely what is done now. Lawyers are great fellows for precedent, Mr. Speaker. What precedent usually boils down to is copying what some other lawyer has done before. But it is a problem, and the marriage act is an example of the problem.

We have passed legislation. People expect that the legislation is the law, but Your Honour, it is not the law until it is proclaimed. The marriage law in Newfoundland as of today, March 27, is exactly the same as it was a year ago or two years ago or five years ago. The passage of a Solemnization of Marriage Act during the 1974 session has not changed the law. It will not change it until it is proclaimed and the minister

has explained when it will be proclaimed and has told us why it has not hitherto been proclaimed. That is fine.

But I think it is a valid concern. I think it is one of the duties of this House, Sir, to communicate to the - to be frank, with people. I am not saying we are misleading people, but when we pass laws the average citizen naturally expects that we have passed the law, that we have changed the law. Well, in this case, we have not yet. It is not a matter of bad faith. It is not a matter of anything except the sheer mechanical work of getting the legislative work done, of getting the drafting done, of getting the regulations worked out and proclaimed. I am sure the delay is not at the cabinet level.

In my experience, and I am sure that the present system is no different, Sir, a minister would come into cabinet and he would say, I have here a bunch of regulations with respect to such and such an act and they have been circulated, great whopping papers that the Clerk of the Cabinet would send around to the minister to ruin the minister's evening for him. Someone would say, have they been cleared by Justice? Yes, they have been cleared by Justice. Somebody else would say, have they been cleared by the minister's officials? And it would be agreed they had been, and then somebody would say, well, all right now that is it, and it would be agreed

and the Clerk of the Cabinet would be authorized and in due course would issue an Order-in-Council approving the regulations. I suspect that the process has not changed a jot or a tittle. I do not think any minister, other than the minister concerned, really looks at regulations unless they are of grave importance. The Minister of Education occasionally has great, long regulations on teacher certification. They are of great concern to teachers and of great concern to the minister's officials, but I venture to suggest that not one of his colleagues would ever read a draft regulation coming to Cabinet, you know, if he were assured by the Minister of Education that it was in order and within the policies that had been worked out and adopted. And in the middle of them, we could put a regulation repealing "The Lord's Prayer" insofar as it affects the schools of Newfoundland and that would be approved by the Cabinet, and in due course it would be Gazetted and there we would be. Well I guess that that is the way it has to be.

So I simply ask the minister, are there any steps we can take with respect to regulations? We have to have them. We are not going to get any more draftsmen. You know, we will spend the rest of our public careers and private careers, too, if we are interested, in lamenting the lack of draftsmen and looking for more, but we are not going to find any magic supply. What can we do to speed up the process? As to the bill itself, of course, we will support it.

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

MR. HICKMAN: Mr. Speaker, what the Hon. Leader of the Opposition said about legislative draftsmen is indeed correct. Every province in Canada has a shortage of them. The Government of Canada certainly is not flush with them. The chief legislative draftsman for Canada is a Newfoundlander, Jim Ryan.

AN HON. MEMBER: (Inaudible).

MR. HICKMAN: No, he was down here last year and met with us. The only consultation we got from his visit was that our problem was no worse than his.

MR. ROBERTS: (Inaudible).

MR. HICKMAN: He is the first cousin of Frank Ryan. He grew up in Port-aux-Basques. He was at law school around when I was there.

In the department we have one or two or maybe three now, who are doing some legislative drafting. Not too many of the graduates coming out of law school show some interest. One lady who showed some interest, who was graduating this year came to see us, she is a Newfoundlander, applied to the Driedger School of Drafting, which is affiliated with Carlton University and I now hear that she has won a scholarship to London University so I suspect that the drafting ambitions may no longer come to fruition.

The Solemnization of Marriage Act, the proclamation of this, has not been delayed primarily because of the drafting of the regulations. We felt, as a matter of policy, that we should proceed with absolute and close consultation with the churches on the regulations and on the forms to be used and to be certain that the forms, the proposed forms, were in the hands of the marriage licence issuers and the marriage commissioners in sufficient time for them to carefully peruse them so that when once the act becomes law, there will be no inconvenience caused to the public. We also will have to appoint, and this should be done within the next few days, a large number of marriage licence issuers, and in that respect -

AN HON. MEMBER: (Inaudible).

MR. HICKMAN: But the selection of them. They were a group of people chosen by the magistrates who were asked to choose from each town, certainly any sizeable town, so that there would be no

Inconvenience with respect to any applicant -

MR. ROBERTS: Town clerks and that sort of person.

MR. HICKMAN: That sort of - well, I am just looking at one here now, and in certain towns like Labrador City, there would be several. Two of them are Justices of the Peace.

MR. ROBERTS: The names.

MR. HICKMAN: The names do not - in Humber East I see a town -

MR. ROBERTS: Give me the names of my district.

MR. HICKMAN: All right. White Bay -

MR. ROBERTS: If there is nothing secret about the names?

MR. HICKMAN: Oh, no.

MR. ROBERTS: They will be proclaimed in a day or so.

MR. HICKMAN: They have not yet been made public, because they have not been gazetted but White Bay - oh dear.

MR. ROBERTS: White Bay North, until the gerrymandering comes into effect. There will probably be Grand Bank then or Burin, Kilbride, St. John's West, who knows?

MR. HICKMAN: (Inaudible).

MR. ROBERTS: Green Bay maybe, who knows?

MR. HICKMAN: I do not think on White Bay North.

This is the J.P. Roy B. Pilgrim, himself.

MR. ROBERTS: Mr. Patey is the welfare officer and Roy Pilgrim is the school principal.

MR. HICKMAN: Calvin Chaik, Englee.

MR. ROBERTS: Welfare officer.

MR. HICKMAN: Rickey Canning, Roddickton. Sidney -

MR. ROBERTS: Probably Dick's boy.

MR. HICKMAN: Sidney Richard, St. Lunaire; Clyde Maynard, St. Anthony; Raymond Hunt, Conche; Charles J. Green, Englee; Eugene B. Pillier, Roddickton.

MR. ROBERTS: Now, that brings up a problem because most of those people are welfare officers who in the normal course - you know, Clyde Maynard -

MR. HICKMAN: May be transferred.

MR. ROBERTS: Yes. What happens then?

MR. HICKMAN: If they are, before they are transferred someone else will be -

MR. ROBERTS: But would it not make more sense to appoint - Now, Roy Pilgrim is a school principal and will presumably spend his career in St. Anthony.

MR. HICKMAN: But these - yes, but what I am pointing out is -

MR. ROBERTS: And also there is something wrong with a person who wants to get married having to go the welfare officer.

MR. HICKMAN: Well, -

MR. ROBERTS: I mean, I am quite serious, "Alec".

MR. HICKMAN: Even the persons that were recommended by the magistrate, if they are not -

MR. NEARY: What about Bell Island.

MR. HICKMAN: I have not got the Bell Island list here, I do not think, "Steve".

MR. ROBERTS: No, but I mean there is something wrong in principle. You have the normal, I would have thought would be to get the town clerk, you know, or town manager.

MR. HICKMAN: In some cases, I see they have done that.

MR. ROBERTS: Just because they burned the town hall and -

MR. HICKMAN: We felt as matter of policy that the right way to approach it would be to ask the magistrates, who know the people living in the magisterial districts, to appoint responsible people, you know, reasonably intelligent people, and these were the ones they recommended.



We did not say, do not recommend a welfare officer or do not recommend a teacher, but it was because of these things that there was a delay. I am hoping that the act will become law, the Solemnization of Marriage Act will become law on April 15.

MR. ROBERTS: Not April Fools' Day.

MR. HICKMAN: April 15, 1975, this year. I am advised by -

MR. ROBERTS: So, anybody contemplating getting married now, anybody who wants to be the first to be married by Dorothy or by Pat Hand - Pat Griffin, not Pat Hand.

MR. HICKMAN: Anyway, Mr. Noonan in my department has told me that the forms have been sent out to all the marriage licence issuers, the proposed marriage licence issuers, to all the clergy and they have had them for sufficient time now that they are fully familiar with them.

On motion, second reading of a bill, "An Act To Amend The Solemnization Of Marriage Act, 1974," read a second time, referred to a Committee of the Whole House presently by leave.

On motion, the House resolved itself into Committee of Whole. Mr. Speaker left the Chair.

COMMITTEE OF THE WHOLE:

MR. CHAIRMAN: Order, please! Bill No. (3).

A bill, "An Act Further To Amend The District Courts Act".

On motion clauses (1) through (3) carried.

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

A bill, "An Act To Amend The Solemnization Of Marriage Act, 1974."

On motion clauses (1) through (3) carried.

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

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

MR. CHAIRMAN: Mr. Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report having passed bills Nos. (3) and (4) without amendment and ask leave to sit again.

On motion report received and adopted, committee ordered to sit again presently.

On motion that the following bills be read a third time ordered passed and title be as on the Order Paper.

A bill, "An Act Further To Amend The District Courts Act."

A bill, "An Act To Amend The Solemnization Of Marriage Act, 1974."

MR. CROSBIE: Order (3) Committee of Supply.

On motion that the House resolve itself into Committee of Supply, Mr. Speaker, left the Chair.

COMMITTEE OF SUPPLY

MR. CHAIRMAN: Order, please!

Head 501-01?

AN HON. MEMBER: Carried.

MR. NEARY: Not quite yet, Mr. Chairman. When the Committee rose, Sir, on Friday, I had just finished giving the House my idea and my concept and my philosophy of the Liberal Party of what we thought might be a good approach to this serious problem that we are having in this Province of labour-management relations. And I have no intention of going back over the ground again, Sir. But I do suspect that the Minister of Manpower and Industrial Relations when he stands in his place to reply to some of the remarks that I made, and I have no doubt, Sir, that he will draw our attention to the fact that we already have Labour-Management Committees in this Province.

Well I am well aware of that, Sir. Last year the minister's department spent \$4,000 on these meetings, so-called meeting of Labour-Management Committees, and this year -

MR. ROBERTS: Four thousand?

MR. NEARY: Four thousand.

MR. ROBERTS: .... the minister's travelling expenses.

MR. NEARY: That is hardly the minister's - yes that is right.

That is just double the minister's travelling expenses.

MR. ROBERTS: The CFLCo jet would cost probably \$400 an hour.

MR. NEARY: That is right. And this year the minister has budgeted for \$10,000 for Labour-Management Committees. But, Sir, it is not the amount of money I am talking about. These poor old feeble Labour-Management Committees that the minister will tell us about, the minister will say, Oh, we already have a sort of a semi quasi Productivity Council. But, Mr. Chairman, we do not. This is just the minister plodding along at a snail's paced, in the usual old typical civil service way, Sir. And I would say that the present Labour-Management Committees are not good enough - not good enough. The minister, Sir, should either shape up or ship out.

MR. ROBERTS: Hear! Hear!

MR. NEARY: If he cannot grasp the philosophy that I expounded in the last couple of days, in this honourable House on our idea of a Productivity Council, then he should shape up or ship out.

The minister now is having his second go on Manpower and Industrial Relations. The first time the minister did not have a very good track record, and so far, Sir, I must say that we are not impressed with the minister's performance. I would not say that the minister is incompetent, Sir. I would not say that. The minister is very congenial. He does not

get himself in any trouble. He is able to, almost as good as the Member for St. John's South, to go straight down the middle on issues. I am willing to take a position, to take a stand one way or another, and that is the weakness, Sir, in that department. You have to show strong leadership in that department, Mr. Chairman, and we saw an example today, Sir, when I put a question to the minister during the oral question period about the Dyer Report, about the task force that is supposed to have been set up months ago, months and months ago, to look into the Buchans situation, the closing of the Buchans mine.

Now the minister got up in his usual feeble, tired old way and told us that the committee was not yet constituted. Not yet constituted! The report is almost a year old, Sir. The minister gave us a feeble excuse, the trawlermen's strike, did not have time to set up the committee, did not have time to get his officials working on the committee, did not have time down in his office, he is so busy with the trawlermen's dispute, not able to sleep a wink at night, up night and day, worried about it, would not do anything about, would not take the initiative, so busy with the trawlermen's strike that they did not have time to set up this task force to deal with the matter of the closing of the Buchans Mine.

But, Sir, I do not accept that explanation. Mr. Chairman, when I was a minister in the former administration there was a time I had three portfolios, including the minister's department. Now mind you, Mr. Chairman, it was quite a man-sized job, I was quite busy, I was punching in eighteen and twenty hours a day but I always found time, Sir, even running three departments of government, I always found time to deal with the important issues. A lot of the minor things probably had to go by the board, they were thrown over on the officials and the staff of the department, but all the major items were always dealt with.

The minister can put that silly grin on his face all he wants, Sir, but all he has to do is go down and check with the officials

of that department.

AN HON. MEMBER: Inaudible.

MR. NEARY: All the minister has to do, Sir, is check with the staff of that department and the minister will find out that every item in that department when I was acting minister was looked at by the minister, meetings were held every morning and everything was approved, bang, bang, bang. The minister has the - well how naive, Sir, how naive does the honourable minister think we are, to come into this House after lecturing the House like you would lecture a group of school children, or at the annual staff meeting after, lecturing us and, you know, almost as if we were not a group of adults, mature people, and then tell us that he was too busy with the trawlermen's strike. I would like to talk to Richard Cashin about that. I would like to talk to the trawlermen on the Southwest Coast about that, and in Trepassy and in the other areas of Newfoundland where we have pockets of trawlermen, and find out if the minister was too busy with the trawlermen's strike to appoint this task force to deal with the closing of the Buchans Mine, see what they would have to say about it.

They sat back, Sir, for almost seventy-five days waiting to see what the minister was going to do and in that period of time, in seventy-five or eighty days, the minister comes in this honourable House and tells us he did not have time to appoint this task force. You know, what are we supposed to be here, Sir, a crowd of fools? Are we stupid? Are we stunned? Are we naive? I do not accept that explanation, Sir. It is only an excuse, and a feeble excuse at that, for the minister not coming to grips with the appointment of this task force to deal with the closing of the Buchans Mine and unfortunately, Sir, and I would say it is rather a tragedy, that we are told by Mr. Edward Hamilton, a resident of Buchans and a gentleman who apparently sat in on the original meeting that planned the setting up of this task force, we are told by Mr. Hamilton that the people of Buchans, the miners in Buchans are becoming apathetic and complacent

about the closing of the mine and I can understand that, Sir, because I was involved myself in the closing of a mine. I lost my job when DOSCC finally pulled out on Bell Island. I was one of the ones who was laid off at the end of June, June 30, 1966. I got my termination notice. They gave me three months notice.

AN HONOURABLE MEMBER: You got a new contract after that.

MR. NEARY: No, we did not get any contract. Sir, it so happens that I happened to be a member of the House of Assembly, but I was still working with DOSCO when the mine closed, and I was one of the ones who was laid off. I know what it is like, Sir. I know. You cannot help but developing this feeling, well, then maybe something will happen, maybe there is something on the horizon that will keep the mine going. Maybe they will just discover a new seam of ore. Maybe a miracle will happen. Somehow or other the people, and you cannot blame them, Sir, the miners, somehow or other do not accept the fact that the mine is going to close within a matter of three to five years.

This is the result, a direct result, Sir, of the minister's negligence and the minister's complacency and the minister's apathy and the minister not facing up to his responsibilities as a minister in appointing this task force. Sir, it will soon be too late. They have wasted almost a full year now. We are told by Mr. Hamilton and other people from Buchans, and the honourable member probably has heard this, that it is going to take anywhere from two to three years to formulate plans to take the place of the mine. That is, Mr. Chairman, if they can use their imagination, if they can get the co-operation of the government, if they can formulate plans. It will take two or three years to implement any plans. One year for the task force to finish its work, but after that how long to implement plans, if there are any plans?

We do not know that is right. The minister does not know. The member does not know. I do not know and the minister does not know. But, we have already wasted one year, Sir, and I think now it is about time that the minister came to grips with this situation and

got that task force moving, got it set up and got it on the rails, got her moving. Otherwise, Sir - and they have sufficient time, Mr. Chairman. Remember this, that on Bell Island, Sir, we only had three months notice. It is a different situation altogether in Buchans, a different situation altogether. They have sufficient time. They have at least three years notice. That is why the task force it being set up, but not set up yet. So, they have at least three years, Sir, to figure out if there is anything that can take the place of that mine in Buchans.

But the minister, Sir, the minister has to get off his behind, off his large-sized butt, and get out, Sir, get out and get this task force appointed immediately. Do not waste any more time. It is cruel, Sir, indeed for the minister to treat the people of Buchans that way. They do not deserve it, Sir. They have made their contribution to the public treasury of this Province. They have been good, loyal citizens, good taxpayers, and the minister and the administration - the Premier should have used the cat-o'-nine-tails on the minister for not doing this, not acting on this right away.

Why, Mr. Chairman, should the minister come in here and try to persuade us that he was so busy with the trawlermen's strike that he could not recommend to his colleagues the names and the terms of reference of this task force? So, I think now, Mr. Chairman, I have made my point on that matter.

I will go on, Sir, to another matter that I want to give the minister a few flicks about. This concerns the Workmen's Compensation Board, Sir. The Minister of Manpower and Industrial Relations is the minister that reports to this honourable House on behalf of the Workmen's Compensation Board. The minister is not responsible for the day to day activities of the Workmen's Compensation Board. The Workmen's Compensation Board is commissioned by this honourable House. Although the minister may think he is the boss, he is not the boss. Any time, Sir, the Chairman of the Workmen's Compensation Board feels like telling the minister to go leap off the top of Confederation Building,

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he can do it. All the minister can do is report him to the Lieutenant-Governor in Council.

AN HONOURABLE MEMBER: Inaudible.



MR. NEARY: I beg your pardon?

All the minister could do, Sir, if he does not want to take the advice of the Chairman of the Workmen's Compensation Board and go up on the Observation Tower and leap off, all we can do is report it to the Lieutenant-Governor in Council. You cannot discipline the board. The minister cannot. The minister can warn them, threaten them, bully them around.

AN HON. MEMBER: Fire them.

MR. NEARY: No! The minister cannot fire them. But, Sir, the minister and the administration did find a devious way to fire three members of the board, in my opinion. Remember, Mr. Chairman, remember this, that the minister and his colleagues told the people of this Province that there would be no more political appointments in this Province. And the minister told us, Sir, that the O'Neill Report, the O'Neill Royal Commission Report states that the morale of the staff of the Workmen's Compensation Board was at a low ebb because of the political appointments. The minister told us that and has been telling us that for several months past. The minister did say it, Sir, and his colleagues said it.

AN HON. MEMBER: (Inaudible).

MR. NEARY: Mr. Speaker, the minister's colleagues told us that the morale was low because of the political appointments to that board. The Hon. Premier said it.

AN HON. MEMBER: The President of the Treasury Board.

MR. NEARY: I do not know if the honourable - no, the Hon. President of the Treasury Board did not say it.

AN HON. MEMBER: (Inaudible).

MR. NEARY: The honourable minister's predecessor I do not think said it. I do not think. I am not quite sure but the honourable minister's predecessor was certainly riding the razor's edge on that whole matter of firing the former members of the Workmen's

Compensation Board, And they were fired, Sir. It is just as well to face it. They were fired by this honourable crowd who said that there would be no more political appointments to boards or administrative posts or crown corporations. They told us in two provincial elections. The other day when the minister came into this House, Sir, and announced the make-up of the Workmen's Compensation Board, lo and behold, Mr. Chairman, lo and behold, we find one Mr. Andy Rose, maybe a good man, Sir. The minister told us all about his qualifications. He is an accountant. He is a representative's agent and he is this and he is that, and I reminded the minister when I rose in my place that one of the qualifications for that job that the minister did not mention was that one Mr. Andy Rose was the defeated -

AN HON. MEMBER: (Inaudible).

MR. NEARY: Sought, Sir, sought, unsuccessfully to get the Tory nomination in the district of Placentia East in the last provincial general election. Now that is not a bad record for an administration, Sir, that never, never again will delve in political patronage or favouritism and never again will make a political appointment to a board.

AN HON. MEMBER:(Inaudible).

MR. NEARY: No, it is not a shame, Sir. The minister should be ashamed. There are people in this honourable House, Sir, I have heard members get up and spout off about political patronage is here to stay, and there is nothing we can do about it, you know. But, Sir, I was not the one who said that never again will there be political patronage in this Province. It was the honourable minister's leader, and his colleagues. Here we find Mr. Andy Rose. What about Mr. John Murphy, the alternate on the board, the safety inspector for the Iron Ore Company of Canada?

AN HON. MEMBER: A good man.

MR. NEARY: A good man. I know him well, Sir. He is married to a distant relative of mine.

AN HON. MEMBER: (Inaudible).

MR. NEARY: But I would not consider him, Sir, even though I like the gentleman, I certainly would not consider him to be the staunchest Liberal in this Province.

AN HON. MEMBER: Very doubtful.

MR. NEARY: I certainly would mark him down as doubtful, very doubtful, very doubtful indeed, and no doubt the minister had researched Mr. Murphy's background very carefully to find out what his political affiliations were before he gave him this little bit of - this few crumbs from the rich man's table. There is no doubt about that at all, Sir. The rich man in this case being the administration, Sir, not the minister. There is no doubt that that was very, very carefully researched. And Mr. Woodford -

MR. DOODY: (Inaudible ).

MR. NEARY: The minister did not indicate to the House. The minister told us that Mr. Woodford was the labour appointee. The minister did not tell us whether that was the recommendation of the Newfoundland Federation of Labour or not. It was not.

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: But was it? Can the minister indicate to me whether it was a recommendation of the Newfoundland Federation of Labour? It was not. Well, how can the minister stand in this House, Sir, and tell us that Mr. Woodford is the appointee representing the trade union movement when the minister did not even go and ask the trade union movement who they wanted to represent them.

AN HONOURABLE MEMBER: What is wrong with Bill Woodford?

MR. NEARY: Nothing. There is not a thing in the world - I think he lives up in my honourable friend's district, does he not?

MR. DOODY: He is not in my district or I would have the honour of representing him.

MR. NEARY: Well, in the upper part of the head of the bay, the part now that is -

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: Well, Sir, more power to him.

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: Yes, and I am not criticizing the young gentleman, Sir. I happen to know the gentleman.

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: Yes, it is not Mr. Woodford. The point I am making is not Mr. Woodford's fault.

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: Yes, it is not Mr. Woodford. The point I am making, Mr. Chairman, it is not Mr. Woodford's fault. He is not responsible for the behaviour and the action of the honourable minister in this House or the honourable minister in his department. The honourable minister left us with the impression in this honourable House that Mr. Woodford was the labour appointee on the board when in actual fact, Sir, what the minister is really saying, we are appointing Mr. Woodford, he happens to be the business agent for one of the -

for the steelworkers, is it?

AN HONOURABLE MEMBER: No, for the iron.

MR. NEARY: For the iron workers. He happens to be the representative for the iron workers, so somehow or other the minister connects this with his being the official representative of labour on the Workmen's Compensation Board.

AN HONOURABLE MEMBER: We hear he represents half of them.

MR. NEARY: No, Sir, he does not. But, Sir, the minister has already got himself in hot water with the Newfoundland Federation of Labour through his appointment on the Minimum Wage Board. Incidentally, I might mention also, Mr. Chairman, just in passing, I do not see anything wrong with, I am naive, you know, I accept everything at face value, Mr. Andy Rose, Esquire, happens to be Chairman of the Minimum Wage Board for the time being until that board is wiped out. Does he now hold down two positions? Is he going to be Chairman of the Minimum Wage Board and also a member, permanent member of the Workmen's Compensation Board?

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: Mr. Chairman, it is very sickening indeed. It is really very sickening, almost -

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: Sir, you could hardly stand up in this honourable House and listen to this sort of goings on, Sir, without - No, I better not say it. But, anyway, Mr. Chairman, the old Workmen's Compensation Board was fired. Now, the minister did not tell us whether these honourable gentlemen received any pensions or not. Was there any deal made with any of these people? The minister tells us that the morale down at the Workmen's Compensation was at an all time low. The minister did not give us anything to substantiate that statement and judging by some of the other statements that the minister has made over the last couple of years, Sir, I would submit that there is a credibility gap and I would like, myself,

to see the evidence in black and white.

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: No, the minister refused to give us that part of the -

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: I beg your pardon?

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: No, only the first part of it. Was there not two parts to that report? That was the whole report? That was it? Well, Sir, there was nothing in that report that you could hang your hat on. Now, I saw that one but I understood there was another report done by Peat Marwick and Mitchell. Is that not correct?

AN HONOURABLE MEMBER: That was a management study.

MR. NEARY: Well, this is what I am talking about. That report has not been made public. Well, why is it not made public?

AN HONOURABLE MEMBER: Because -

MR. NEARY: Mr. Chairman, if the minister is basing his decision for firing the members of the Workmen's Compensation Board on the O'Neill Report -

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: The minister did fire him. The government fired him. Sir, there was nothing in that report to hang your hat on, nothing to show that the morale of the staff of the Workmen's Compensation Board was at an all time low. And who said it was at an all time low? Who said?

MR. NEARY: Who was the one who wrote the letter that triggered the O'Neill inquiry?

AN HON. MEMBER: I did.

MR. NEARY: The minister wrote the letter. Well, who wrote the minister? Table the documents and show maybe the insurrection was caused by one of the gentlemen who was appointed recently to that board!

AN HON. MEMBER: I appointed it.

MR. NEARY: The minister appointed it. On whose request?

AN HON. MEMBER: Inaudible.

MR. NEARY: Was the minister acting on gossip, hearsay? Did he have a communication from the staff of the department? Or was the minister advised to take the long way around to get rid of these, to fire these members of the Workmen's Compensation Board? Did the minister have anything in writing from the staff? Did the minister? Not answering it. Well if the minister does have anything in writing from the staff would he table it in this honourable House? Because I am of the opinion, Mr. Chairman, that the honourable minister may have been conned into thinking there was a morale problem.

AN HON. MEMBER: Inaudible.

MR. NEARY: Mr. Chairman, if there is any documentation, if there is any correspondence, if there were any discussions then I think the minister, in man fashion, because of the reputation of these members who were fired, should stand in this honourable House and be decent and honourable enough to say where these complaints originated from.

MR. ROUSSEAU: Mr. Chairman, to a point of order, please. Number one, the present Minister of Manpower and Industrial Relations was not the minister at the time and, number two, I was the minister at the time and the word "fired" was never used.

MR. NEARY: Mr. Chairman, that is not a point of order. That is a matter of opinion between two members. Sir, and the member -

MR. CHAIRMAN: (Dunphy): Order, please! The Chair will decide what the point of order is. I have to agree with the honourable Member for

Bell Island that was a matter of opinion between two members.

MR. NEARY: Thank you, Your Honour.

Mr. Chairman, if there were any correspondence or any discussions or any communication between the minister, and, Mr. Chairman - I hope the Minister of Transportation and Communications realizes that this is the minister now who is answering for the estimates of this department, for giving the report. You know, the Minister of Transportation and Communications can get irritated all he likes, but the minister, whether he is there only a couple of months or six months or a year, has to answer for the action of his predecessor.

AN HON. MEMBER: Inaudible.

MR. NEARY: We have not been able to get the information from his predecessor. I am asking this minister now in all fairness, in all decency to these gentlemen who were apparently, in my opinion, Sir, fired by the administration, to tell us where the complaints originated from. Because, Mr. Chairman, as I said a few minutes ago the insurrection may have been caused by one of the gentlemen who was appointed recently, maybe he was looking for the job himself. And, Mr. Chairman, will the political appointments now made by the minister and the administration, will these political appointments improve the morale? Will it salve over -

AN HON. MEMBER: It will.

MR. NEARY: It will. I see. Now, Mr. Chairman, because this administration makes the political appointment everything is okay. The morale of the staff is now at an all time high, skyrocketed, it is gone up overnight.

AN HON. MEMBER: Inaudible.

MR. NEARY: Yes, Sir. Well, only time will tell, Sir. We will wait and see. In the meantime, Sir, the minister did not tell us whether these gentleman had been pensioned or not. Have they been pensioned?

AN HON. MEMBER: Inaudible.

MR. NEARY: No, I want the minister to hear this because it is quite important. Maybe the minister does not worry about people's reputations. Maybe we are -



AN HON. MEMBER: Inaudible.

MR. NEARY: Maybe the character assassination is gone deeper than we think, Sir.

Were these gentlemen pensioned? How many were pensioned? What kind of deals were made with these gentlemen? I heard a rumour, Mr. Chairman, but I doubt very much if it was true, but I want to hear it from the minister's lips that it is not, that one of the gentlemen of the Board was given -

AN HON. MEMBER: You should not repeat it.

MR. NEARY: No, I will repeat it, because it should bear repeating.

AN HON. MEMBER: If it is just a rumour you should not repeat it.

MR. NEARY: Well, it is little more than a rumour.

AN HON. MEMBER: Inaudible.

MR. NEARY: That a deal was made, Sir, with one of the gentlemen pensioned, that the government would give him a pension providing he would never run in politics in this Province.

HON. MEMBERS: Inaudible.

MR. NEARY: Honourable members, Sir, can laugh all they like but it is a pretty serious matter.

AN HON. MEMBER: If you say.

MR. NEARY:

I would submit, Sir, that at least two out of three of these members of the board received a pension and the third one did not. The third one, up to this moment, to my knowledge, has not been given a satisfactory answer concerning a pension.

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: Well, I am not sure. I have not heard the minister. I am only stating what I think. I want to hear the minister. I want to get this matter out in the open here on the floor of the House. When I hear what the minister has to say about it, maybe I will have a few more words about it.

Now, let me see what else. Oh yes, the minister has sort of brushed over all these controversial, all these important matters that I have raised, Sir, in the last couple of days in this honourable House, and then went on to manpower training. In typical Tory fashion, following the example set by the Leader of the Administration and the Minister of Fisheries and the Minister of Justice and the Minister of Industrial Development, following in their example, decided to take another cut, another swipe at Ottawa. The minister told us about all the ills and about all the weaknesses in the Canadian Government's Canada Manpower Training Programme.

That was supposed to be justification, Mr. Chairman, for the minister himself setting up another empire, another bureaucracy down in his own department. That was supposed to be his justification. That was supposed to be his key for the Provincial Government entering into the field of manpower training. The minister told us that all of these programmes developed by Canada Manpower are foisted on the Province and the Province really does not have any say in how they are run and so forth.

Well, Sir, I had the opportunity in the last twenty-four hours to speak to a certain gentleman who looks at Newfoundland probably from the vantage point of Wellington Street in Ottawa. I had the opportunity, Sir, to sit down with this honourable gentleman and discuss this matter of manpower training and how the Province felt about their

Manpower Training Programme. I was rather amazed and shocked to find out that only the day before the Minister of Manpower had lashed out at the Government of Canada for the kind of a Manpower Training Programme they were running, and then, Sir, I picked up the paper the next day and here is the announcement and the picture of the minister signing a new agreement with the Government of Canada for \$10 million for training, manpower training in this Province.

MR. EVANS: Inaudible.

MR. NEARY: I wish the Minister of Manpower and Industrial Relations would be a little more specific, would tell us where the weaknesses are because I have some strong feelings on manpower training. I, myself, a few weeks ago, Sir, wrote the Minister of Manpower and Immigration, the honourable Mr. Andras, showing some of the weaknesses in their Manpower Training Programme. But, Sir, the impression that I got, rightly or wrongly, is that the weakness is on the part of the Province and not the Government of Canada, that these courses that are run in the district vocational schools, Sir, and in the College of Trades are recommended by none other than the Minister of Manpower and Industrial Relations and his colleagues, the Minister of Education and the administration.

That is why, Mr. Chairman, we are running twelve to fourteen electrical courses in this Province. That is why, Mr. Chairman, there is duplication of activities in our vocational schools. If we keep on the way we are going, Sir, we will have more welders and more electricians than we need in this Province. We will have them running out of our ears.

At the same time, Mr. Chairman, while we are running twelve and fourteen of these basic electrical courses in our schools, while the Government of Canada is pumping in millions and millions of dollars into manpower training every year into this Province, we hear about one of the biggest employers in Newfoundland going

overseas, over to Europe, to recruit skilled tradesmen. And these courses are being operated and Canada Manpower will purchase the seats on the recommendation of the Province. There is where the weakness lies, Sir. No wonder the Minister of Manpower is trying to get the Manpower training part of his department back on the rails.

Mr. Chairman, I would like to find out the minister's view on granting journeymen licences or certificates. There is some sort of a weird idea, Sir, I do not know how it came about, but I suppose the academics are responsible for it, there is some kind of a weird idea that you have to take an exam, that you have to go and sit down, and if you cannot express yourself on paper yourself, you can bring in your son or your daughter or your relative or your friend who can express themselves and you give them the answer, and they fill the answer in, and you may or may not pass your exam. I do not know where this idea originated from, Sir, that you have to sit down and write an exam. I would like to see all the exams done away with.

If a man, Sir, has ten or fifteen years practical experience, working at his trade, and he can read and write and he can follow instructions, he can read instructions, if he is a mechanic and he is told to go out and put a light switch dimmer in a car, and he can read the instructions and he knows how to put that in, why should he be forced to sit down and write an exam?

AN HON. MEMBER: (Inaudible).

MR. NEARY: I beg your pardon?

AN HON. MEMBER: (Inaudible).

MR. NEARY: Why should he, Sir, if he is qualified?

Why should he? He should be able to come in and say, look, I have got my ten or fifteen years or three years, whatever you need, to qualify for that trade, why should he be forced to get over this hurdle, this obstacle that frightens the life out of half the people, and we got some pretty good tradesmen in this Province working in their

trade today who have never written an exam but companies would never get rid of them, because they are some of their top men. In a lot of cases, they can hardly read and write. But I believe that a person should be able to read instructions and follow instructions. I would like to get the minister's views, Sir, on that. Why not do away with the exams altogether? And when a man appears before the board or before the Director of Apprenticeship Training or whoever is responsible for this Manpower training say yes, sir, you have the proof that you have your three years served, you have your five years, you have your ten years, you have affidavits to prove that, you have letters of recommendation, you have your letters from your boss and from the company you work for, great, here is your certificate, instead of frightening the life out of the poor old fellow and making him sit down in some very poorly ventilated room, probably with the heat turned up full volume with the perspiration rolling off the poor old fellow, with his hands rough, where he has been out under a grader or a bulldozer and can hardly hold a pen in his hand, who worked fifteen or twenty years at his trade and then force him to sit down and write an exam. What kind of foolishness, Sir, is this? I would like to see all exams done away with.

MR. DOODY: When did that rule come into effect?

MR. NEARY: That rule, Sir, has been into effect now for a considerable period of time.

MR. DOODY: Was the honourable member ever minister of that department?

MR. NEARY: Yes, I certainly was.

MR. DOODY: It did not change.

MR. NEARY: And my views are well-known. My views are well-known on this and other matters.

So, Sir, it is not fair to lash out at the Government of Canada for their Manpower Training Programme when we, ourselves, in this Province, are to blame. We are to blame, Sir.

The blame should be laid right at the minister's own doorstep. The minister has not even taken the trouble to figure out the Manpower needs in this Province. And we are training people at our vocational schools and our College of Trades, Sir, in subjects, in professions, in trades that have no relationship whatsoever to the workaday world, none at all, and never get a job a lot of them, because the minister has not taken the time to put his research people to work, to go out and find out what the real needs are for skilled tradesmen in this Province. If there were needs, Sir, we would not hear on radio and television where the Iron Ore Company of Canada is over in Europe recruiting skilled tradesmen. And we have had about

ten years now, we have had nine or ten years, I would say, Sir, close on \$1 billion has been spent in this Province on Manpower training over the last eight or ten years easy, \$1 billion, easily the equivalent of the budget, the total budget for this year. \$1 billion has been spent on Manpower training and we have to go over to Europe, one of our biggest employers has to go over to Europe and Mr. Chairman, every day we are hearing about wildcat strikes, only the other day one down in Marystown, in the shipyards because they brought in pipefitters from Great Britian and a dispute arose between the union -

MR. DOODY: Inaudible.

MR. NEARY: All specializing my eyeball. Is the honourable minister trying to tell us that with our fifteen or seventeen vocational schools, College of Fisheries, University, College of Trades, that we have to go over to Great Britian to bring pipefitters and plumbers down to Marystown?

MR. DOODY: Some particular type which may never be used again.

MR. NEARY: Well, train them here in this Province. Why go overseas and get them?

MR. DOODY: It would not wait.

MR. NEARY: They would not wait. The honourable minister is trying to tell me that cropped up overnight, just like that. What about on the job training, has the minister ever heard of that? It just happened, overnight. They needed this specialist. Probably some buddy -

MR. DOODY: Four buddies of mine, yes.

MR. NEARY: No, not buddies of the minister but probably some buddies of some of the other people that have been brought in from overseas, And over here at the Health Science Complex, you can hardly drive down, Sir, the Prince Philip Parkway here but they are lined up with their pickets out, picket lines set up, wildcat strikes. Why? Because they are bringing workers into Newfoundland when we have men in similar trades unemployed. It does not make very much sense to me, Sir. I do not think it makes very much sense to anybody.

Mr. Chairman, let me get this straight. I have nothing against Mainlanders, I have nothing against people coming in here with an English accent or a foreign accent, nothing at all against that, Sir. I would say probably that I would welcome these people with open arms but for one thing, Sir, but for one thing, that we have record unemployment in this Province, we have the highest number of Newfoundlanders unemployed that we have ever had in our history. I am sure, Sir, out of the 43,000 Newfoundlanders who are unemployed at this moment that you could find three or four or half a dozen to go to work down in Marystown and over here at the Health Science Complex and down in Labrador City and other any place in Newfoundland that needs workers.

The minister did not mention this at all in his introductory remarks. He just said oh, we are going to build up a big bureaucracy now, we are going to set up this empire called Manpower Training. The minister did not tell us what they were going to do. All he did was give Ottawa a flick. Well, when the minister is speaking in this debate, I hope, Sir, that he will tell us precisely, be a little more specific. Mr. Chairman, the minister, I know he is over there now with his hand under his jaw completely browned off with me because I am giving him the few flicks.

AN HON. MEMBER: True and very interesting.

MR. NEARY: Well I am glad the minister is interested because I want to find out about these matters. These are matters which concern every Newfoundlander. It is not the big things, Sir, that bother our people. It is the little things, like I am raising here today. It is the little things in life that count. The minister should know that, representing a rural district, an outport district. I hope the minister has not been carried away from hobnobbing around with the Townies, Sir. I hope the minister still has some touch with reality, some communication with the ordinary people of this Province. The minister knows what I am talking about. I want to get the minister to stand in this House and tell us what it is, what kind of a training programme the minister



is talking about, will it solve some of the problems and some of the weaknesses that I have mentioned today? Will there be a better relationship and better co-operation between the Province and the Government of Canada?

Ottawa, Mr. Chairman, Ottawa is not exactly a bunch of angels either. There in December, Mr. Chairman, and the House was open at the time and I put a few questions to the minister of Manpower and Industrial Relations about this \$3.5 million that Ottawa

was going to throw into Newfoundland to train the chronically unemployed. The minister at the time told us, oh, we have the situation well in hand, nothing to worry about, things would straighten themselves out and I took his word for it. Then I discovered, Sir, sometime in December that all the principals of the vocational schools all over Newfoundland and the principal of the College of Trades and Technology and the principal of the Fisheries College, and all the manpower people, and God only knows who else, Sir, the minister's staff, people from Ottawa, all met over here at the Holiday Inn - after the minister telling me all the plans were complete - they all met over here at the Holiday Inn a few days later and were told that in this fiscal year \$1 million would be spent on this pilot project so-called, on this special training programme for the chronically unemployed.

The principals of the vocational schools, and anybody who had any common sense or knew what they were talking about said, look, there is no way you can spend that kind of money, \$3.5 million. Ottawa has flung it at us. There is no way we can spend it, and get lasting value from it. We can spend it. We can be like a drunken sailor. We can go and spend the money. So, they were told, look, get bodies. Go and find bodies. We have to spend \$1 million of the taxpayer's money. Get the bodies in. We do not care how you get them in. So, they got them in, Sir. They got them in some how or other, they managed to reach their quota.

When I heard about this, Sir, I wrote Mr. Andras myself. I have the letter here in my files. It was not a very pleasant letter, I will tell you that. Then Mr. Andras wrote me back a reply. He tried to, Mr. Andras - and I mentioned this to him yesterday and I am not divulging any confidential conversation. I mentioned this to him yesterday -

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: - that they sent the head of the manpower organization in Newfoundland to see me. He tried to pick my brains. Then, Sir, he

sat down and he wrote a reply. Maybe Mr. Andras changed a full stop or a comma or a semicolon or dotted an (i) or crossed a (t), but basically it was the reply that was sent by the head of the Canada Manpower Organization in Newfoundland. But, I am not surprised at that, Sir, although Mr. Andras is probably one of the more active politicians in Ottawa, in the Government of Canada.

Nevertheless, I told Mr. Andras I was disappointed that I got this typical civil service reply. But, anyway, Sir, the programme is under way now, and I do not want to be a pessimist, Mr. Chairman, I do not want to be a pessimist. There will be no lasting value from that programme for the people of this Province, Sir. It is money down the drain. What burns me up is that the money could be better spent. We could be running and creating jobs for our unemployed Newfoundlanders with this kind of money, \$3.5 million. How many jobs would that provide?

Mr. Chairman, what made me suspicious of the programme, I went into the school on Bell Island which is being run in the basement of the Canadian Legion and this was a course for upgrading in carpentry. When I went in there were fifteen or seventeen students in that course. I looked around and I saw a journeyman welder there. I said to him, hello what are you doing in here doing upgrading in carpentry. Well, boy, he said, it is a nice, warm place and it is a good place to get in for the winter and they are paying us a few dollars for going to school.

I saw another fellow there who I knew was in the process of writing his exam to become a journeyman welder. I said, well, what are you doing here. He said, well, I just wanted to make a few things for the kids.

AN HONOURABLE MEMBER: Did you report these incidents?

MR. NEARY: Yes, I certainly did in my letter to Mr. Andras. That is what triggered it.

AN HONOURABLE MEMBER: Did you name them?

MR. NEARY: Name them? Yes, Sir,

I am disgusted with the honourable gentleman -

AN HON. MEMBER: Inaudible.

MR. NEARY: No, no, no, Mr. Chairman, it is not their fault.

AN HON. MEMBER: Inaudible.

MR. NEARY: They were whipped in by Canada Manpower.

AN HON. MEMBER: Whipped in by whom?

MR. NEARY: Canada Manpower, in co-operation with the minister and the administration.

AN HON. MEMBER: I was wondering about the time ....

MR. NEARY: But, Mr. Chairman, I pointed these weaknesses out to Mr. Andras but somehow or other the civil servants are able to justify these things. And Mr. Andras is so far removed from the scene, from where the action is -

MR. DOODY: A man who came down to pick your brains, how did he make out?

MR. NEARY: No, he did not come down, he is already here.

AN HON. MEMBER: Inaudible.

MR. NEARY: Well, Sir, I do not know whether he learned anything or not but there were a few things on which he had to agree, and one was the Manpower Needs Committee. We have a Manpower Needs Committee in this Province made up of civil servants. Now under that Committee there is maybe a subcommittee, maybe some representative of labour and management, but on the main Committee itself, Sir, and the minister will get up, I know, in a few minutes and tell us, oh, Bowaters are represented on it and Labour is represented on it, but in actual fact, Sir, in the day to day decisions of that Committee they are not, and I say "not" and the minister can tell us what he likes, they are not represented on that Committee, Sir. It is made up of a crowd of civil servants and it should be changed, and it is up to the minister to take the initiative to get it changed. They are over there, I believe, in the Gorman Butler Building over on O'Leary Avenue, sitting there behind their desks instead of getting out and going around the Province and finding out what the real needs are, where the employment opportunities are. And concentrate

more on on-the-job training instead of whipping people into the schools to get Grade X and Grade XI, which they will never achieve. Get them out and put them to work at their trade. Let them learn the trade on the job. Never mind trying to force Grade XI down their throats. And everybody in this honourable House knows, Sir, what I am saying is true. It makes great sense. A lot of our people, Sir, will never, never, never be able to get Grade XI. It is not their fault, they are not stunned. They can do, they can think, and they can work with their hands. But because you do not get Grade IX, X, or XI bring them aside and let them become unemployed for the rest of his life - he may be an excellent heavy equipment operator, an excellent mechanic, an excellent welder - no all he needs, Mr. Chairman, is what we used to call a few years ago, if Your Honour will remember, the Four R's - or the Three R's. All he wants, Sir, is to know how to read and write and a little bit of arithmetic. That is all you need.

MR. MURPHY: Is that a fact?

MR. NEARY: Well my honourable friend does not have very much more than that, and he is - look, Mr. Chairman, -

MR. MURPHY: The Sixth Book.

MR. NEARY: Aw, he has got Tom's Dog.

MR. MURPHY: That is all right. (Inaudible)

MR. EVANS: Inaudible.

MR. MURPHY: Inaudible.

AN HON. MEMBER: When the dog barks the honourable gentleman -

MR. NEARY: Mr. Chairman, let me - no, Sir, that is not the point I am making.

AN HON. MEMBER: Well, why do you not make it?

MR. NEARY: The point I am making is this, Sir, My honourable friend heads up a department spending \$50 million this year. My honourable friend is responsible to the taxpayers and the people of this Province for the operation of that department.

AN HON. MEMBER: Hear! Hear!

MR. NEARY: My honourable friend, Sir, I would say, did not get any further than Grade VI in school?

MR. MURPHY: It was the Sixth Book, it was Grade XI.

MR. NEARY: The Sixth Book was -

MR. MURPHY: There were no grades in those days ....

MR. NEARY: The Sixth Book was Grade XI?

MR. MURPHY: It is equivalent ....

MR. NEARY: Well, Sir, I would say this is not detrimental to the minister, I am congratulating the minister.

MR. MURPHY: And one of the cleverest men to ever come out of St. Patrick's Hall.

MR. NEARY: The minister is?

MR. MURPHY: Inaudible.

MR. NEARY: Well, Mr. Chairman, the minister got to Grade VI -

MR. MURPHY: I was not going to University.

MR. NEARY: No. The minister got to Grade VI at that time.

AN HON. MEMBER: No, the Sixth Book.

MR. NEARY: All right, the minister got to the Sixth Book at that time, Nowhow many men does the minister know that got to Grade VI the same time he did or Grade VII or -

MR. MURPHY: There was no Grade VII.

MR. NEARY: Well, Grade X.

MR. MURPHY: You cannot compare with today.

MR. NEARY: Well, how many men does the minister know today are working at Trades? The minister happened to -

AN HON. MEMBER: To get into the fat.

MR. NEARY: Well, the minister got into the fat, yes, he -

MR. MURPHY: A hard worker ...

MR. NEARY: Yes, the minister is a hard worker -

AN HON. MEMBER: Inaudible.

MR. NEARY: through his own initiative he worked his way, he got to be head of a department that is spending \$50 million, and probably 1,200 or 1,300 employees. How many men does the minister know - how

many men do other members of this House know that only have Grade VI or the Sixth Book, the same as the minister had, that cannot get a journeyman's licence because they have not got Grade IX, X, or XI?

MR. MURPHY: That is the tragic part of it.

MR. NEARY: That is the tragic part of it.

MR. MURPHY: ... they do not give it to them, that is what I mean.

MR. NEARY: No, Sir, I am saying give it to them. The minister is not listening to me.

MR. MURPHY: Inaudible.

MR. NEARY: No, Sir, no, I am just saying the opposite.

MR. MURPHY: Inaudible.

MR. NEARY: I am just saying the opposite. That these men should not be forced to bow down to some civil servant who says, you have to write an exam. The minister never had to write an exam to become a minister, did he, to head up a department?

AN HON. MEMBER: Inaudible.

MR. NEARY: But we can see that he is minister, and that he is

running a department. So why not give these - what I am saying -

AN HONOURABLE MEMBER: Inaudible.

MR. CHAIRMAN (Dunphy): Order!

MR. NEARY: Why not say, why not give these people their certificates.

MR. CHAIRMAN (Dunphy): Order, please! The honourable gentleman has exceeded his forty-five minutes.

MR. NEARY: Well, I will have another forty-five later on.

Mr. Chairman, that brings me to the end of my few preliminary remarks and now, Sir, I will listen to what the honourable -

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: No, I will listen -

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: No, I do not. I am getting hoarse now and I got a few more important matters to raise. I will listen to what the minister has to say and if he not too rough, Sir, maybe we will be able to go through the estimates item by item, but if he gives us a hard time, well, we will just have to fight back, Sir.

MR. CHAIRMAN (Dunphy): Order, please!

MR. MAYNARD: I am disappointed the honourable member had no more time. I was going to get another cup of coffee. Let me see if I got some of the points that he has raised over the past couple of speeches. On the last point that the honourable member was talking about -

MR. CHAIRMAN (Dunphy): Order, please!

MR. MAYNARD: - a few minutes ago, the matter of taking exams, I do not think any jurisdiction or any group of people would agree with doing away with exams as such. There is a programme, a policy in effect with the government now that if a person does not have the ability to write an exam, a written exam, the possibility is there, and it has been done, of the person taking an oral exam, The person does not necessarily have to have gone to vocational school or university of whatever. Generally we say



that if the person has five years experience in a particular trade, they can come in and take an exam, either written or orally, and get a certification of their competency in that particular trade, if, of course, they pass the exam. I do not think it would be quite fair or very appropriate to give a reason certification if they do not know anything about the trade. The honourable Member for Bell Island was suggesting to do away with exams altogether. Well, that would mean we could make everybody in Newfoundland carpenters and everyone in Newfoundland welders and everyone in Newfoundland electricians. That is sort of a stupid argument, Mr. Chairman. But we can and we do give certificates of competency to people who are not able to write exams.

There are some people in trades, especially in the automotive trades that have been practicing the trade for a number of years. They do not have any education, any formal education, as such. I think it was about a year ago that my colleague through Cabinet brought in a policy whereby these people could go in and take an oral exam and be able to receive some certificate of competency.

One of the other points was that when I spoke the other day, I lashed out at Canada Manpower. Mr. Chairman, I did not lash out at Canada Manpower. I did not lash out at anyone. I suggested and I put forward the idea that there are some problems in the manpower training schemes in the Province. I talked to Mr. Andras yesterday, a very good conversation with him, and he is well aware of himself that there are problems that we have to overcome in the Canada Manpower training programmes. One of the problems is that the Province is not prepared, or was not prepared itself in the past to take full advantage of the various programmes that are available, has not had the proper input into the programmes when they are being planned, when they are being devised. That is a problem we recognize

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and it is a problem we are trying to overcome. We are not going to set up any large unwieldy bureaucracy to do this. It is a matter of maybe a half dozen people at the most that can coordinate our efforts on the provincial scene to make sure that any money that is coming into the training programmes is administered properly, is put in the right places and is doing the job.

There may be problems with the special programme we have now, and it was a programme that was conceived in a little bit of haste but considering the time period that was allowed for planning and implementation of that programme, the people who are doing it are doing it very well. If there are people in school or in classrooms now such as the honourable member mentioned, I think we are going to find that type of thing no matter how well a programme is planned.

We have a very great difficulty in eliminating all the people who want at times to sit in a classroom because they do not feel they should do anything else. But that is going to be a problem that is with us no matter who devises the programme or how much thought is put into it. You are always going to find a certain number of people who are going to take advantage of the programme for the sake of the programme itself or for the sake of the few dollars that they can get by sitting down. That is unfortunate, but it is a fact of life.

Given the amount of time that the officials had to prepare the programmes for 1974-1975 to spend approximately \$700,000 of the special allowance, I think they have done a tremendous job. I did not at the time that the honourable member asked the question about the special programme, I did not indicate that all the programmes or uses of the money had been worked out. I did not say that. What I said at the time was that the officials were working on it. As a matter of fact, the day that the question was asked the people were meeting in Holiday Inns and they did work out a fairly good programme.

I have the list of the various courses here. I am sure that they are well-known to anyone who wants to look at the list. There is a lot of upgrading going on that is going to have a lasting benefit to the Province. Now, if there were some mistakes in the first year, we have a chance to correct them in the second year, and the second year's funding on the special programme is some \$2.5 million. Initially, there was the reluctance by the Canada Manpower people to include social assistance recipients in the plan. That reluctance has been overcome and people receiving social assistance can now become part of the programme or take advantage of the programme the same as unemployment insurance recipients.

There are going to be some special funds made available to assist these people in things like transportation and lunches, this sort of thing, extra expenses that they have over and above what

they would have normally. So, the faults of the programme that were evident have been worked on and the Canada Manpower people and the minister are quite willing to be flexible on all aspects of the programme. So, we are certain that in the second year we can get much more benefit out of it. That is not to say that we will not get any benefit from the first year, Mr. Chairman. We certainly will. Any programme that concentrates on upgrading the skills of Newfoundlanders is certainly a lasting benefit to the Province.

If we are to take advantage of the jobs that are made available in construction, large projects, we have to have the people that are adequately trained to do it. Some of these people who are in training programmes have the basic skills, but they need the final touch in order to have the ability to get a job in any place at any time. This special programme is geared towards these people who may need just that little extra push to get them into the permanent labour force.

I think it is a good programme. The regular training programme that we signed yesterday was some \$10 million with an option of another \$10 million for the second year. That, plus the \$2.5 million special programme is going to give us a fair amount of leeway in training people in this coming year. I think it will be spent wisely. I do not see any reason why it can not be.

The honourable member for Bell Island is having very serious doubts about the ability of the department in this sort of thing. Well, I can assure him that if the minister by some stretch of the imagination may not have the ability as he says, if he is right in that case, well then I am sure the people in the department have the ability to be able to spend the money wisely, and they are doing that and doing it very well.

Let me see if I can see some of the other points that were brought up. Oh, yes, the large bureaucracy thing. Again I say that we are not looking at a large bureaucracy in the Manpower Division. We are certainly not going to duplicate anything that Canada Manpower

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is now doing. What we are going to try to do is come up with  
the policies that will complement the Canada Manpower Programme and

I would not envision any great increase in the staff of the department. Maybe a half a dozen or so in the Manpower Division would give us the staff to adequately do the job and to co-ordinate the programmes that we have worked out with the federal government.

On the Workmen's Compensation Board, Mr. Chairman, I was the minister who initiated the O'Neill Royal Commission into the workings of the Workmen's Compensation Board and I did that. And my own personal analysis of the problems that were evident with the Workmen's Compensation Board, the morale of the staff and this sort of thing, there was a considerable amount of correspondence between various parties on the Workmen's Compensation Board before the O'Neill Royal Commission was appointed. I am not, or will I in the future, table any documents, any correspondence between myself and other parties based on the Workmen's Compensation Board or leading up to the appointment of the O'Neill Royal Commission. I have no intention whatsoever of tabling in this House now, or at any other time, confidential documents, and they are confidential documents. To say that I should table this correspondence, all this material, it would be the same as to suggest, well that I should go and get all the Cabinet submissions now we have got downstairs and we should table them around the House too, and let everybody look at it too. You know, let the whole of Newfoundland be a Cabinet. It is a request that just cannot be met and I am sure the honourable Member for Bell Island was not quite serious when he suggested that. As a former member of Cabinet, certainly he cannot be serious. If he is, well then I have more serious doubts than I had before about his mental capacity.

But certainly there were problems. The O'Neill Royal Commission found that there were problems. All of the findings of the O'Neill Royal Commission were not in the written report but there were meetings after that. It was found that the board needed to be changed, the Commissioners of the Board needed to be changed. That action was taken and the action was quite proper. There were no deals

made with the former Commissioners of the Board and a new Board was subsequently appointed. As far as political appointments are concerned, I have a little bit of a problem, Mr. Chairman, in finding people in Newfoundland who are not either Liberal or Progressive Conservative. There are a few NDP. But I have a great deal of trouble finding people who are not affiliated with any party. And if I am going to -

So I see nothing wrong whatsoever with appointing a person to the Workmen's Compensation Board that had some input into the Progressive Conservative Party. I would see nothing wrong with appointing someone who had some input into the Liberal Party, that is a person's own -

MR. NEARY: Inaudible.

MR. MURPHY: Is the member's brother working at that department?

MR. MAYNARD: Yes, the member's brother is working over there. I am sure, I doubt very much if he ran for the Progressive Conservatives at any time.

MR. MURPHY: Although he might have. He might be the sensible one in the family.

MR. MAYNARD: Oh yes, that is a possibility. But I have no -

MR. NEARY: That was an open comment -

MR. MAYNARD: I have no apologies whatsoever to make for the appointments that were made to the Workmen's Compensation Board. The people who were appointed are quite capable of doing the job, well respected in their fields, and I am sure they will administer the affairs of the Board in a very efficient and proper manner. They are appointed. As for whether or not there was a consultation with labour and management before the appointments were made, representing labour and management, if I can find the note that I had here on the statement I made the other day, no we did not solicit the suggestions of the Federation of Labour or any other trade union organization in the Province, neither did we solicit the suggestions or recommendations of the Canadian Manufacturers Association or the Canadian Construction Association or anyone like that, or the Board of Trade,

and I did not indicate at any time, Mr. Chairman, that these appointments were suggested by any of these groups. I did not at any time. I said that we are adding two part-time commissioners, one, representative of labour and one, representative of employers. There was no suggestion whatsoever that these were recommended to me by any labour organization or any employer group. Again, I have no apologies whatsoever to make for making that arbitrary decision. You know, I think that is what government is for, to make a decision. Sure, I will go to the Federation of Labour, and I will go to the Board of Trade and those people, and I will talk to them, and I will solicit their comments and their recommendations and this sort of thing, but I do not think it is necessary for government, every time it wants to make a decision, to go out and say, well can I make this decision? Can I do this? Do I have your blessing? If we got a government that is going to be run by outside forces, well, then we are not going to have a government. We might as well scrap it.

AN HON. MEMBER: (Inaudible).

MR. MAYNARD: And these people - I am positive, Mr. Chairman, that the trade labour movement is not going to complain about Mr. Bill Woodford being on the board. I am positive of that. And I am also positive that the Board of Trade or the Canadian Manufacturing Association or whoever is not going to complain about Mr. John Murphy being on the board. As a matter of fact, we had a call from the Atlantic Director of the Canadian Manufacturing Association complimenting us on the choice of members, complimenting us on the choice of members. They are not upset because it is not their suggestion or anything like that. The person is a quite capable person and they are quite happy with it. So the honourable member is trying to make an issue where there is no issue, and it is completely unnecessary. However, I am sure he will keep on making the issue.



As for the Buchans Task Force, yes, Mr. Chairman, it has been a long time in coming. The honourable member asked me a question about it today and then he got up and said that there have been two or three meetings of the Buchans Task Force and obviously the member is not keeping up very well on what is going on in the Province either. I called the first meeting in Buchans. I attended it myself. Some twenty people, representing the union, the town, the company, the government, the development association, pretty well all facets of life in the community, attended the meeting. We discussed the possibility of setting up a task force. I said at that time that I should be back in two or three weeks. In the interim, the Premier asked me to try to mediate the dispute with the trawlermen and my deputy minister and I spent, literally, four weeks at that, and we did nothing else in the interim. So the second meeting has been delayed. However, during that time we have gotten the approval of Cabinet for the setting up of the Task Force, for the compensation of the Task Force, and on Monday, hopefully, I should be able to announce the three people from government who will be on the main Task Force and what the compensation of the Task Force is.

I regret that it has been several weeks since the first meeting. I apologize to the people in Buchans for that, but I assure you that it is not due to a lack of concern. It is just the fact that we have not been able to set the mechanism going for getting the Task Force off the ground. I was given the responsibility of setting up the Task Force. Unfortunately, my department does not have a large staff. There are very few people, all of whom are doing five or six jobs at any one time, and we cannot always get the immediate action that we would like to have. But the Task Force will be set up. It will be set up with a mandate to report back to government within a period of one year at the most, hopefully, by the end of 1975, with some very constructive

suggestions as to what can be done to ensure the future viability of that town.

I covered the exams bit, the Workmen's Compensation, on the lashing out at Canada Manpower - now the honourable member spoke at great length about illegal work stoppages and what we should do about it, and the social contract, the Productivity Council and this sort of thing.

Mr. Chairman, jurisdictions all over the Western World for years, perhaps for the last century have tried to find ways and means of eliminating the strike situation. Australia has banned strikes altogether, I understand, but they still have them. They still have problems. England is now trying the social contract, so-called, and there are various meanings to the social contract thing. The honourable member says that it is working. It is not working at all. It has not started yet. And the Trade Union Congress in England are having no part of it. It is not going to work. It may work

In some other form. I do not know. What I said the other day was that no one has found the answer. The honourable gentleman from Bell Island, representing Bell Island, does not have the answer. Neither does any other jurisdiction in the Western World at this time have the answer, but we are all searching for one. We are all searching for a means to have labour peace in our Province as well as in other parts of Canada and other parts of North America. We are exploring every possibility, but as yet we have not come up with an answer.

Now, maybe at some point in time, some bright person will come up with the answer that works 100 per cent of the time. I hope they do and when they do we will certainly adopt it if it is a workable solution, but right at this point in time we do not have one. The royal commission, the Neary Royal Commission and I am glad to say it is not the honourable Member from Bell Island I am talking about, was appointed to look at illegal work stoppages. The commission, as was pointed out by my colleague, the Minister of Mines and Energy, made some fairly relevant points, made some fairly good suggestions that deserve some study and the Royal Commission Report has not been shelved, and is not going to be shelved until such time as we are positive that it is of no use. I think there are some useful suggestions in it.

We have not tried to implement any of the suggestions. We have not tried to put any of the suggestions into practice simply because we want to get the recommendations, whatever recommendations are in the Cohen Report that are useful off the ground first. But certainly we are looking at the Neary Royal Commission Report into illegal work stoppages. We are looking at what other jurisdictions are doing. We are studying it all the time and when we come up with the ultimate answer and I see no reason why we should start and set up - what is

a Productivity Council going to do? The first thing you have got to do is get everyone to agree that they are going to abide by the findings of the Productivity Council. It means that you have got to get labour - Oh! What is the point of going through the exercise -

AN HONOURABLE MEMBER: Inaudible.

MR. MAYNARD: What is the point of going through the exercise, Mr. Speaker, if one segment of society is not going to agree to it. You know, you go through months and months of study and you come up with what you think is a solution, but you know before you go through all that work that somebody is not going to accept it. Well, what have you done? It is just a useless exercise.

So, in order for it to be any good, either productivity council or social compact or whatever it is, the first thing you have to do is get the agreement of all parties concerned that they are going to abide by the findings or by the recommendations of that Productivity Council or the social contract or whatever it is. But once you have got that agreement you do not need a Productivity Council because then you have got complete industrial peace in the Province.

MR. NEARY: All you need is good will. You do not need agreement. Good will is all you need.

MR. MAYNARD: Okay, you need good will. Well, if you need good will you have to translate the good will into positive action. You have to translate the good will into positive action and positive action means only one thing, that the findings of the council, or whatever it is, will be accepted by all parties concerned. Once you have that agreement, then you do not need the council, you do not need the contract because you have labour peace. Your problems are over.

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So, I see no point whatsoever in going through a long drawn out exercise of setting up a **Productivity Council** -

MR. MURPHY: A rose by any other name.

MR. MAYNARD: You know, you are just delaying the inevitable.

AN HONOURABLE MEMBER: Inaudible.

MR. MAYNARD: That is right. If you are going to the good will of the labour force

and the employers, all parties involved in the economy, industrial peace in the Province, then you are not going to get it by trying to impose something on them that they do not want or do not like. And, a Productivity Council or a social contract at this point in time, sometime down the road this social compact or social contract may be an acceptable thing but at this point in time it is not. So, we have to find some other solution.

In the meantime, while we are trying to find a solution, if there is one, we have to continue on with our role that we are playing now of mediators, of trying to mediate disputes, trying to avoid strikes. But, if they do occur, then trying to mediate the disputes so that the strike is over in the least possible time.

There were a number of strikes last year. A lot of them were illegal, but you will note that the number of man-days lost last year was considerably less, about one-third than it was the year before. A lot of that, Mr. Chairman, came about through the efforts of the people in the department who mediated the various contracts. I am not saying that they mediated the wildcats but they mediated other contracts that did not result in a strike but very well could have resulted in a strike if our department had not been there.

I am not saying that I did that personally. It is the people in the department who are expert in this, who have been able successfully to get in there and find a common ground for both parties that both parties could agree to. That is the role that we will have to continue. I think we will have to expand the role of it. I do believe that we are going to have to be involved not only at the point in time when the contract expires and the crisis is there, but we are going to have to be involved or make our services available to parties during the life of a collective agreement so that there is a continuing liaison, continuing negotiation if you will, aimed towards their next collective agreement that comes up.

That is a matter again of education. We are getting into the field of education. The Minister of Education this year has

instituted some programmes for high school students. It is a pilot project. We are going to expand that programme, especially in the vocational schools. I agree that one of the things we have to do is to teach people, rather instruct people in what trade union movements and industrial relations are all about because we have a lot of people coming out of our trade schools and out of the universities who have no concept whatsoever of what a trade union is about. They find out only after they get out either as a member for a trade union or a member of management and they are dealing with a trade union. That is unfortunate. But the system is changing some. We know we have to get more involved in education in all phases, both the high school level, vocational level, university level, because inevitably when they come out of one of those institutions, they are going to be one or the other in this day and age. They are going to be either a member of a trade union or part of management.

It is very essential that they should know what the labour industrial relations is all about. On the other hand, for the benefit of trying to put on some seminars and training courses for shop stewards and business agent people in the field who are now officers of trade unions across the Province, we are putting together right now an instructional film. I know when I say film the first thing that comes in the mind of the honourable member for Bell Island is George McLean, but that is not quite so.

You missed that. I said for the sake of instructions of shop stewards, people, officers and this sort of thing on local unions across the Province, we are now putting together an instructional film that can be used in seminars and workshops and this sort of thing. The film will be finished this year. It is being put together by the Extension Service of Memorial University. It should be about a twenty-five minute film, I understand, after they get the whole thing edited. I have seen the script of the film but it should be a very useful tool, Mr. Chairman, in instruction. I think we will have to do more of that. Certainly we are going to try this approach, film workshops and this sort of thing for a year or so, see how it is working and if it is working well, then we can expand the programme. But it is the first start in the long process of bringing education into the - or labour education to the people who are both involved in trade unions and on the management side and people who are going to be involved, and it is a key -

MR. MURPHY: This is done by the Federation of Labour, is it?

MR. MAYNARD: No, it is being done by our department.

MR. MURPHY: Oh! I see.

MR. MAYNARD: It has been co-ordinated by the education committee of the Federation of Labour and our department and the Board of Trade.

So, it will be a film that will be completely co-ordinated by all three sides and hopefully it will be a useful one.

Now, Mr. Speaker, I think the honourable member at one point in time suggested that politicians should not interfere in strikes, should not interfere in the bargaining process. Now, we agree with that. Politicians should not interfere. Of course, what we agreed to from this side of the House should also be agreed to on the other side of the House and the next time there is a strike, especially a critical, sensitive strike, whether it is with the fishermen in the



Province or whether it is with the public service or not. I would love to hear all - or love to see all politicians just keep their mouth shut.

MR. MURPHY: Gag the Member for Bell Island.

MR. MAYNARD: So that we do not have any interference -

MR. NEARY: Inaudible.

MR. MAYNARD: So we do not have this - so we do not wake up every morning with the honourable Member from Bell Island blah, blabbing away about what the government should do and what the government should not do and all he is doing is perpetuating the strike. All he is doing is trying to get the strike to last a bit longer so he can get another word on the next morning.

MR. MURPHY: Unfortunately, that is true. Unfortunately, it is very true.

MR. MAYNARD: The only people who should be involved in strikes of any kind, if there is going to be any outside involvement, if there is going to be any third party involvement, it is only on the mediation level, is the people of the department, Department of Labour whose role it is to try to mediate disputes. I completely agree the politician should not be involved, but of course, if the honourable member is going to preach that, then I would hope that he will practice it in the future. If he does not practice it, of course, well, all he is going to do is add to the labour unrest in the Province because ironically enough, even though no one really listens to him and takes him seriously, when he does say something he does tend to stir up a little bit of blood at times and make it boil over and whatnot. That always adds to the length of the strike.

So, let us hope that the honourable Member from Bell Island, from now on, will not be on blabbing about what he would do if he was there, how he would interfere and all this sort of thing.

MR. MURPHY: That is what he did.

MR. MAYNARD: Yes, let us show them what he did.

Anyway, were there some other points that I can touch on? I do not think there were. I have probably gone over all of them. Well, that is the basis. When I got up the other day, Mr. Speaker, I did not get up to - I never try to give a fiery speech. I am not that type of person. I was not built that way. So, you know, I do not get up and try to impress people with my desk pounding and all this sort of thing. I gave a report on the department of what we saw the department doing, the direction we saw it going in over the next year or so. It may have sounded - I am sorry if I bored the honourable Member for Bell Island. That is too bad, but that is how it goes.

However, it was a report on the department and we are talking about the departmental estimates and if there is anything that I can answer, any questions that I can answer, any comments that I can make to enlighten the members of the House while we are going through the estimates, I would only be too glad to do so. But I doubt very much if I will set anyone afire with my oratory or my eloquence in speaking or anything like that. I am not known for my speech making but that is a problem I have, I suppose. I want to

before I go, I want to thank my colleagues for some of the kind remarks which were thrown my way the other night, almost a little too much I am afraid. However, I am happy that I was able to have some participation, contrary to what the member for Bell Island says, in the trawlermen's dispute, and apparently things are going fairly well. We should know some time today what the count is. I would assume that Mr. Cashin, the Union President, knows what the count is by this time. However, he has not transmitted it to me. I would hope to be able to give that to the House as soon as I get it. But it appears to be going very well. However, I am not under any illusions that if the trawlermen's strike is settled that that is the end of the road. That is only the start. It is only the tip of the iceberg in trying to solve the problems we have in the fisheries. The government is well aware of that, and I am sure my colleague, the Minister of Fisheries, is well aware of it, probably more so than any one else in the House of how many problems there are. If only we can get this one out of the way, so to speak, so that we can concentrate on some of the others.

I know that parties will feel relieved if this present dispute is over, and it will give us a chance to look at the inshore fishery, the future of the trawler fishery, the future of the marketing, the whole bit and piece, so that hopefully for a long time into the future we will have an industry in this Province. I do not know if there is anything else I can say at this point in time. If there are other questions that are asked and other points that I have to elaborate on, I will only be too happy to do so, Mr. Chairman.

MR. NEARY: Mr. Chairman, you know, the minister really said nothing to provoke me into making another speech. It was

just as dull and as uninteresting, Sir, as the report that we heard the other day. I do not mean that the minister just get up and liven the place up by pounding his desk and that sort of thing, Sir. But what I would expect, Mr. Chairman, is an outline of what plans his department has to cope with some of the most serious problems that we have in our society today, Sir, and I can see, Mr. Chairman, that the minister still intends to fly by the seat of his pants. The minister has no plans as far as I can see, Sir, and that would have satisfied me.

Sir, the other day I got an Easter greeting card from a wonderful couple over in Salmon Cove. They were offering up a special Novena for me, Sir, with some religious organization in Chicago somewhere, and I get one every year, offering a special Novena for my intentions. Well, Sir, I think I should take that card and pass it over to the minister, because there are no plans. The minister told us of no plans to cope with wildcat strikes and this sort of thing. I do not think the answer, Sir, is to do away with strikes. I did not say that. But, Sir, I should pass the card over to the minister, because there are no plans and maybe he needs a special Novena. We are going to need a Novena of some kind, Sir, if we are going to resolve -

MR. DOODY: (Inaudible).

MR. NEARY: I think I can assign it over to the minister.

MR. DOODY: (Inaudible).

MR. NEARY: Yes, I will give it to the minister. I will pass it over to him, because we are going to need a prayer or a Novena or something, Sir, because the minister does not intend to do anything about these matters.

On motion 501-01, carried.

MR. CHAIRMAN: (DUNPHY): Shall 501-02 carry?

MR. MURPHY: I would like to ask a question on this, Mr. Chairman, if I may? And I have been looking for human rights in this department, but I do not see any heading for it, Sir.

AN HON. MEMBER: It is carried under General Administration.

MR. MURPHY: General Administration. And that is with reference to representations that have been made to me by different people, particularly within the civil service, and most women, older women or ladies who have \$5.00 deducted from their pay cheques every month as NAPE fees, I suppose you would call them, -

AN HON. MEMBER: Union dues.

MR. MURPHY: Union dues. And they have intimated to me in no uncertain terms, that never at any time did they signify any intention of becoming a member of the union, I presume it is their right whether they do or not. And I am just wondering on this when we talk of human rights, does human rights extend to everybody who is human under the Act? Do you have to be a member of a certain religious body or a certain group? Do you have to wear a union badge or carry a union card, and this type of thing?

AN HON. MEMBER: The same thing as the Liberal Party "Ank".

MR. MURPHY: And I would like - No, I am quite serious on this. There are people who perhaps do not want to be associated, I know we have had them, and when I was in the union and a fellow did not want to join, I would always call him some kind of a scab, or something else. But now we have come into a new era of talking about things and treating it and we brought in the great Human Rights Code. Under the old union agreements we always said a man had a right to live and this type of thing, and that was our code, that we should be paid what we earned. And I am just wondering if - unfortunately the minister is not here now - what is the actual legal, if not human, aspect of this thing where we have thousands of people in the civil service, X number, it would be ninety-five per cent or ninety-nine say, you know, we want a union. But what about the five per cent? Have they any

rights under this law or any law to say why should they deduct -

AN HON. MEMBER: They are going to get the benefits of whatever the union wish.

MR. MURPHY: They will get the benefits. Well, you know, will they get the benefits anyhow? All I am saying is, is it compulsory that they must become a member of that union? And if so, what are their rights? And is it compulsory that they pay five dollars even though they do not - I am only asking the question because it has been put to me, you know, right or wrong - that there might be lots of reason for it, because do you have a negotiating committee go out and negotiate a twenty per cent increase say. Well if that goes to everybody, we cannot say it goes to you because you have a union card, but you are not getting it because you are not. You know, I can understand that part of it. But when we talk of human rights I wonder just what is the attitude of the thing. And then we arrived at a stage again, and all I am talking about is in this great modern day age, where we are always talking about the rights of people, and the rights of everybody, minorities and majorities, and someone decides look, we are going out on strike on Monday. Let me talk about something a little bit closer to home. Not the last trawler strike, but last September I got calls from dozens and dozens of mothers and wives and members who said, what about - well I am sorry we are not giving welfare - well my husband did not want to go on strike, my husband did not want to go on strike. And all I am bringing up is this simple fact - today we are in this great enlightened age where everybody is too interested in everybody else's rights. Basically is there any such thing?

The other night when I spoke on this, and I did speak, and it is a pity it was not mentioned in the paper that I spoke on it, because my wife thought I was in the House of Assembly, and it was not mentioned in the paper that I did speak. I am not looking for headlines on it, but just to say that Mr. Murphy was in the House of Assembly today. Because as I say, I leave and I tell my wife I am in here - just put my name in the papers and say I was here. But we talked about certain people in that great strike on the West Coast, the ferry, where you had people

actually that had to use toilet facilities behind trees, had to change children on the road, and everything else, did these people have any rights under the law? Or what rights did they have? Are we really talking out of one side of our mouths or are we trying to talk out of both sides of our mouths at the one time? Now we all recognize that unions have rights and everything else. But what about the individual, who again might be the minority, what right has he under this Human Rights group? And if these representations are made, whether it be from someone within a union or not can I refer them now to this Department of Human Rights, within this department and say, look, plead your case there. And if so, was there ever a case taken, I do not know if there ever was as far as - I think it is under some payroll deduction thing where it says - what did he call that -

AN HON. MEMBER: Inaudible.

MR. MURPHY: Yes, but is there an Act or something - what is the -

AN HON. MEMBER: Inaudible.

MR. MURPHY: Is there not an expression that covers that some law or something or someone?

AN HON. MEMBER: The Rand Formula.

MR. MURPHY: That is what it is, the Rand Formula. For example, if anybody in this government says, look I do not want to pay five dollars, would they have any rights under the Act? Or have we made an agreement? All I am trying to find out which union would say, you must pay it, and that is the story on it. Now I notice the Hon. Minister of Mines and -

AN HON. MEMBER: Industrial Development -

MR. MURPHY: President of the Treasury Board, sort of saying you know what is the member talking about? Well what I am talking about is this

AN HON. MEMBER: A closed shop.

MR. MURPHY: - you know, and does anybody understand what I am saying, why they should have to pay it if they do not wish to become a member of the union, or is the contract with the union such that everybody that takes a job in this provincial government should sign an agreement to say look, we are going to pay you \$200 a month but every month we are going to take \$5 out to give to the union? Is this that form of the contract? Perhaps in the absence of the minister, perhaps I might be enlightened on that.

MR. NEARY: Mr. Chairman, I cannot resist, I cannot resist the temptation, Sir, the Minister of Social Services really provoked me. Now I know why he did not get past Tom's dog, Sir.

But, Mr. Chairman, I saw Richard Cashin out there in the hallway so no doubt in a few moments the Minister of Manpower will come into the House and tell us that the trawlermen's strike is over, settled. All I do not know at the moment is what the percentage of the vote is. So I am very happy to make that announcement on the minister's behalf. He is out in the Speaker's Office at the moment, I think, getting some confidential information, Sir, on the vote. But in the meantime, Sir, the Minister of Social Services just completely floored me and I do not blame the Minister of Industrial Development, the President of the Treasury Board for almost having a massive coronary, as he listened to the Minister of Social Services raise these questions, Sir. I thought that everybody, I thought everybody knew about the Rand formula, that there are numerous, numerous people in Canada, in Newfoundland that pay their union dues, that have their union dues deducted through the payroll or they pay it voluntary. They do not necessarily constitute fullfledged members of the union. The union and the company, or the union and the employer have agreed to deduct the union dues and I would assume that in this case, and the President of Treasury Board is nodding in the affirmative,



that an agreement has been made between the government and the civil servants whereby the \$5 or whatever it is, is being deducted although the person may not attend union meetings, may never have been sworn into the union, but is participating in all the benefits that are negotiated by that union.

The other point, Sir, the other point, which was a very interesting point made by the honourable Minister of Social Services, and one that I raised myself when the minister and his administration refused to give welfare to families of men who were on strike, the trawlermen and I felt at the time that this was probably - it was legally right, the legal position was right but it was morally and ethically wrong for the administration to take that position. Because there were men, Sir, in the Trawlermen's Union who did not vote to go on strike, and how could the minister separate them? But, Mr. Chairman, the majority carries, the majority carries, Sir, in everything, in just about everything in society, The majority carried in this instance. I think the administration is over there now, what, with less than fifty per cent of the popular vote of this Province, but they are governing the Province, less than fifty per cent or is it fifty-one per cent.

AN HON. MEMBER: Inaudible.

MR. NEARY: No. No. No. No. But anyway, Sir, there they are. Let us say they had fifty-one per cent of the vote, Sir, and that is about it I think -

MR. DOODY: We would have thirty-five per cent if we had three seats.

MR. NEARY: Fifty-one or fifty-two per cent of the vote, but they had thirty-odd members, Mr. Chairman, and they are entitled to govern this Province. It is the same way, Sir, in the trade union movement, If the majority votes to go on strike then the majority carries and the rest apparently are prepared to go along with this decision, with the decision of the majority. This is the only way it can work, Mr. Chairman. I am surprised that the honourable minister does not know.

MR. MURPHY: I did not question going on strike at any time. I raised the question to just find out if someone said, no I do not want to be a member of that - that is the only point I tried to make on it.

MR. NEARY: Well this is done under what is called the Rand formula. A formula worked out by Justice Rand.

MR. DOODY: Closed shop.

MR. NEARY: That is right. Closed shop, union security, you know, call it what you like.

MR. MURPHY: But do not compete against it by anybody.

MR. NEARY: But it is not an invasion of people's union rights.

On motion 502-01, carried.

MR. NEARY: (02-01) Mr. Chairman, the minister is out getting the report of the vote at the moment, could we wait for him to come in his seat so I can ask him some questions about the human rights.

MR. CHAIRMAN (DUNPHY): Order, please!

AN HON. MEMBER: Carried.

MR. NEARY: No, Mr. Chairman, not carried, Sir, the minister is

not even in his seat, Mr. Chairman. I wish the minister would come in. I have already announced the strike is settled. So, why does he not come in and - if you are listening, Mr. Minister, the strike is over. Come on in the House and make the announcement and let us carry on with the estimates. But, Sir, I do want to find out about the human rights -

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: Yes, very. Could he give us a sort of a brief report, a progress report on the number of applications that they have had, the Human Rights Commission have had, the Director of Human Rights? Is there a backlog of applications? Are they being dealt with now effectively? Does the minister intend to increase the staff in this branch of his department? Just what is happening concerning human rights? Are we going to have any amendments to the act this year?

MR. MAYNARD: Mr. Chairman, as the honourable member is aware, I am discussing some points with the President of the Fishermen's Union, Mr. Cashin, and I would appreciate having a few minutes before I would be required to answer any questions.

I know this is a bit of a departure, but maybe we could call it one o'clock at this time.

MR. CHAIRMAN (DUNPHY): It now being one of the clock, I do now leave the Chair until three of the clock this afternoon.

The Committee resumed at 3:00 P.M.

Mr. Chairman in the Chair.

MR. CHAIRMAN: Order, please!

Head 501-01.

MR. NEARY: Mr. Chairman, when the -

MR. CHAIRMAN: I am sorry. I believe we did pass some heads of expenditure earlier.

MR. NEARY: Yes, we are down to 01-02.

MR. CHAIRMAN: Yes. If the honourable member would permit, I would like to recognize some visitors in the gallery.

We have in the gallery today thirty Grade IX students from Marystown Central High School in Marystown in the District of Placentia West with their teachers, Mr. Gerald Cheeseman and Mr. Slaney. I trust that your visit here this afternoon will be interesting and informative. On behalf of all honourable members I welcome you to the galleries at the House of Assembly this afternoon.

MR. CHAIRMAN: The member for Bell Island.

MR. NEARY: Mr. Chairman, when the committee rose at quarter to one, when we called it one o'clock, I was asking the Minister of Manpower and Industrial Relations to give us a brief report on the activities of the Human Rights Commissioner and the Director of Human Rights. The minister at the time, if the committee will remember, was out in the Speaker's office consulting with Mr. Cashin, president of the trawlermen's union. The minister will probably be interested to know that I announced the settlement of the strike. The only thing I did not have was the details. I think it was ninety-two per cent, Sir.

The minister has a press conference scheduled this afternoon, Sir, to make that announcement. I do not intend to delay the minister to keep him from this very important press conference. I think the minister should first of all, Sir, as a matter of courtesy, announce the results to the House, but the minister prefers to do it via the press conference route. So, if my colleagues have no questions, Sir, we may get through the estimates rather quickly. All I am asking the

minister for now is to give us the report of the Human Rights activities so that the minister can go down and prepare for his press conference and tell the public of Newfoundland that the vote was ninety-two per cent.

MR. CHAIRMAN: Shall 502-01 carried?

MR. NEARY: No, no. We are going to get an explanation of the Human Rights -

MR. CHAIRMAN: The Minister of Manpower and Industrial Relations.

MR. MAYNARD: I think the honourable member was asking about the activity and the number of cases. Is that correct?

MR. NEARY: What is happening with the expanding services?

MR. MAYNARD: Well, the Commissioner during last year was involved in two public enquiries, or two open hearings if you want, but there were forty-one individual complaints that were received and dealt with concerning discrimination in various sectors which come under the Human Rights Code.

The two hearings - one involved a department of government and the other one involved the public transportation service. Both of them, as far as I know, were resolved very successfully as far as the parties were concerned. There were forty-one. That is no indication of course of what is coming up this year because, as I said before, the Human Rights Division is becoming more widely known to the public of Newfoundland. The number of enquiries coming in each week to the Human Rights Division is increasing. The Commissioner and Director there are doing a very good job in coping with the work load. No doubt at some point in time they will need some extra assistance, but as of now they

have done a pretty fair job. Does that answer the question?

On motion 502-01 through to 504-03 carried.

MR. CHAIRMAN: Shall 505-01 carry?

MR. NEARY: Mr. Chairman, I would like to speak briefly on this particular matter. I raised the matter this morning, and I did not get a rise from the minister about come-from-aways, you know, coming into Newfoundland. I was wondering, the minister did not indicate to me, whether or not the training programme he was talking about was going to plug this weakness in our Manpower training because it seems to me now, Sir, that the government itself is setting really a bad example. Because not only do you have to have a piece of paper from Memorial University now, a degree from Memorial, but they have now in Newfoundland the ordinary lay people like myself who are calling the new degree that you have to have in this Province to get a job is the C.F.A., the Come From Away degree. That has caused a lot of wildcat strikes and a lot of labour problems and a lot of labour unrest. Would the minister care to indicate, - and the government itself, Sir, is right up to its eyeballs in bringing in people with these degrees. I have no objection to people from other provinces coming into Newfoundland with these C.F.A. Degrees or with these British accents. But, Sir, can we not find the people in Newfoundland to fill the jobs? We have 43,000 Newfoundlanders who are unemployed. There must be a lot of Newfoundlanders who would qualify to fill these jobs. Would the minister care to react to my statement in this particular matter?

MR. MAYNARD: Well, Mr. Chairman, I do not know of all that great a number in Newfoundland who have been employed from outside of the Province, certainly not as nearly as many as are employed in other provinces from Newfoundland. There are points in time when this Province as well as any other province has to look for people in a specialized field, and they have to go outside of their own boundaries to find these people. I think if you went across Canada or

across North America, you would find the same sort of situation. We have people in Ottawa, we have people in Toronto, all across Canada. My colleague, the Minister of Justice indicated this morning that the chief legislative draftsman in Ottawa was a Newfoundlander. And if we were to close our borders to people coming in from other provinces I think we would also find a backlash in that other provinces and other jurisdictions would close their borders to Newfoundlanders coming in to find a job in their province. This is a free country. The only real problems that we have had in that regard is with the Quebec situation where in the construction industry they have a work permit system. That is causing some problems, but our policy has been that wherever possible, when the people are available to hire people from this Province, but certainly we have to go outside the Province at certain times to find various specific people in specific trades or categories, and we will continue to do that. If the people are here in this Province, then we will hire from this Province. It is as simple as that. But it is a two-way street. We cannot close our doors and neither can Ontario or any other jurisdictions close their doors to people coming in.

On motion, 505-01 through 505-04, carried.

On motion, 506-01 through 506-03, carried.

On motion, 507-01 through 507-02, carried.

On motion, 508-01 and 508-02, carried.

MR. MARSHALL: I wonder if I may ask a question relating to the total subhead because when we came to 506 Your Honour went through it very quickly and I had just opened the book and there was one little question that I would like to ask with leave of the committee. This is with reference to hours of work and that. I wonder if I may have leave. I am on the -

MR. CHAIRMAN (Stagg): Inaudible.

MR. MARSHALL: Mr. Chairman, it has come to my attention that the number of employees, particularly and I speak of employees actually within the City of St. John's who are employed by companies, national companies, we call them now multi-national, I call them national companies particularly, when statutory holidays occur they are forced, apparently, as far as my information is concerned, instead of in effect getting their statutory holidays or certain statutory holidays, they are then forced to work their day off. Or if not forced to work their off, then I believe that some of these companies require employees to work staggered shifts or what have you, so that in effect the statutory holiday that most people enjoy is not really enjoyed by them. I realize I did not have an opportunity to mention this to the present Minister of Manpower and Industrial Relations, although I did have an occasion to mention it at one time to his predecessor and I may be taking him a little unawares with respect to the question, but I would like him to take note of it.

If he wishes to make any comment now, I would appreciate it because quite frankly I think that if this practice does occur and with the long holidays coming up, for instance, this weekend and in July and June, that something really ought to be done about it because it is socially and in every other way, I do not see why



these people should not be entitled to the same hours off as everyone else.

MR. MAYNARD: Just a brief comment, Mr. Chairman. What the honourable Member from St. John's East says is correct and we are aware of the problem and the only thing I can say at this time is that we are hoping to be able to cure problems of this kind and similar problems in other areas with the new labour standard legislation that we will hopefully get before the House in the very near future.

On motion that the committee rise, report having passed Head No. (5), Manpower and Industrial Relations, all items, and ask leave to sit again. Mr. Speaker returned to the Chair.

MR. CHAIRMAN (Stagg): Mr. Speaker, the Committee of Supply have considered the matters to them referred and have directed me to report having passed Head (5), Manpower and Industrial Relations, all items, and ask leave to sit again.

MR. SPEAKER: The Chairman of the Committee of Supply reports that they have considered the matters to them referred and report having passed Head (5), Manpower and Industrial Relations, all items, and ask leave to sit again.

On motion report received and adopted, Committee ordered to sit again presently by leave, carried.

Motion second reading of a bill, "An Act Further To Amend The Constabulary (Pensions) Act."

MR. HICKMAN: Mr. Speaker, it had been the intention to proceed immediately into the estimates of the Department of Fisheries. The honourable the Minister of Fisheries will be delayed for a few minutes. I checked with the honourable the Leader of the Opposition. We will simply clean up a couple of routine bills here. This bill does two things. It brings the employees of the public service, of the joint service garage that is operated by my department, gives them the right to transfer under the Constabulary (Pensions) Act should they so desire, and it also changes the designation of certain officers in the police force which had been changed many years ago, I think in 1970 or 1969, where the names of head constable was changed to Lieutenant and the same with Fire Captain and Head Warder. That is all the bill is about. I move second reading.

MR. SPEAKER: The honourable member for Bell Island.

MR. NEARY: Mr. Speaker, we are in agreement with this amendment and the explanation given by the honourable minister. The only complaint, Sir, that we have about all these matters pertaining to pensions, whether they be for the joint services garage, the people down at Her Majesty's Penitentiary or the Newfoundland Constabulary or the civil servants, the Newfoundland Government employees, it is the fact that the pension plan is not funded, Sir, and I understand that there are some negotiations going on at the moment between the various groups and the government to have changes made in the pensions.

I saw a gentleman on television, last night I think, talking about a brief that was presented yesterday. I do hope, Sir, that somewhere along the line that the government will see fit in its wisdom to fund this plan because this has been a sore spot with these various groups ever since the new pension plan was introduced, I think it was in 1968.

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

MR. HICKMAN: I note the comments of the honourable gentleman from Bell Island, and I know he is familiar with the problems that were

encountered in - the Dyer Commission Report, was it, in 1968.

On motion a bill, "An Act Further To Amend The Constabulary (Pensions) Act," read a second time, ordered referred to a Committee of the Whole House presently by leave.

Motion second reading of a bill, "An Act Further To Amend The Conditional Sales Act."

MR. SPEAKER: The honourable Minister of Justice.

MR. HICKMAN: Mr. Speaker, the explanatory note sets forth what this bill proposes to do, and that is simply to require the seller of chattels that are affixed to land to include the particulars of the sale to be registered in the Registry of Deeds and that the registration number of the sale in the Registry of Conditional Sales, bills of sale and chattel mortgages and the rest of the consequential changes -

AN HONOURABLE MEMBER: Inaudible.

MR. HICKMAN: Ah, for instance -

MR. ROBERTS: Furnace.

MR. HICKMAN: Furnace, yes. That is right, furnace.

MR. SPEAKER: The honourable Leader of the Opposition.

MR. ROBERTS: Mr. Speaker, I thank the minister for his lucid explanation of the bill. From listening with care to his explanation, from reading the explanatory note and from my earlier delving into the matter, I think the matter is straight forward. I would understand and perhaps the minister in closing could confirm or deny this, but I think this could be the case. I think we should at least in the House understand what it is we are doing by means of legislation. It does not seem to be an unreasonable position.

Very few chattels are affixed to land in the sense that many become immovable fixtures. If a chattel were to be built into a House as for example, a bathtub, I would submit in law that it would lose its value as a chattel and become a fixture, become part of the House. What we are talking about here are sales of real property and a requirement that there be included in the document which is registered downstairs in the Registry of Deeds

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on the ground floor of this building a reference to any document that  
might be registered in the Registry

of Conditional Sales which I believe is on the fifth floor, unless it has been moved around again. Your Honour, this is a matter that might be of concern to lawyers and obviously has some validity, As I understand it, it must be mainly a furnace situation, where in many houses a furnace is installed, if Your Honour were to buy a house, and Your Honour were then to finance the furnace by getting Imperial Oil or Golden Eagle or one of the companies to put in the furnace and in return for a conditional sales agreement Your Honour would not reach into Your Honour's commodious pocket and lash out sufficient of Your Honour's cash to purchase Your Honour's furnace outright, Instead Your Honour would undertake Your Honour's conditional sales contract with the furnace, and in due course that will be registered down here on the fifth floor as a conditional sales agreement registered in the Registry of Conditional Sales, bills of sale, chattel mortgage. That is fine.

If Your Honour would then want to sell Your Honour's house Your Honour would obviously pass the title deeds to a solicitor for the purchaser, and the purchaser's solicitor, if he was doing his job properly would hobble down to the Conditional Sales Registry to make certain what was registered with respect to Your Honour's furnace and then would take the appropriate action. The fact is, I would suspect, that nine out of ten solicitors do not bother with that. They rarely go beyond asking their client whether there is a conditional sale registered. The client may or may not know. The difficulty, of course, Your Honour, comes if, on the other side, the purchaser of the property does not check that out and buys the property and pays \$25,000 for it and thinks he owns the furnace, and then discovers that Imperial Oil still owns the furnace and he has to pay off Imperial. So he is not paid \$25,000 but \$25,000 plus the cost of the furnace. So all we are doing here is helping to make the lawyers work a little easier. That is all we are doing. That is all we are doing because we would require an extra registration.

Now is that - I mean the minister read the explanatory note. It is the minister's bill and I realize a minister as busy as the

minister might not be intimately aware of all of the tricky details.

But is that what the bill is about?

AN HON. MEMBER: Inaudible.

MR. ROBERTS: Well if the minister confirms that is what it is about, as he does, we will support it. It is very straightforward. It may help. It will certainly help a busy lawyer, help solicitors and maybe we will get a little fee reduction out of it because they are doing that much less now. They will have one less registry to search. I notice the clerks at the Table, learned gentleman and all perking up their respective ears at this -

MR. MURPHY: ... clarification.

MR. ROBERTS: If I can help the minister I will try sure.

MR. MURPHY: With reference to the furnace - say it is my house, 72 LeMarchant Road - and I decide to sell and I am paying off a furnace, would that not be my responsibility as an individual since I signed the contract, rather than the house itself against the furnace. I am just wondering what -

MR. ROBERTS: The minister is right. I mean he still has an obligation and the obligation rests with him just as if the minister were to take a mortgage and then subsequently sell the house, the personal covering of the mortgage remains with him forever. And people who buy and sell three or four houses over a lifetime do not realize that they are still on the hook in theory personally on the mortgages. But the difficulty would come that if he were to sell 72 LeMarchant Road, his home, and the buyer would not own the furnace because the furnace - I may have lost the honourable gentleman - the honourable gentleman would still owe for the furnace, but the oil company have a mortgage or a conditional sales agreement to the furnace giving them the furnace as security, certain rights to the furnace without getting into the - if he wants I can get into the difference between chattel mortgages and bills of sale - but basically they still have some rights in the furnace. And then in due course if the honourable gentleman did not pay the oil company they could go in and take the furnace out of the house he no longer owns, and

the person who bought the house from him, thinking he owns the furnace, would discover that he did not own the furnace. Is the honourable gentleman with me?

MR. MURPHY: Yes, actually I am following the Leader of the Opposition -

MR. ROBERTS: Yes, I mean that is what could happen.

MR. MURPHY: I really cannot see who would give anybody right to enter upon a property that has been negotiated and properly paid for by someone else, you know.

MR. ROBERTS: Oh the holder of a valid conditional sale agreement or a valid chattel mortgage would surely have the right to go into the property without undue harm or undue damage, but to go into - Well he would not take out his furnace. What he would do, he would go to the man on 72 LeMarchant Road and say either you pay me, and then you get hold of the man who sold you the property, or I will go in and take out my furnace. And, of course, the man reaches into his pocket, and he says a few polite words about the ancestry of the gentleman who sold him the house, and the lawyers who acted in it, and then he pays off Imperial Oil.

But every now and then, you know, I have not practiced at the Bar, but my colleagues at the Bar tell me that every now and then it does happen. Normally - and this would be true of the honourable gentleman if he were selling the house - he would say to the purchaser, look old man the furnace is financed through Imperial Oil or Golden Eagle or whoever, you know, whoever it is, and the payments are ten dollars a month.

MR. ROBERTS: \$10 a month and you know, either I will give you the money to pay it off or we will reduce the price by that amount. And if the honourable gentleman did not do it, the solicitor on the other side, as a matter of routine in return for his healthy fee, should nobble down to the fifth floor and look it up. But many do not and every now and then a person does get caught.

The gentleman for Placentia West has acted in many transactions and, you know, I think what I am saying, every now and then it does happen, somebody gets stuck. It is not the oil company. The oil company does not get stuck because their security is usually a chattel mortgage or a conditional sales contract. It is only registered and of course the effect of registration is to give notice to the whole world, and then the man who bought your house and the honourable gentleman's house cannot say, I did not know about the furnace, Mr. Oil Company, because all the oil companies say is, we are awfully sorry but it is registered and that is the whole purpose of registration. In that sense it is analogous to registering a deed. There is no requirement in law that if I sell the honourable gentleman my house that he then registers that deed in the Registry of Deeds. But he is an untold fool if he does not register it. Because if he does not register it there is nothing to prevent me selling it to the gentleman from Placentia West, assuming the gentleman from Placentia West is not part of the fraud, you know, bona fide, without notice and all those words.

MR. DOODY: A lot of people do that in innocence.

MR. ROBERTS: Oh yes, but -

MR. DOODY: Find out to their horror that -

MR. ROBERTS: There was no requirement in law that a transaction be registered. It is just that it makes good sense to register it because then once it is registered that is proof against the whole world. You know, that is all the notice anybody ever need give. I think I would probably make a better Minister of Justice at times than does the minister. But in any event -

AN HON. MEMBER: Inaudible.



MR. MURPHY: Inaudible.

MR. ROBERTS: The problem is it may be a great lecture on real property but I am thankful that in the Kingdom of the Blind the one-eyed man is king, because in the world of real property I can at best claim to be a one-eyed man. But in any event, all good fun aside, the minister asked a very pertinent question and I tried to help. I think the gentleman from Placentia West is going to say a few words and hopefully impress his constituents, if they are still here, and he knows more about this sort of work than I do, but it is a straightforward bill. And why can we not have one registry? And while I am on the registry thing, why can we not put all of them on computer? You know, it is only data. It is data recording that a furnace- and I suspect ninety-nine per cent of the things affected by this, chattels affixed to land are furnaces- why can we not just put on one furnace so by so and so, sold to so and so on the following terms, so many dollars a month for so many months. That is the essential information, punch it in and then all that is necessary is for the solicitor or his secretary to go to see the people in Conditional Sales and, you know, please what is registered with respect to 72 LeMarchant Road and then there would be a punching of the keys on the computer switchboard and out would come a sheet of paper. We could do the same with the Registry of Deeds, would save untold hours of drudgery by lawyers, would result surely in removal of the justification for some of our legal fees which are high and I do not want to get into that argument now, whether they should be high or not my colleague for Bell Island and I would differ, but the fact remains they are high and there is no reason in the world why all this data cannot be processed on a computer.

Indeed if Your Honour was ever to go down to the Registry they are going to have to build an extension on because the Registry of Deeds is filling up. It has enough left I think now for about two months now at the rate of, you know at the rate at which deeds

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are being registered. It took 150 years to get to the point but I was down there yesterday and happened to have somebody point it out to me, there is only part of one shelf and one whole shelf, maybe three or four feet of shelf space left and they are filling these at the rate of about one foot a week in deeds being registered down there and you know the system is going to collapse shortly from the sheer volume, the sheer volume of deeds.

I had a conveyance here this morning, Sir, volume 448 in 1963, we are now up to volume 1300 or 1400. So all the years before 1963 came to say 450 volumes of deeds registered downstairs here and now we have had 1,000 volumes in ten years. It is an interesting example of the volume of legal work and the volume of property transactions and it is a very valuable part because as the gentleman from St. John's Centre has pointed out, it is really the only protection people have. But why

can not all of these be put on computers? Computers can assemble masses of information. They can print our payrolls. You know, the government mail out 25,000 pay checks every two weeks. The teachers pay checks, I think, are all sent out from the computer centre, the social assistance payroll, what? ~ 40,000 checks go out on it or 50,000 maybe.

MR. MURPHY: Inaudible.

MR. ROBERTS: You know, that is what computers are good at, masses of information, mechanical. It does not require a thought or analysis. It is just a mechanical function of saying please send a check to Mr. so and so for so many dollars and the computer will print it out and it goes in the mail and eventually the Queen's mail carries it. This sort of thing here is exactly the sort of thing we should be looking at. I do not know how relevant it is to the principle of this particular bill, Mr. Speaker, but if you want to talk about property transaction in this Province which affect a lot of people, we are fast coming to the point where the present system, which is a hangover of the old English system, is going to be unworkable because of the sheer volume. I do not pretend to be any expert on soliciting or being a solicitor, but I am sure any of the honourable gentlemen in this House who practiced actively at the bar would confirm that the volume of deeds is just becoming too many now and the dangers of missing a title entry or of causing some other damage, the end result of which ends up the client either gets stuck or, you know, if lawyers are going to carry malpractice insurance, that cost in turn is reflected.

This is nearly where we could reduce the cost of making legal services available to the public. It would not hurt the lawyers. There is lots of work for every lawyer to do and if lawyers were not so tied up with property law and real estate work and conveyancing, as valuable as it is, they would probably be freer to do even more interesting legal - or more labour law or more people's law and

more of the areas of law that should be looked into.

In any event, I suspect I have strayed a little from the principle of Bill No. (9). It is a technical bill and we do not find it at all objectionable. If it will ease the registration process somewhat and perhaps lessen the chance that Imperial Oil Company or Golden Eagle or Gulf or one of them will end up coming into LeMarchant Road to take out the furnace when the man who bought it thought it was paid for and owned by the owner of the House, well, well and good, it is sensible and we will go for it.

MR. SPEAKER: The honourable minister who speaks now, he closes the debate.

MR. HICKMAN: Mr. Speaker, I thank the honourable Leader of the Opposition for the dissertation on the law of property, but with respect to this particular bill and the comments on the registry, my understanding is that the Registry of Crown Lands will be moving out of the Registry of Deeds, the main vault in this building, as soon as the new building in the road here is completed, which hopefully will be within the next few months. This will give the Registry of Deeds a lot of space, certainly enough to carry it for a number of years.

The Registrar of Deeds at my request has been meeting with someone familiar with computerization - so far, the costs seem to be rather staggering to see whether it is possible to computerize, that is not the word they use, with respect to the Registration of Deeds.

On motion second reading of a bill, "An Act Further To Amend The Conditional Sales Act, read a second time, referred to a Committee of the Whole House presently by leave.

MR. HICKMAN: Mr. Speaker, by leave, Bill No. (13) was given first reading this morning. That is the last of the routine ones I can see here.

AN HONOURABLE MEMBER: Is it distributed?

MR. HICKMAN: Yes, it is distributed.

MR. ROBERTS: Is it? Did we get it?

MR. HICKMAN: Oh! It was distributed a long time ago.

MR. ROBERTS: If it has been distributed, Your Honour, I am certainly willing for my part to debate it. But I do not have a copy of Bill (13), Sir. Will the clerks tell us whether it has been -

MR. HICKMAN: Pardon?

AN HONOURABLE MEMBER: Inaudible.

MR. HICKMAN: Well, if the honourable the Leader of the Opposition will consent to it being called and he still needs the bill after I am finished, I can read everything that is in it. It is only about --

MR. ROBERTS: I do not want to be, I mean, I am quite willing to that but I wonder if one of the clerks or pages could get me the bill. I do not doubt the honourable minister's word, but, you know, I somehow feel I would be doing less than my duty if the House with my consent or anybody's consent were to pass legislation that none of us had actually seen.

I mean I think, you know, I am all for co-operation on these routine bills but there is a limit on how far co-operation can go.

MR. HICKMAN: I know, I had it for days, that is why -

MR. ROBERTS: Yes, I have no doubt the minister has had it for days or weeks. I mean the minister - but if it has been distributed I do not have a copy of it. Maybe while we are going through this little bit of - I am quite willing to debate Bill No. 11 which I assume is the Minister of Education's, that is the Public Libraries one and if that is - Well I mean if Brother Hickey is not going to be here I think the Legislative process grinds on. You know, we are awaiting the Minister of Fisheries who is doing a television thing. You know we cannot adjourn -

MR. MURPHY: Inaudible.

MR. ROBERTS: I have Bill No. 11.

MR. HICKMAN: Anyway, Mr. Speaker, let us go into Committee of the Whole.

MR. ROBERTS: I am not trying to be difficult now but I would like to see the bill before we pass it, you know. I have it now. The honourable gentleman can go ahead now and I will read it while he is speaking.

MR. HICKMAN: All right, Bill No. 11.

MR. SPEAKER: It has been moved and seconded -

MR. HICKMAN: No, no, 13.

MR. SPEAKER: 13, Bill No. 13 entitled "An Act Further To Amend The Summary Jurisdiction Act" be now read a second time. The hon. the Minister of Justice.

MR. HICKMAN: Mr. Speaker, I thank the Leader of the Opposition for granting leave. I did not realize this bill had not been circulated. This bill simply amends the Summary Jurisdiction Act to provide that fees payable to ordinary witnesses in indictable offences be the same as in summary conviction. Last year this House approved a bill increasing the witness fees, ordinary witnesses \$4 per diem, non-professional \$10, professional \$20, but for some unexplained reason, it did not include the indictable offences but only summary conviction. We just want to bring them in line, that is all.

MR. SPEAKER: The honourable Leader of the Opposition.

MR. ROBERTS: Mr. Speaker, that is reasonable enough and it is the sort of things that draftsmen do by accident or by inattention and it is

amazing, Your Honour, how much of the legislative process in any given year, and this is not unique to the present minister's tenure of office but how much of it is given over to just this sort of exercise of, in effect, putting the commas back in or taking them out.

The only question I would have on the bill is with respect to the fees we pay witnesses, The courts cannot function in many actions without witnesses, you know, that is a pretty penetrating insight into the obvious, and for a witness to come to the court it in many cases costs him a day's pay, It certainly costs him a day's time. It may cost him two days' time or three. I would like to see a system adopted, and I am not sure whether it is in effect elsewhere and I do not cite a precedent, not having seen the bill I had no opportunity to consult to see whether there are any, and it had not been distributed, But it is a very small and technical piece of work anyway.

But the fact remains, here we are we are saying an expert witness, we will give him \$10 a day compensation for his attendance at court when he is called and sworn and then he is examined and cross-examined and re-examined and gives his evidence, so forth and so on. What we are doing is making private citizens subsidize the cost of actions, the cost of court cases in which they are not really a party. Now if the witness is a party to the action, well, that is fine. You know he obviously has an interest, whether he is a party as a plaintiff or a party as a defendant. It does not really matter in this instance, he is obviously involved. For example, if Your Honour were teaching school, Your Honour's other career, and Your Honour were required to attend as a witness in a court case, now I assume Your Honour for the purpose of this is a professional man. I think the teaching profession is a profession for these purposes, Your Honour would get \$20 a day. Unless Your Honour had a very understanding school board, his employer, Your Honour would lose either a day's pay or a day's annual leave, it is the same thing. I have no idea what the per diem rate now for teachers is but it is a lot more than \$20

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a day. You know that is only given 190 teaching days a year, that is \$3,800 a year. Well I know the teachers are in negotiations and -

AN HON. MEMBER: Inaudible.



So, you know, the point I am making is that \$20 per day is a very small amount. If it were - supposing an engineer or a consultant or a lawyer were called as a witness, losing his day's pay, You know, a professional man the only thing he has to offer really, the only thing for which he gets paid, is his time, his brain, his ability to talk and to give his opinion and his advice. We saw the other day, there was a question asked, I believe, about Mr. Wilson, Mr. Donald Wilson, and he was getting \$180 a day.

AN HON. MEMBER: Plus expenses.

MR. ROBERTS: That was his fee, plus his expenses, yes. He was getting \$180 a day for his fee in return for certain consulting services for the government. And the gentleman from St. John's South said it was low. Well, it is low. I do not think Mr. Wilson was doing anybody a favour, but I mean there are -

AN HON. MEMBER: (Inaudible).

MR. ROBERTS: I can believe he would do an excellent job. I have no doubt about that. You know, the point is that he has given a relatively low fee, but we are still talking nine times the amount here. I think it is very unfair. I do not see why a private party, who is not party to an action, should have to subsidize an action. That is what we are asking. Ordinary witnesses per day, \$4. That is not the hourly rate of most hourly paid people in Newfoundland today. And here an hourly paid man would have to give up his day's pay to go if he is called and he must go. If not, he faces the action that can come with not answering a subpoena. You know, if a court requires a man or a woman to attend as a witness then that woman or man would better attend or else. That is fair enough. But a carpenter then has to give up a day's pay of \$30, \$40 or \$50, for what? For \$4. Well,

Mr. Speaker, that is unfair, very unfair. Either the state should provide adequate witness fees, the man's pay, or

MR. MURPHY: (Inaudible).

MR. ROBERTS: Oh, yes. But I think he is allowed so many cents a mile for transportation. I am not sure of these details. But certainly if he is from out of town, if he had to come in say from Gander or from Bonavista, you know, that would be covered.

But the fact remains. Just take a carpenter working here in St. John's. He could be out-of-pocket \$30 or \$40 if he had the misfortune, for example, to witness a running down case and, you know, misfortune in the sense that he was then requested to appear as a witness. Now the gentleman from St. John's South is very active in the courts. He appears in much litigation, and I think he would confirm what I am saying could easily happen. It may happen often.

MR. WELLS: It does but in the average civil case the parties compensate for witnesses over and above. It is a matter of practice.

MR. ROBERTS: The honourable gentleman, and I thank him, tells me that as a matter of courtesy or as a matter of practice, but not a matter of law, in the average civil case the parties say, well old man, if I want you to come as a witness sort of on my side, in my interest, and you are out a day's pay, I will give you a day's pay. That is fair enough. That is not suborning testimony or offering inducements. I mean that would be acceptable. But that surely is only a matter of courtesy or a matter of routine on the part of parties before the courts and it should be a matter of law. Either the state should provide it, you know, we provide the judge, we provide the court house, we provide the reporters, we, the state, we, the people, subsidize parties' actions all the time in that way. There is no reason why we should not, but we do. Even if costs are

taxed on the most generous scale, they do not come anywhere near to compensating the state for the cost the state incurs in providing a trial. You know, we say that that is part of the cost of society. We provide a means whereby people can resolve their difficulties and can resolve them by recourse to our courts.

So I would ask the Minister of Justice quite simply whether he would consider or undertake, or perhaps undertake or consider, either to require the parties to compensate witnesses for their actual loss of income. Because in a civil action, it may take a day or two. A man could be out of pocket \$60 or \$70 and if the plaintiff or the defendant, whoever had him appear, said, no, I will not compensate you. I have the power to subpoena you, and you must come underway, and you get \$4 for it. That is unfair. It is wrong. I do not know what the cost might be over a year. It might be, if the state were to assume it, \$20,000 or \$30,000. I have no idea what it would be. But I think it is unfair. And I would prefer to have the state do it as part of the cost of trials. I would prefer that to having the parties do it, because it is as expensive

enough now for an ordinary citizen to have recourse to the courts to settle his affairs. It is okay if you are a wealthy person or if you are a corporation, but for an ordinary citizen to have recourse to the courts is an expense. We should try to make access greater. We should try to make it more available to those who have cases which should be judged on their merits.

So, what I say to the minister is, quite simply, is there no way that we can go that step in Newfoundland and we could say to the parties, pass a law and say that they must pay the actual out of pocket cost. No trouble to establish them. In some cases a man would not lose his pay. I think the government have always followed the practice that if a civil servant is required to attend at a court, he does not lose his day's pay or day's leave. Many employers take that position.

If a doctor has to go and wait a day, he loses income because he is working piece work. He is only getting paid for what he does, and there are very few doctors who get \$20 for a day's work. They do a little bit better than that. A lawyer seldom would have to appear as a witness, but could. An accountant might easily give up a day of his time waiting for a court case to come on. Certainly in the normal course of the day an accountant would earn a great deal more than \$20. Four dollars is not far above the labour rate being paid. No, it is below the labour rate being paid in St. John's.

So, you know, anybody, a man whose job is labour work, getting \$4.50 or \$5.00 an hour, could lose \$30.00 or \$40.00 unless it is the charity of the party who subpoenas them to come to court. So, why do we not put it on the state? It is not a lot of money, and it is not a lot of money when added on to the amount which we already spend. We spend in the Justice Department estimates \$1 million or \$2 million a year providing courts for people so that can resolve their disputes.

The courts only serve two purposes, Your Honour. They either are used to resolve private disputes or they are used for

the crown to enforce its criminal sanctions. If a subject is so unwise as to breach the criminal law, then the courts are the means by which his guilt is adjudged. If he is found guilty, the penalty is assessed. But they are also a means we provide in society in preference to having people go out and shoot each other, or duels or throw coins. We say, all right, we will have the courts and the citizen can take his action to the courts and the courts will adjudge.

We are providing a benefit. It is a reasonable one, but I would like to see us go the step further. I am sure when the Minister of Justice called the bill he had no idea that I would get into this, but I think it is a valid point. I think it is a very reasonable point. If the minister is concerned about witness fees, let him go beyond just this very technical little amendment of putting indictable offenses in along with summary offenses - that is fair enough - but let us look at the larger principle and let us compensate witnesses and let us not require private citizens to subsidize other people's court actions. It is unfair, and surely there is no need for it.

It would not cost the state a great deal of money. I have no idea what it would be. There may be no way to estimate, but when we are looking at expenditure of \$900 million or of \$1 billion a year, you know, a few thousand more to ensure that we act justly and properly and impartially surely is money well spent.

We will support the bill but I really would like to see the minister go the step further.

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

The honourable member for Hermitage.

MR. SIMMONS: Mr. Speaker, just before the minister - just to speak to another aspect of what my colleague the Leader of the Opposition has mentioned. Quite recently I have had a couple of cases - I want to get the minister's ear for a minute on this one. Quite recently I have had a couple of cases involving persons in my own district who have been summoned to be witnesses for the crown in a couple of -

AN HONOURABLE MEMBER: There is only one crown, indivisible.

MR. SIMMONS: At any rate, I just wanted to pursue - you probably know

the case. The minister probably knows the case, Mr. Speaker, because his officials, I believe his deputies or his assistant deputies had some involvement with it. It does point up, Sir, what the Leader of the Opposition has been referring to, the imposition placed on some people. For everyone who comes to the surface and who feels that he ought to be compensated for the day's wage he lost, there are many who do not, you know, who just accept it blindly and say, well, I guess I am stuck with it. It is part of the business of being a good citizen and that kind of thing.

One of the cases I have in mind now involves a person who is out of pocket and he can show this very easily. I do not have the figures at hand

but he is out of pocket something to the tune of \$250, \$300 for having left the community of Hermitage and travelled to Gander, I believe it was, as a witness. He was, in every respect, an innocent bystander, but happened to be at a certain point at a certain time and therefore became a witness to an event and had to travel to Gander on a couple of occasions, I believe, I think two occasions, to appear as a witness for the Crown.

Now, it is my impression at the moment that the minister's department have taken up his case. I have been talking to the minister's department and I think that one is going to be resolved. I certainly hope so and I certainly, you know, thank, use the opportunity to thank the minister and his officials for interceding in this particular one. But there must be many other such cases as that and cases which could be taken care of if some provision were made such as the provision suggested by my colleague, the Leader of the Opposition. I hope the minister would respond in particular to this aspect of the problem.

MR. SPEAKER: The honourable minister if he speaks now, he closes the debate.

MR. HICKMAN: I know the case the honourable the Member for Hermitage refers to. I think that case is somewhat complicated. As I recall the Ministry of Transport- this arose out of a loss of life at sea. That is right?

AN HONOURABLE MEMBER: Inaudible.

MR. HICKMAN: It was a running down case when a coastal boat plowed into a dory, the Newfoundland Coast.

AN HONOURABLE MEMBER: Inaudible.

MR. HICKMAN: Under, yes, that is right, under charter to the CN. There was a prosecution.

AN HONOURABLE MEMBER: Inaudible.

MR. HICKMAN: That is right. And he was acquitted. He was acquitted, yes.

MR. ROBERTS: - dory had no right -

MR. HICKMAN: Well, in any event, Mr. Speaker, that particular case, we are trying to take some action to indemnify the two witnesses or witness in question. On the whole question of witness fees, last year for the first time, certainly I can go back twenty years, there was an increase in witness fees. At that time they used to be \$1.50 per diem and we increased them to \$4.00 to \$10.00 to \$20.00. That was \$4.00 for professional people. There has to be a limit somewhere. There is the theory that a person giving evidence in a criminal case, you know, is performing his duties as a citizen, but there has to be some realism to that.

MR. ROBERTS: The lawyers who attend for the Crown -

MR. HICKMAN: The only thing, Mr. Speaker, is that in most cases, hopefully, a witness is not going to lose a full day. It depends on the length of the trial, depends on the nature of his evidence, if it is a highly -

MR. ROBERTS: Inaudible.

MR. HICKMAN: Lawyers attempt to do that but they can only do it within a couple of hours, you know, that sort of thing. But I am certainly not adverse to taking another look at witness fees.

On motion, second reading of a bill, "An Act Further To Amend The Summary Jurisdiction Act," read a second time, referred to a Committee of the Whole House presently by leave.

On motion that the House resolve itself into Committee of the Whole on the following bills. Mr. Speaker left the Chair.

COMMITTEE OF THE WHOLE:

MR. CHAIRMAN (Wells): Order, please!



A bill "An Act Further To Amend The Constabulary (Pensions) Act".

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

A bill, "An Act Further To Amend The Conditional Sales Act."

AN HON. MEMBER: Inaudible.

MR. CHAIRMAN (WELLS) Order, please!

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

HON. MEMBERS: Inaudible.

MR. CHAIRMAN (WELLS): Gentleman please! You know it is difficult enough to step into the breach but the conversation that is going back and forth across the House makes it difficult to -

MR. ROBERTS: The Minister of Fisheries is Acting Premier -

MR. CHAIRMAN (WELLS): I shall not -

MR. ROBERTS: (Inaudible)

MR. CHAIRMAN (WELLS): I shall not give a ruling at this time, but take it under advisement.

A bill, "An Act Further To Amend The Summary Jurisdiction Act."

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

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

MR. CHAIRMAN (WELLS): Mr. Speaker, I have to report that the Committee has passed bills nos. (6), (9) and (13) without amendment.

MR. SPEAKER: The Chairman of the Committee of the Whole reports that they have considered the matters to them referred and reports having passed bills No. (6), (9) and (13) without amendment and ask leave to sit again.

On motion report received and adopted, Committee ordered to sit again presently, carried.

On motion bills read a first and second time, bills ordered read a third time presently, by leave.

On motion that the following bills be read a third time and title be as on the Order Paper.

A bill, "An Act Further To Amend The Constabulary (Pensions) Act."

A bill, "An Act Further To Amend The Conditional Sales Act."

A bill, "An Act Further To Amend The Summary Jurisdiction Act."

MR. CROSBIE: To a point of order. Mr. Speaker, if they are all passed then, with the consent of the House the Hon. Minister of Transportation and Communications wants to revert to Answers to Questions and answer several questions, which I think has been agreed to.

MR. ROBERTS: The flipper trip.

MR. CROSBIE: The flipper trip.

MR. SPEAKER: Do the honourable members agree to the Minister of Transportation answering the question asked him this morning by, I think, the Hon. Member for Bell Island?

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: Agreed.

The Hon. Minister of Transportation and Communications.

MR. ROUSSEAU: Thank you very much, Mr. Speaker, and thank you very much the honourable members. This is not on the late show, I thought it was for a while but it is another issue. And I think since the Hon. Member for Bell Island was so interested in the answers that I would make an effort to get the answers for him, because it is a long weekend, and I am sure the people of the Province would like to be set right before Monday morning.

But anyway the first one, if I may. The trip that was suggested is with respect to Mr. Spencer at St. Pierre, and we have talked to Mr. Spencer on this trip. And from what we understand, Mr. Spencer was requested by the Hon. Don Jamieson the Minister of DREE to go down to St. Pierre and to look at the various port facilities, including cold storage and fish handling and so on and so forth down at St. Pierre, and this he did do as an official of the Newfoundland and Labrador Development Corporation. The pilot of the plane was Captain Lambert and the co-pilot was Mr. Hanley and Captain Piercey was not on that airplane nor did he fly it, nor did he accompany the party down there. So that, as far as we were concerned, is an official trip at the request of Mr. Jamieson to look at the fish facilities

down there. They have some -

MR. ROBERTS: (Inaudible) Jamieson.

MR. ROUSSEAU: Right. Good. Oh, yes, I am not suggesting that, I am just suggesting why.

MR. ROBERTS: (Inaudible).

MR. ROUSSEAU: Right. Mr. Jamieson just, you know, because apparently they have some fish handling facilities down there and cold storages and so on and so forth facilities that are - but it is, and I have the flight record so -

Now in respect to the flippers -

SOME HON. MEMBERS: Inaudible).

MR. SPEAKER: Order, please!

MR. ROUSSEAU: In respect to the flippers, it is unfortunate, you know, that the flipper part of the story will be the main thing coming out of it, but I have talked to both Mr. Spencer and to Captain Piercey in respect to this, and I have some information here that I would like to table, or not table but to give actually, because it is in rough form.

Mr. Spencer phoned Captain Piercey on March 19 asking if he could possibly be taken out to the sealing ship, "Lady Johnson," which was located fifty-eight statute miles east of the Grey Islands. Mr. Spencer explained that the Development Corporation had been requested by the ship owners to look at some aspects of the possibility of a canning line being set up on the boat. And I will go into that in a little bit more detail later.

MR. NEARY: A canning line. I want to get it straight now.

MR. ROUSSEAU: One second.

MR. ROBERTS: A canning line on the "Lady Johnson."

MR. ROUSSEAU: Right. Yes, I will explain that in a couple of minutes, if I may.

Now apparently Captain Piercey informed -

AN HON. MEMBER: Carry on, "Joe", -

MR. ROUSSEAU: I am trying to do the best I can. I am getting two stories mixed in one. But anyway -

AN HON. MEMBER: (Inaudible).

MR. NEARY: He has got a grin on his face.

MR. ROUSSEAU: The only reason I am grinning is because, you know, it is serious really, and the flippers are something that is coming out as a by-product of the main thing.

So, Mr. Spencer was informed that the government airplane was going to Port au Choix on March 19, and I have the authorization here. The authorization was given through the Department of Public Works for four inspectors to visit for construction inspection purposes, I think, at the school in Port Saunders.

MR. NEARY: Four inspectors for the one school.

MR. ROUSSEAU: Right. Well four people. There are different types of inspectors, I guess, electrical, mechanical or whatever you call it, different types of inspectors.

MR. ROBERTS: (Inaudible).

MR. ROUSSEAU: Okay, good. Yes, that is additional information which was just secret between the Hon. Member for Bell Island and myself, but I cannot.

MR. NEARY: (Inaudible).

MR. ROUSSEAU: But anyway the four inspectors, probably, because the school is now finished, and it is probably mechanical, electrical so on and so forth. So, Mr. Spencer had wanted to go on the sealing ship, and I will read what he said in a few minutes.

But to save money in the charter of the helicopter, they had a place on the King Air. There were only four people going so Mr. Spencer went to Port au Choix on the King Air. Captain Piercey had a day off, by the way. He was not in government service. It was a day's annual leave.

MR. NEARY: He went along though for the trip.

MR. ROUSSEAU: He went along, right.

Now I explained to Mr. Spencer that I had been aboard a sealing ship in 1972 for two nights with the former Premier Smallwood, and there would be no problem getting aboard with a helicopter. That question came up. However, -

MR. ROBERTS: Captain Piercey -

MR. ROUSSEAU: Yes, yes.

However, none of the helicopters - here is Captain Percy's statement - however, none of the helicopters which we have on contract were available due to prior reservations. Mr. Spencer then asked me to charter a helicopter on behalf of the corporation. He contacted then NAT and they had none and he contacted Universal and they confirmed that they would carry out a chartered flight. So, it was a chartered flight to the Newfoundland and Labrador Development Corporation and of course, Mr. Spencer accompanied the party from public works that were authorized to go to Port au Choix.

MR. NEARY: Captain Piercey was also on board that aircraft?

MR. ROUSSEAU: Yes. On an off day. Now, the motor vessel, Lady Johnson and these are some notes that Mr. Spencer prepared for information. The motor vessel Lady Johnson has a quota of 7,500 seals which means approximately 150,000 pounds of meat that would be left on the ice. The Canadian fleet has a 60,000 quota which means approximately 2.5 million pounds of meat left on the ice.

MR. ROBERTS: There is nothing wrong with -

MR. ROUSSEAU: Well, in that area. I will use the figures I have. Now, when there was no quota -

MR. ROBERTS: 5,500 seals is how many pounds of meat?

MR. ROUSSEAU: I have 150,000 pounds here. But anyway, -

MR. ROBERTS: That is twenty pounds of carcass.

MR. SPEAKER: Order, please! Order, please! The Chair would submit that the honourable minister is attempting to answer the questions and he does have the right to be heard in silence.

MR. ROUSSEAU: The question was, before this when there was no quota, of course, the vessel came back with a full load. Now, that there is a quota on it, of course, there is a lot of space available. The feeling of the people involved is that this meat should be and can be recovered. Based on a price of even twenty

cents per pound, this could mean an additional income of up to \$30,000 to the crew of the Lady Johnson and approximately at twenty cents a pound, about \$480,000 to the Canadian fleet as a whole. Processing labour ashore, of course, could go as high as thirty cents for another input in the case of the Johnson of approximately \$45,000 and for the fleet of \$620,000. For many years people have talked -

AN HONOURABLE MEMBER: Inaudible.

MR. ROUSSEAU: For many years people have talked about this waste, but nothing has been done. Our corporation, this is Mr. Spencer, is pursuing this idea in the hope of recovering at least part of this loss. A part of this pursuit, in his opinion, required a first hand view of the actual operations on the ice. I might say, by the way, -

MR. ROBERTS: It had the canning operation aboard the ship, did it not?

MR. ROUSSEAU: Well, the whole process and

AN HONOURABLE MEMBER: Inaudible.

MR. ROUSSEAU: And freeze, the whole process.

AN HONOURABLE MEMBER: Inaudible.

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

MR. ROUSSEAU: I might also mention that the Newfoundland and Labrador Development Corporation has an investment in the Lady Johnson along with Fred Earle, \$40,000, and Mr. Earle who is the co-owner of the boat was also accompanying Captain Piercey and Mr. Spencer on the trip since he was involved as well.

MR. NEARY: How many flippers did they bring back?

MR. ROUSSEAU: One second now. In Mr. Spencer's words to bring it to you, In order to get a maximum return from the boat, the Newfoundland and Labrador Development Corporation are trying or exploring the possibility, I should say, to develop a canning line on the boat. Mr. Eveleigh, I believe, of Notre Dame Bay Fisheries, - You know, the



only reason I am laughing, not because of what I am saying but because

everybody finds this so funny, you know.

MR. ROBERTS: Okay, everybody in the whole House feels it is one of the most ridiculous speeches ever been said.

MR. SPEAKER: Order, please! Honourable members may feel that the answer being given is ridiculous, but I still submit they should give the minister the right to be heard in silence.

MR. ROUSSEAU: Mr. Lou Eveleigh of Notre Dame Fisheries, of course, puts out various canned items and he is now looking as well, involved in the possibility of utilizing this high protein food. So, while they are there, I suppose, as any full-blooded Newfoundlander, they were on a boat doing some work, and when they came back they took some seal flippers back with them, you know, which I presume the honourable Member from Bell Island or the honourable Leader of the Opposition, if they found themselves in the midst of this bonanza would take advantage of the situation.

MR. ROBERTS: The minister has put his finger on the bonanza.

MR. ROUSSEAU: So, gentlemen, that is the information that I received in respect to your flippers and you say, for your trip.

MR. NEARY: Would the minister clarify whether it was the minister who authorized the trip or one of his colleagues who authorized this trip? The minister did not make that clear.

MR. ROUSSEAU: What do you mean, authorize the trip?

MR. NEARY: Who authorized the King Air to be used to take Captain Piercey, Mr. Spencer and Mr. Earle to Port au Choix? Who authorized the trip?

MR. ROUSSEAU: Well, the trip was authorized by Public Works and they went on as passengers.

MR. NEARY: Who authorized them to go as passengers? Who gave them permission to travel as passengers, Captain Piercey on his day off,

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to go along for this trip? Who authorized that?

MR. ROUSSEAU: The minister, I presume, of -

MR. NEARY: The minister of -

MR. ROUSSEAU: Public works had given that and they were taken along as passengers, no authorization by the minister.

MR. NEARY: But the minister is acting Minister of Public Works and Services and Minister of Transportation and Communications. Did the minister give the authority?

MR. ROUSSEAU: I did not, no.

MR. NEARY: Well, which minister did? Would the minister care to -

MR. ROUSSEAU: No minister did. There is a Deputy Minister's signature for the four inspectors. The other ones went up because the plane was available. There is no ministerial authorization for them to travel.

MR. NEARY: None. They just went along for the ride.

MR. ROBERTS: Inaudible.

MR. SPEAKER: Order, please!

On motion that the House resolve itself into Committee of Supply, Mr. Speaker left the Chair.

MR. CHAIRMAN: Order, please!

HEAD IV - Fisheries

MR. CROSBIE: It is a privilege and a pleasure, Mr. Chairman, to have the Estimates of the Department of Fisheries come before this committee and I hope that they will receive intense scrutiny over the next week to two weeks by honourable members of this committee and the fact that the honourable members want to spend the next three or four weeks on them is all the better.

This is a year, Mr. Chairman, where the fishery is certainly arousing a lot of interest in this Province and deservedly so. That is already evidenced by the fact or evinced by the fact that the House has now on all Private Members' Days since the session started debated resolutions having to do with the fishing industry on the East Coast of Canada, namely what Canada's position should be at the Law of the Sea Conference and what Canada's position should be with respect to the Hamilton Bank fishery at the next ICNAF Conference.

Now in introducing these estimates, Mr. Chairman, I want to cover the fisheries situation generally in the province and what we are doing and what we are planning to do and what we think of the present condition of the fishing industry and I can start by saying unequivocally, Mr. Chairman, that the fishing industry of Newfoundland is not going to be allowed to die by the Government of Newfoundland and Labrador, that this government recognizes the prime importance of the fishing industry to Newfoundland, both with respect to the number of people employed in it, in excess of 20,000 people, inshore fishermen, trawler fishermen, plant workers, and with respect to its contribution towards our Gross Provincial Product and with respect to the fact that

over much of the area of this Province there can be no basic economic activity unless it is the fishery, particularly on the Northeast Coast and other areas of the Province.

Now, Mr. Chairman, I am happy to be able to tell the House that at this very moment the Minister of Manpower and Industrial Relations is having a press conference in the Cabinet Room with Mr. Cashin of -

MR. NEARY: I announced it already.

MR. CROSBIE: I do not care if the honourable gentleman announced it.

MR. NEARY: The minister was not here.

MR. CROSBIE: He makes a lot of announcements. Mr. Cashin of the union and Mr. Wells representing the Fisheries Association and they are announcing the fact that the trawler fishermen have accepted the last offer made to them by the Fisheries Association by a considerable majority and that the strike is now settled with the exception of the Bonavista Cold Storage Limited who are not in agreement with the union as yet because of one main issue that still remains between the parties. That settlement has now been announced and it is welcomed news and it is a welcomed relief and one result of that fact is that it enables us to concentrate our attention more on all of the problems that face the fishery and now that this is a matter that is settled and out of the way we hope for some time.

Now, Mr. Chairman, there were those, and gentlemen opposite were certainly among them, whose demands and importunities we had to resist, who demanded that the government intervene and interfere in that dispute, demanded that the government take some action. They were never clear as to what action government should take, to interfere in the normal collective bargaining process in this province, in the fishing industry. Those demands were resisted and that pressure was resisted by the government and properly so as this

settlement shows. If we are to have a collective bargaining system in this Province of free collective bargaining, the implication of that is that if an agreement is not reached, the employees concerned can go on strike or their employer can lock them out and that the ultimate resolution of labour disputes is the pressure that one side can bring on the other to induce the other to make a further compromise, to reach some settlement with them. That is the nature of the collective bargaining process and the strike weapon. I have never heard, Mr. Chairman, anyone in this House as of yet say that strikes should be forbidden either in the fishing industry or in the public service. This is the system we are now operating under.

While that system can cause a lot of dislocation and a lot of hardship, that is the system that has been built up over the years and that no one as yet has asked us to change and that the public, as far as we know, supports, so that government cannot impose settlements on parties just because an important industry is suffering a strike, whether it is the fishery or the newsprint industry or the logging industry or whatever that industry is. That is our policy and that is our position, and the value of that is well shown in this particular case.

Now, Mr. Chairman, that is not to say that the government did not play an effective role in seeing that this strike was resolved. The government's role was that of a mediator. The Minister of Manpower and Labour Relations, Industrial Relations and his deputy minister acted on behalf of the government, particularly in the last four or five weeks, as mediators in this strike. The government gave its opinion behind the scenes to the parties involved as to what was a reasonable and proper solution to the matters that were in issue between them. Certainly within the last ten days the government made its position very clear to the fishing companies, that the offer they finally made was one they had to make if there was to be any possibility of this dispute being resolved in the foreseeable future.

In other words, it was the position of the government that

the old co-adventurer system could no longer stand as it had, that there had to be major changes in it. That has now been effected. As it has been speculated in the newspapers, Mr. Chairman, the settlement is on the basis that the men involved, the trawler fishermen will be paid a wage of \$20.00 per sea day, for every day they are at sea. If they go on twenty-four trips at an average ten days a trip, that means that they will have a minimum wage of \$4,800 a year.

In addition they are to receive the same price for fish and the same poundage under the same lay system, under this new agreement, as they did last year. The effect of that is that if the men involved catch the same amount or are on vessels that catch the same amount of fish as last year, they would make the same money as they made last year together with an additional \$4,800. So, that they would be at least \$4,800 better off. In addition, of course, there will be no more trips on which the men receive no pay because they will receive a minimum of \$20.00 a day for every trip that they are involved in.

Another feature of the settlement, Mr. Chairman, is that the Government of Newfoundland has agreed to provide the money to make it possible for a retroactive payment to be made by the fish companies for the period from September to the end of December, 1974. That is from the period when the trawler fishermen went back to work last September until the end of December. The Newfoundland Government is providing the money for a retroactive payment to be made.

AN HONOURABLE MEMBER: Inaudible.

MR. CROSBIE: We will come to that. The fishing companies, Mr. Chairman, were not in any financial position, are not in any financial position to make any retroactive payment. The financial assistance announced by the Government of Canada was to be in effect from January 1 to the end of April. It was not retroactive. The assistance that is now being received by the producers of frozen ground fish in Eastern Canada is only available for the fish caught from January 1 on. The companies therefore had no money to make any retroactive payment to the trawler fishermen for the months of September, October, November and December.

The Newfoundland Government are providing, and the estimate is that it will cost us about \$500,000. It will provide that amount of money to enable the companies to pay to the trawler fishermen, who will now go back when they are called back to work, \$75 per man per trip to the deck hands, and in excess of that for bosuns, mates and skippers and chief engineers - mates, for example, I think, will get \$100 a trip during that period. But the basic amount is \$75 per trip per man for those who went out on the trawlers from September to December, which will be -

AN HON. MEMBER: Inaudible.

MR. CROSBIE: Well, I think the figure was, the average would be eight trips, so eight times seventy-five is \$600 a man, if they went on eight trips.

Now that retroactive payment will be made by the companies to the men who now go back on the vessels, and we will reimburse the companies, and unless the government had agreed to this, Mr. Chairman, there could have been no retroactive payment made. And presumably there would have been no settlement. So our tangible contribution will be an amount of, which may amount to \$500,000.

Now, Mr. Chairman, there is no money in the estimates for the Department of Fisheries for that amount. And I will therefore be asking the Committee at a proper time to amend the estimates and to add a new subhead with an amount of some \$500,000 to enable this to be carried out and to ask the House to vote that money.

Mr. Chairman, it has been a difficult period, a period of great difficulty, and I think the fundamental thing is that it has to be recognized that if there was to be any trawler fishery in Newfoundland that could not survive under the old terms and conditions because men will no longer go to sea and accept the kind of arrangements that were in effect before this, mainly because the decline in the resource meant that their earnings were declining and they could not get a fair return for the time and effort they spend in that venture, at that occupation. And it is quite clear from Dr. Harris' Report

and from all the other reports that I have seen since, that the companies themselves were in no financial condition to pay more. And it is equally clear that this settlement will not be able to be carried out past the end of April unless the Government of Canada continues the present assistance programme or, as I believe, substantially improves it.

AN HON. MEMBER: Inaudible.

MR. CROSBIE: The lights are turned off.

AN HON. MEMBER: Well let us call it a day.

MR. CROSBIE: So this should also be remembered then, Mr. Chairman, that the companies will be in no financial position to continue in operation under this new collective agreement after April 30 without the continuation of, at the very minimum, the present level of assistance from Ottawa, and in reality, improved our increased amount of assistance. And that is -

AN HON. MEMBER: Inaudible.

MR. CROSBIE: Well the federal government have not agreed, because the federal government have taken the position all along that they were not involved in this, and were not going to involve themselves in a labour dispute, in this labour dispute or any other labour dispute in the fishing industry because collective bargaining for fishermen is governed by the provincial jurisdiction.

So the federal government have had nothing to do with this settlement. They had taken no position in the matter. Their position is that they are going to continue the present programme of assistance until April 30, and that after that time they will have to decide what is going to be done after April 30. There is no question that there is going to be a federal assistance programme after April 30. But until it is announced we cannot say what that is going to be.

Now, Mr. Chairman, what should the role of the provincial government be in this respect? Are we going to stand by and do nothing? No, that has not been the case, and it is not going to be the case. The provincial government have been working with the federal government



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in the various studies that are now underway. We have had meetings with their officials and with the minister to discuss how the industry needs to be assisted, and how the industry needs to be changed, what changes should

be brought about. If there is going to be a considerable amount of government assistance for the East Coast fishing industry then quite obviously the government, federal and provincial, is going to have to set down the guidelines - how the industry is going to be structured? What is the framework under which they are going to operate in the future? We are working on that.

My position is this, that first we want to see, or the provincial government wants to see what is the programme of assistance that Ottawa will continue after April 30 and then we have to see, Mr. Chairman, what supplement there may be needed to that for the fishing industry in Newfoundland, particularly with respect to the inshore fishery here in Newfoundland.

AN HON. MEMBER: Inaudible.

MR. CROSBIE: Well I will come to the Select Committee. The provincial government has to decide what additional assistance it thinks may be necessary that we may have to supplement what the Government of Canada does. Now we should not have to. We should not have to but it may be that their assistance will not be adequate in certain respects. We should not have to, Mr. Chairman, because the fishery, anything that happens once you step off the land, the fishery, the fish, are solely and purely under the constitutional authority and responsibility of the Government of Canada. The main problems of the industry are ones that are within the exclusive jurisdiction of the Government of Canada.

The main problems are the decrease in the resource, the over-fishing off our shores that has caused a great decrease in the amount of fish caught per unit of effort. That is clearly within the federal jurisdiction. That is one great problem, and the second great problem is in the area of marketing or international trade and commerce, another area clearly within the jurisdiction and only within the jurisdiction of the Government of Canada, so that the

assistance should come from the Government of Canada whose responsibility it is that the resource has been allowed to be over-fished and to decrease over the last ten or fifteen years so that the industry is now in the state that it is in.

Not only that, Mr. Chairman, and I have told the federal minister this, I make no bones about it, the Government of Canada has got far, far greater financial resources than the Province of Newfoundland, that the Province of Newfoundland is straining every financial nerve and effort now to do what the Government of Newfoundland is doing and trying to develop the Province and establish an adequate level of public services in the Province.

MR. ROWE: Mr. Chairman, I do not mean to interrupt the minister but I think we are smelling smoke or something over here.

SOME HON. MEMBERS: Inaudible.

MR. NEARY: Oh I see, but there is a smell of smoke here, I was wondering -

MR. CROSBIE: If I see any honourable gentlemen head for the exist I will follow.

MR. NEARY: I will be the last to go.

AN HON. MEMBER: Are they checking it out there now?

MR. NEARY: What is it?

MR. ROBERTS: A burning smell over here.

MR. CHAIRMAN: Order, please! This matter came to the attention of the Chair sometime ago.

MR. ROBERTS: The Chair has olfactory senses.

MR. CHAIRMAN: That is correct.

MR. NEARY: The minister is setting the House on fire.

MR. CHAIRMAN: The Department of Public Works officials are presently looking into the matter. If an emergency arises I guess we will make an early exist.

MR. ROBERTS: Do we have to wait for Your Honour to leave or just -

MR. CHAIRMAN: I suggest that if the emergency does arise that it is every man for himself.

MR. NEARY: Inaudible.

MR. DOODY: So much for the caucus.

MR. CROSBIE: Well, Mr. Chairman -

AN HON. MEMBER: Women and children first.

MR. CROSBIE: To continue then -

AN HON. MEMBER: Inaudible.

MR. CROSBIE: Well I am not going to be among the first because the rats always go first, Mr. Chairman, So, Mr. Chairman, now where was I, yes, so that the substantial assistance in this present crisis should come from the government that has the responsibility and that is the Government of Canada, and that is what we have to impress on them and that is why the Department of Fisheries of Canada is going to need all our support to get their recommendations through the Federal Cabinet, to get them through the Federal Treasury Board, because I believe and I am quite prepared to say publicly that I find the honourable Mr. Lablanc, the federal minister, well aware of the problems that are faced and interested in solving them and I think that he and the officials he has who are working on this problem and have been the last four or five months, are tackling it in a responsible and a well thought out manner and that the studies

and the steps they have taken have been good and reasonable and to date I certainly have no disagreement with them on the way they are approaching the situation. But they are going to need, Mr. Chairman, all the assistance they can get. They are going to need us, all the help that we can get, all the help that they can get from Newfoundland and Nova Scotia and Prince Edward Island and New Brunswick to make the rest of the federal hierarchy and the civil service structure and the rest of the federal cabinet realize that the money that is necessary to sustain the East Coast Canadian Fishery must be produced, that it is no different, except that it is much smaller in extent, from the assistance they give the agricultural industry or the wheat farmer and so on and that the time has now come where they have to make substantial sums of money available to Canada's fishing industry or the industry itself will collapse and disappear.

Now the Department of Fisheries of Canada is aware of that and the Department of the Environment. Mr. Leblanc is aware of it. I am not too sure whether the other federal officials are aware of it, and I have strong doubts whether a lot of other federal cabinet ministers are aware of it. So if we find, Mr. Chairman, that the programme offered is not sufficient, it is insubstantial, it is not going to do the trick, that our industry cannot survive with the amount of assistance that is produced, I would expect all members of this House, as well as the general public of Newfoundland to assist in impressing upon the Government of Canada that inadequate assistance must be changed and made adequate.

SOME HON. MEMBERS: (Inaudible).

MR. CROSBIE: And I do not think we will have any trouble in doing that, and I am sure that we are going to have all the support we need from our federal representatives too. But they may have their work cut out for them to get the rest of their colleagues and the Government of Canada to really be impressed with the fact that the East Coast Canadian fishing industry should survive, number one,

and that it can only survive with their assistance, number two. Because they regard us down here, a great many of them from Central Canada as a joke and a joke that they are spending a lot of money sustaining. They do not have any real faith in the ability of the Maritime and Atlantic Provinces to ever become self-sustaining. They look upon us as a nuisance that must be placated and kept quiet, and they regard with ill-favour the monies that are spent down here by DREE or other federal departments, and that is the general attitude they have, and they conveniently ignore the assistance they give other areas of Canada and have given over the years in the hundreds of millions of dollars to farmers. They ignore the fact that the tariff structure and the transportation system and all these other things that cost the rest of us so much money are designed to help sustain and maintain Ontario and Quebec, and their manufacturing capacity. That is all conveniently forgotten. So that you have a large number of people at Ottawa who could not care less whether the East Coast fishing industry lives or dies and they are only going to care if we kick up such a fuss and with such a united voice that they have to agree to the reasonable measures that will be put up to them, I think, by the Federal Minister of Fisheries, aided and abetted, and I am sure, supported by our own cabinet ministers and our own M.P.'s in Ottawa.

Now, Mr. Chairman, I would like to touch on some of the things that are the policy of the government with respect to the fishing industry. Our role in the Province here, constitutionally, is a supportive role. We do not have the constitutional pre-eminence in fisheries. The federal government has it, or it is a divided jurisdiction. So our role is to lend our support where we can to the fishermen and to the fish plants and to the companies and to those involved in the industry to encourage them, to advise them or to advise the federal government what our views are on

licencing or other matters within their jurisdiction, to lend financial support when that is proper and reasonable for the establishment and operation of fish plants or facilities, to develop programmes of assistance for the fishermen with respect to gear, with respect to shore facilities, slipways, community stages and the like, to provide and assist them in the financing of vessels, boats and measures of that nature. So our role is one of supporting and advising and encouraging and in certain areas we can take a direct hand. But our role is still a supportive one, because we have not got the constitutional authority to really make the final decisions on what is to happen to the fish or how they are to be fished or what gear is to be used. The Government of Newfoundland, Mr. Chairman, has no say over what kind of gear you can use. The Government of Newfoundland cannot, for example, stop the use of gill nets, supposing that that is proper and desirable. We cannot make that decision. We could decide not to give any financial assistance to a fisherman who buys a gill net and discourage him in that respect, but we cannot forbid, for example, the use of gill nets or any particular type of gear. We have no control over licencing the fishermen or registration of fishermen. We have no control over trade and commerce over the fish when it leaves this Province and goes to the U.S., or inter-provincial trade if it leaves this Province and it is designed to go to Nova Scotia or Ontario. We do not have a say over that. We cannot establish a marketing authority on our own. We have no constitutional authority to do that.

MR. ROBERTS: You could but -

MR. CROSBIE: Well, no, but we could not do it legally. We do not have the authority legally. It would be ultra vires the Province. Now the federal government has the power to do that, and they might need some assistance from us in certain areas where we have the

constitutional authority. So that is our role, to influence where we can what happens once you leave the land. And on the land I am dealing with the people and plants and where we can give support or we can encourage them or give financial assistance. But we cannot make the final decisions in the areas that are really of overall and major importance in the fishery. That is the framework within which we have to operate.

Well, the Department of Fisheries of Newfoundland, Mr. Chairman, I think, is only fair to say this and it is recognized on all sides, was not given any great degree of importance from 1949 to 1971. There may have been certain areas within that period when it was given more importance than in other years, but basically it was a small and weak department of the Government of Newfoundland.

But since 1972 and since the new administration has taken over, the Department of Fisheries has received a lot of attention under my predecessor, the Member for Cander. The department was reorganized. Its numbers have just about doubled. Its structure has been changed and some fine, young, able Newfoundlanders and others have been taken into the department to give it a new direction, a new drive and that is recognized by the federal government and that is recognized now by other governments that our department is now vastly improved and has got the potential for even greater improvement. We have got fine young men like Gordon Slade, who is the Assistant Deputy Minister of Development. We have Joe Burden, another Newfoundlander, an engineer, Assistant Deputy Minister of Technical Services, two excellent men. We have Mr. Dopplinger who joined us just within the last twelve months who is now secretary to the Select Committee and doing a marvelous job. He is, I think, from Germany originally, and he was with federal fisheries. He is a Director of Planning, a number one man. So that the Newfoundland department is now structured and now more effective and better functioning than, I believe, it is fair to say, it has been since 1949, because basically the development of the fishery was not one of the great aims and objects of the former Premier Mr. Smallwood, and I



think that is recognized by everybody who examines the period.

AN HON. MEMBER: Burn your boats.

MR. CROSBIE: I have not mentioned burning your boats.

So the department is now in better shape than ever to exercise authority, influence and advice and so on in the Newfoundland context. But what are some of the things that are being done? Now I should point out, Mr. Chairman,-

AN HON. MEMBER: (Inaudible).

MR. CROSBIE: The Select Committee on Inshore Fishery was mentioned. The government and the Department of Fisheries looks forward to receiving the report of the Select Committee on the Inshore Fishery for whatever recommendations they make as a result of the hearings that they are holding. If they need more time, if they need to go beyond April 30, we have asked them if they can report by April 30, but if they need more time, we will ask the House to give them more time. I am sure the House will agree to give them more time.

They may only be able to give us an interim report with some suggestions and recommendations by the end of April. Its greatest value will be as a device where all interested parties can put their views publicly before the Committee and before the public as to what the problems are of the inshore fishery and what the possible solutions are.

So, we will certainly pay careful attention to what the committee recommends. Hopefully they will recommend measures that we can adopt. We will know at the end of April what the federal government is doing in the next few months. We can decide then what more we may have to do ourselves so that committee will be a valuable help.

What is the Newfoundland Government doing in the fishery? I think our estimates this year total altogether the amount to be spent, totals something like \$18 million on current account and capital account. In 1971-1972 the amount being spent on the fishery by the government then, the total was just over \$5 million. The year before that it was only \$3.7 million. The last two years of the Smallwood Administration the amount they spent on fisheries in the two years put together was \$8 million to \$9 million.

AN HONOURABLE MEMBER: That was in the 70's too, right?

MR. CROSBIE: That was in 1970-1971, 1971-1972.

AN HONOURABLE MEMBER: I thought we were way back in the 50's.

MR. CROSBIE: Oh, no. We are not going back into history, although we are not allowed to go back beyond January of 1972. Now, we are going to ask the House this year, or we will spend if the House approves, a total in capital account and current account of \$18,286,806.

That is not the total actually, Mr. Chairman. These estimates do not contain in them any special provisions for special assistance the government may have to give the fishery after April 30. The estimates do not contain that because we do not know yet what that might be. Have you got that?

The Government of Newfoundland, I forecast, I prophesy I foresee, using the crystal ball, is going to have to spend considerably more on the fishery this year, Mr. Chairman, than the \$18,286,800 that is shown in the estimates. Now, there is one item I mentioned today

which already will bear that out. We are going to have to ask the House for an additional \$500,000 in connection with the trawler fishermen settlement.

AN HONOURABLE MEMBER: Inaudible.

MR. CROSBIE: Well, after April 30 when it is known by us what else we may have to do in addition to what the Government of Canada is doing, we would have to proceed, once we run out of money, if we do, by Lieutenant-Governor's warrants and ask the House to approve supplementary supply next year.

Now, that kind of assistance - it may have to be in connection with the inshore fishery - there may be certain inshore plants which even with the federal assistance it will not be economical to operate this year on the Northeast Coast. If that is the case, then it seems to me quite obvious that the Government of Newfoundland will have to support them by way of grants so that they do operate. We are not going any longer, though, to just guarantee loans or make loans to fishing companies to operate plants that are uneconomic to operate.

I think if we do anything at all, we have to ascertain what is needed to operate those plants so that they do not incur losses, and then give a grant of that amount of money or what is found to be needed after the year is over so that we will know exactly how much money is required and instead of loaning that money - it is useless to loan money to enterprises which cannot pay it back - it is just as well to recognize the facts and do it by way of a grant.

AN HONOURABLE MEMBER: Inaudible.

MR. CROSBIE: Oh, I forgot them. Bonavista Cold Storage, the difficulty there is that mates and chiefs - the Bonavista Cold Storage does not agree that mates and chiefs should be members of the bargaining unit, the union is insisting that mates and chiefs be part of the bargaining unit.

MR. NEARY: Well, it is not dollars and cents.

MR. CROSBIE: No, it is not money. I think they were certified for Bonavista Cold Storage in November and they were not certified to

be in the union. But, Sir, that is the issue that is holding up the settlement there.

AN HONOURABLE MEMBER: Inaudible.

MR. CROSBIE: Well, is there another one? What is the other one? B.C. Packers, is it? There may be a problem at B.C. Packers. I think that has to do with something about the president of the local down there being fired in January. So, that is the issue there. They want the president of the local taken back. It is not the money problem there.

So, as I was saying, Mr. Chairman, it is probable that we are going to have to assist in connection with certain specific plants in the inshore fishery. There may be other directions that we cannot foresee now that will result in our having to spend more money in the fishery this year. In addition to that there are fishing companies in this province that apart from the federal assistance are going to need working capital loans that we may have to arrange further financing for. If we have to do that of course we will have to do it, but we are going to change -

MR. ROBERTS: Inaudible.

MR. CROSBIE: Probably, yes. But if we do that, Mr. Chairman, we are going to do it in a different way than it has been done in the past. We are going to institute control, more control over how the company operates and what they spend and capital expenditures and what they do generally. We are not going to proceed as in the past. It has been the tendency to provide financial assistance and allow them to just operate on their own, and then you hear nothing more from them until there is a crisis and then they come back in again and you have to give them more and more assistance and then you forget them until there is another crisis.

Any assistance that we arrange for any of the companies this year will carry with it general supervision and control of what that company is doing. That will go with it.

So, what is the Department of Fisheries doing other than all of the work that is being done with the federal government and all

these other matters that I have mentioned? Well, there is a huge marine service center programme under way, Mr. Chairman, the revolution in Newfoundland, for the twelve marine service centers. I will not go into details of them all now because there are votes for that purpose. I will give more information then. There are the twelve marine service centers. The contract for one has just been called for Southern Harbour in Placentia Bay. There are others under construction around the Province. We can go into that in more detail further down the vote.

We are constructing fish landing facilities in the Province. We are providing water supply systems to fish plants. That is also a DREE Programme. I think there are twelve of those. The tender was just awarded in Hermitage for a water line system to a fish facility under construction there. I believe that the same system can be used to provide water to the community. The Minister of Municipal Affairs will be able to confirm that.

AN HONOURABLE MEMBER: Inaudible.

AN HON. MEMBER: Hermitage.

MR. CROSBIE: Comfort Cove - Newstead - tenders were called for Comfort Cove - Newstead and have been received, and a tender has just been awarded in connection with Comfort Cove - Newstead for another water supply. That water line will be a large enough size and so on to help provide water to the communities there as well as the fish plant facility and so on. There are twelve of these under the second DREE Programme which covers water supply systems.

The Province itself is constructing access roads to fishing facilities where we are building community stages, renovating and improving community stages and doing work on longliner haulouts and the many other facilities the fishermen want and need about the Province. So, the Province is busily involved in that. It is an area where the Province has been spending considerable money in the last two or three years, far more than in our previous provincial history and where it seems to be getting increasingly harder to have the federal government spend any money.

One of the problems, as I have mentioned to the House before,

is the fact that the whole community stage situation is unsettled and uncertain and some are built by the federal government. Some were built by the Province. Some were federally built but the Province improved them. Some were federally built but they got, local committees got LIP grants and LEAP grants and other kinds of grants to improve them. The result is, of course, a mass confusion in the field of community stages around the Province, but the Provincial Government, only the Provincial Government, has spent any money in the last few years on the provision of community stages other than through the federal money through LIP grants and that kind of activity.

Now, we

have before the federal minister, and that can be discussed in more detail later if anyone is interested. And we brought to his attention that this chaos exists. We are willing to take over all of these community stages, if the federal government will agree to put the ones that are federal, to pay seventy-five per cent of the cost of putting them in the proper shape before we take them over to run them, and if they will agree to pay seventy-five per cent of the cost of major repairs after the Province has taken them over to run them. And that was an agreement proposed in 1967 and signed by the Newfoundland Government but not by the federal government, and which we are hoping to get cleared up in the next couple of months.

Well, that is one big area that we are working on now, Mr. Chairman. We are willing to accept responsibility for community stages, once we can get this settlement with the Government of Canada. And they should be responsible for, which they are constitutionally, and clearly responsible for wharves, and that kind of facility, and sheds on wharves and this and that kind of facility, and haulouts and so on.

We are developing this year, Mr. Chairman, the herring and mackerel potential along the North West Coast, Coastal Labrador. We are spending a lot of money on that, considerable sums of money. We have invited the Canadian Salt Fish Corporation into the St. Barbe North and Labrador South area, to participate there as they have in Quebec in the herring and mackerel fishery. This involves - to make this successful it will take two or three years. The Newfoundland Government have agreed to guarantee them their losses up to \$50,000 a year. And if that programme is to be successful there are five or six community stages along the St. Barbe Coast that have to be improved and upgraded. There are five or six in Labrador South which have to be improved and upgraded. A new community stage should be built at Bartlett's Harbour. We are ourselves going to build this year at Red Bay - I am sorry the Member for Labrador South is not

here - and we are going to build ourselves at Red Bay -

MR. ROBERTS: He resigned.

MR. CROSBIE: Pardon?

MR. ROBERTS: He will not be here. He has resigned.

MR. CROSBIE: I thought he was going to stay until the end of the session.

MR. ROBERTS: Yes, but I mean that is only an hour or two away.

MR. CROSBIE: But any way we are going to construct ourselves a

AN HON. MEMBER: Inaudible.

MR. CROSBIE: I do not know where the gentleman gets all the -

AN HON. MEMBER: Inaudible.

MR. CROSBIE: My dear man, it will be the end of you. It would be like an epidemic of the Black Death struck the Opposition if we called an election. I mean, one thing that prevents an election being called now, Mr. Chairman, and that is the kind heartedness of our Premier.

AN HON. MEMBER: He learned a lot from -

MR. CROSBIE: He would decimate the Opposition if he called an election now. Decimate them. Their experience of three years ago will be as nothing compared to the decimation, a disillusion would -

AN HON. MEMBER: Inaudible.

MR. CROSBIE: No but you introduced the subject.

AN HON. MEMBER: We would Loughheed them.

MR. CROSBIE: That is it, we would Loughheed them.

MR. ROBERTS: You know what John Lundrigan thought.

MR. CHAIRMAN (DUNPHY): Order, please!

MR. CROSBIE: And where was I Mr. Chairman? Yes. And there is need for a chilled warehouse facility in St. Barbe on the Northern Peninsula, if this whole herring operation along in those areas would be a success. And to do this we are submitting a small programme to DREE with the support of the Federation Department of Fisheries, we hope, and that will cost about \$1,300,000 to provide these facilities and to enable the fishermen in Northern Newfoundland and Southern Labrador to be able to realize their herring potential which is 20,000 or 25,000 barrels a herring a year at least when it is



properly organized. And so that they will not suffer from the product not being properly cured and from being turned down by federal fisheries when it is to be exported as it has happened in the last three or four years.

Well I suppose, Mr. Chairman, people listening have already thought to themselves, my God the department cannot be doing any more than this, the few things that I have outlined. People must be wondering, it cannot be possible that any little department like the Newfoundland Department of Fisheries could do as much as I have outlined, Mr. Chairman, in your own district alone you know how great our efforts have been.

AN HON. MEMBER: Inaudible.

MR. CROSBIE: And in others it is not great enough. It is not to your satisfaction.

What else are we doing? Well, Mr. Chairman, we are further assessing the marine resources in inshore Labrador waters. We have financed research work in Labrador waters last year, and we will continue to do so this year, and with Memorial University to assess what the marine resources are in the waters of Coastal Labrador that can be further developed. We are implementing a number of recommendations that the Royal Commission on Labrador made in connection with Coastal Labrador. And I will go into these in more detail if any honourable gentlemen are interested when we go down through the estimates. I will go into more detail of exactly what we are proposing for Coastal Labrador. We have the funds in our estimates to build a community stage at Red Bay, and to improve another five community stages down along the Labrador South Coast. And I am going there by the way, Mr. Chairman, next Wednesday,

AN HON. MEMBER: The first time.

MR. CROSBIE: April 2 to test the waters -

AN HON. MEMBER: Inaudible.

MR. CROSBIE: No, I have not been in Labrador South since 1969.

AN HON. MEMBER: Inaudible.

MR. CROSBIE: But I am going to visit Forteau on next Wednesday, with the weather permitting. I am going to use the Beach Craft. fly

to St. Anthony by the King Air, fly to St. Anthony -

AN HON. MEMBER: Inaudible.

MR. CROSBIE: I am going to forget the flippers,

AN HON. MEMBER: Inaudible.

MR. CROSBIE: and flip to Forteau, and then we are going to go to Forteau and we are going to spend the day there with the fishermen from the Coast of Labrador that have been organized by the Extension Department of Memorial University and discuss their problems with them, on what our plans are for this year. And if they do have flippers there or seal meat or turrs or anything else of that nature that is good to eat that I can get my hands on I will certainly bring back a load of it.

AN HON. MEMBER: Inaudible.

MR. CROSBIE: I will take anything I can get, and I hope that I will not hear any talk about the plane that just went to St. Anthony and Forteau so I could get a load of flippers. By the way, I have not had a flipper this year to date, Mr. Chairman. All minister now have got to make an announcement.

AN HON. MEMBER: Inaudible.

MR. CROSBIE: That was a trip arranged for by the Department of Public Works quite properly, as the honourable gentleman knows.

So there is a lot of work going forward in connection with Labrador. There are a number of programmes, Mr. Chairman, to increase technical assistance to the inshore fishermen, testing different kinds of gear, automatic baiting and these kinds of devices which I will go into in more detail further on in the estimates, when we get down into the details to help promote diversification and increased efficiency. And we are placing special emphasis, because this government, Mr. Chairman, has a policy on the fishery - we are placing -

AN HON. MEMBER: Inaudible.

MR. CHAIRMAN: Order, please!

MR. CROSBIE: We are placing special emphasis on herring, mackerel, scallop, and caplin. These are the areas where we are trying to assist

the fishermen to diversify, herring, mackerel, scallop and caplin. Because it is of the utmost importance to our inshore fishermen that they not be left to the mercy of the inshore ground fishery, the resource having been depleted so greatly, the inshore ground fishery is now a mere patch on what it was. The cod fish do not come in in the quantities that they used to come in or the size that they used to come in. So we want to help our inshore fishermen get more into the herring and mackerel fishery, caplin and the scallop and this is where our efforts have been placed. And we can go into that in more detail later.

We are also, Mr. Chairman, not afraid to give our views to the licencing authorities on what we feel should be done with respect to control of the herring fishery. We did, for example, make a strong representation to them that the herring fishery in Trinity and Conception Bays should be preserved for the inshore fishermen, that they should not permit purse seiners to go into these bays - I know the honourable Chairman does not agree with this - should not be permitted to go into these bays until we know exactly what the herring resource of those bays are, so that we can ensure that the inshore fishermen who in the last three or four years have been making a fairly good thing from herring in Trinity and Conception Bays and further up the Northeast Coast, so that they have first crack at the herring. I mean they are not mobile. They are not on purse seiners, they are not on larger boats, they cannot move to wherever the herring moves, and that stock, in our view, first we have to make sure that the stock is preserved for the first benefit of the inshore fishermen before allowing the seiner fleets in to clean out those bays as has happened in other bays. And so our first concern is to make sure that our inshore fishermen are protected. Now, of course, those who own and operate purse seiners and the companies that want the herring primarily do not like this as a policy, and do not approve of it, but this is our policy, and it is one that you have to take a stand on, right or wrong. But it is a big issue with the fishermen of this Province inshore, in many areas, a big and touchy issue, and it was brought

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up when we were on the Northwest Coast, at Plum Point at the beginning of March. It was one of the big issues in the minds of the inshore herring fishermen in that area who want the purse seiners kept out of St. John Bay

and that is a more contentious area as the Chairman or committee well knows.

So, there are all these areas where the Provincial Government has to make decisions and make representations in various areas and spend money in trying to make sure that the inshore fisherman has a chance to go into other fisheries in addition to the cod fishery so that he can make a decent living or even a half decent living, while another programme carried on by the department, Mr. Chairman, is experimental and exploratory vessel programmes which are directed mainly towards the middle distance fishery. There is a lot of money being spent on this. We have the two Harmon vessels which were purchased for purposes, some years ago, of supplying that plant at Harmon by the Newfoundland Government. The Harmon I and the Harmon II have now been completely refurbished and refitted and rejuvenated and a lot of money has been spent putting new gear on them for automated longlining and other kinds of fishing by those two Harmon vessels.

One of them is now at the dock yard in Marystown getting their electrical system repaired after a recent fire and the other is out fishing now. They have just started fishing. It may well be that the Harmon I and II will fish into the plants in Trinity and Conception Bay this year under an arrangement we are now discussing with them.

In addition to the money spent on the Harmon I and II the three sculpins are coming along at the shipyard in Marystown, three sixty-five foot vessels. One of them should be out now on her trials and they are also experimental vessels with the latest in gear, so esoteric, if that is the right word. I have forgotten all the kinds of gear that is involved, but hydraulic this and hydraulic that.

Anyway, this gear is all invented or suggested by Captain Johnson of the Federal service and we hope it is for mid water fishing and we hope that they will be successful. If they are,

then we will try and sell those vessels or lease or charter them to people who might want to operate them.

So, there is considerable money being spent on experimental and exploratory vessel programmes. There is a lot of money, Mr. Chairman, being spent on offshore technological developments involving new kinds of fishing gear and gear handling equipment and we can go into that in more detail later. We are expanding our market research and product development division to provide technical assistance to the smaller companies on marketing and product development and promotion on market research.

One of the things done last year, for example, Mr. Chairman, was to get EPA for a two week period to introduce the queen crab and other Newfoundland products in the meals that they give their airline customers when they travel on the plane. They did that for two weeks and the passengers were asked to send in their reaction and so on and it got a very -

AN HONOURABLE MEMBER: What about the King Air?

MR. CROSBIE: No, the King Air is nothing but crackers, soda biscuits.

AN HONOURABLE MEMBER: Inaudible.

MR. CROSBIE: Not when I have been on it.

So, Mr. Chairman, this experiment turned out very well. They got a good response. So we will be working with EPA and other airlines this year to try to encourage more use of fish on airlines and in other situations like that because the pitiful fact is, I will have the figures next week, they are downstairs, but the per capita consumption of fish in the United States and in Canada is just pitiful, absolutely pitiful, compared to beef, to meat and pork and chicken and there should be no reason for that. I think it is around ten or twelve pounds a year per person in the United States and meat or, - what do you call those animals? - cows and steers and bulls, beef, and the amount of beef eaten per year is 130 or 140 pounds. It is just fantastic, Mr. Chairman, and if we could even double the consumption of fish by the ordinary, the

consumer in the United States and Canada, we would have the marketing problem knocked, knocked.

So, we have the new market research and product development division helping these smaller companies and product promotion and market research. We have been working on a general fisheries DREF subsidiary agreement that would relate to fish harvesting and processing, but that is being temporarily interrupted by the prices in the fishery which became evident in the early fall. The position now is that they do not want us to continue with that until we know what is going to happen with the fishing industry generally and what is coming out of all these recent studies. So, that is temporarily delayed, but a lot of work is being done on that.

We have had, Mr. Chairman, in the last year or two, a much larger voice on what is to happen at the Law of the Sea Conference and at ICNAF and in formulating resource management policy, a much greater voice, much greater. We now have at Geneva at the Law of the Sea Conference, -

AN HONOURABLE MEMBER: Inaudible.

MR. CROSBIE: I have just done a report. We now have at Geneva Cabot Martin and I cannot think of how we could have a better representative there, Mr. Chairman. He called me last Sunday. I mean it does not matter, Mondays, Tuesdays, Wednesdays, Thursday, Friday, Saturday, Sunday, it is nothing but work, work, work, work, work.

AN HONOURABLE MEMBER: How do you stand it? -

MR. CROSBIE: Mr. Smallwood's example. Yes. He called last Sunday just as I -

AN HONOURABLE MEMBER: Inaudible.

MR. CROSBIE: No, I do not think anybody was there.

AN HONOURABLE MEMBER: Inaudible.

MR. CHAIRMAN (Dunphy): Order, please! Order, please!

MR. CROSBIE: That gentleman is going to start up that old party of mine, the Liberal Reform Party.

AN HONOURABLE MEMBER: Inaudible.

MR. CROSBIE: Right, I will have to give him the minutes.

Now, where was I? Oh, yes! The phone call last Sunday evening. I was lying back, Mr. Chairman, just started to read about Jimmy Hoffa. I have a book called The Rise and Fall of Jimmy Hoffa. He used to be a great bugbear of the late Premier.

AN HONOURABLE MEMBER: Inaudible.

MR. CROSBIE: No, I have not read that one. Anyway, I was just starting to read that when I had a call from Geneva from our representative, Cabot Martin, who is a lawyer and did post graduate work on oil and gas law and who has been advising the Minister of Mines and Energy since 1972 and going a first class job. Now, he is on the scene there. There is not a great deal of reports yet because they are meeting in all these small groups, where, I suppose, deals and comprises are being worked on. They are to be worked out, but he is a part of the delegation and he says he is receiving every kind of co-operation and he is being used as a part of the delegation representing this Province and he is keeping the Minister of Mines and Energy and I informed as to what is happening. In due course, certainly, there will be someone from the government going to Geneva at whatever time is considered vital, so that we can express to the Canadian Government, if necessary, our alarm of what may be happening or our encouragement for what they may be accomplishing or whatever. But that is an area that has to be watched very carefully.

So, we are well represented there by Cabot Martin who is the young man, not unafraid to express his views, and frank and open and I am sure that he will be keeping us in touch and I just got a big document down in the office I have not had time to look at yet that came over the weekend from Geneva. So, we have an increased presence at the Law of the Sea Conference and this House has clearly put itself on the record as to what it thinks should be done.

I had today, Mr. Chairman, a letter from the Minister of Fisheries of Prince Edward Island, a copy of a letter sent to the Federal minister



which puts their position very clearly, that if the Law of the Sea Conference is not successful in reaching an agreement this year that the Province of Prince Edward Island says that Canada has to take unilateral action the same as we say because we cannot wait.

AN HONOURABLE MEMBER: Inaudible.

MR. CROSBIE: Right. True, true. The Minister of Justice will certainly have to be in Geneva at some point. He represented this Province at the House of Commons before the External Affairs Committee in setting out our position there about a year and a half ago.

AN HONOURABLE MEMBER: Inaudible.

MR. CROSBIE: Yes. Why not? Well, no, you are going to be so busy back here if the Law of the Sea is not successful that you got to stay here and make preparations.

AN HONOURABLE MEMBER: Inaudible.

MR. CROSBIE: The fishermen are now represented by Mr. Kevin Condon of Ferryland who is over in Geneva now. So, -

AN HONOURABLE MEMBER: Inaudible.

MR. CROSBIE: Yes, I think he is there now, yes. In addition, Mr. Quinlin is going at some point to represent the Fisheries Association of Newfoundland. Now

in addition to that we have had a much bigger input in ICNAF and this year the ICNAF Conference in Edinburgh, the Canadian Government has got a position which they have discussed with us, they are going to be putting to them, which seems to be a vast improvement as to what should be done with respect to the fishing quotas for this year and next year in ICNAF. They are taking a much stronger position and as Minister of Fisheries of the Province I expect to go to the ICNAF Conference in Edinburgh myself in June and see what it is all about and make our views as strongly felt as we can, or as I can.

Mr. Etchegary of course has been one of the Canadian representatives and he has done an excellent job there, so that we are busy in these directions also, Mr. Chairman. The department is also concerned about and working with the fishermen in Placentia Bay on problems that some of them may be having with respect to the tanker routes and the anchoring of tankers at the head of the bay where the fishermen of Placentia Bay, the ones who have longliners who have to cross the bay to fish, who do not have adequate radar and radio equipment, we feel should be financially assisted in getting that kind of equipment and we have made a proposal to the Government of Canada on their behalf, which we hope they are going to accept and I think we are prepared to involve ourselves in helping them get equipment, those who are not properly equipped with radar and radio facilities to help ensure that there will not be collisions and accidents in the bay. And our officials have been assisting the fishermen in Placentia Bay in ascertaining just what losses they are suffering, if any, as a result of the operation of the oil refinery and we will assist them with financial assistance for a lawyer when they get to that stage and making a submission to the company if that is necessary, and taking these steps to assist them. Because, Mr. Chairman, we are dedicated and pledged to the position that if an industry like the oil refinery is established at Placentia Bay, particularly with government assistance that may involve some damage to other people who worked or fished in the area, that it is the responsibility of government to see that anyone damaged receives proper and ample

recompense, whether or not they have a claim at law. Because there is considerable difference, Mr. Chairman, legal claims you may - there may or may not be strict legal liability and what are right and proper claims in fact and in justice.

We have about another minute or two I guess before we have to adjourn for the Thursday evening show, and I think I can finish up these general remarks anyway within that minute or two. These are some of the things that generally we are attempting to do, Mr. Chairman, in the Department of Fisheries. This is the broad framework within which we are operating. We do not know what more we may have to do during this year but I can say this, because I told the federal minister, Mr. Chairman, last week that the Government of Newfoundland considers the fishery to be essential to the continued existence of the Province on any kind of a viable basis. The Government of Newfoundland is prepared to do whatever is necessary to ensure that the fishing industry continues.

We expect the Government of Canada to take the main share of the burden since it is their constitutional responsibility. If they do not do that we will not hesitate to express our views publicly, we will not hesitate to go to Ottawa publicly -

AN HON. MEMBER: Inaudible.

MR. CROSBIE: No. I am not saying that. We may have other causes for doing that. We will put our position very plainly before the Government of Canada and the people of Canada if that is not done. But all else failing, no matter, Mr. Chairman, how much money we have to attempt to borrow or what taxes we had to increase or what we had to do, we will find the money necessary to continue the fishing industry here in Newfoundland.

Now we are a small province with limited financial resources, attempting to do a great many things, a great many things. We are trying to develop and give some base to this Province and carry on public services and the social security system and the rest of it

but we will not hesitate to decide what our priorities are if we must make that decision and the preservation and improvement of the fishery is among the chief priorities of this government. I move that the committee rise, Mr. Chairman.

On motion that the committee rise, report progress and ask leave to sit again.

MR. CHAIRMAN (DUNPHY): Mr. Speaker, the Committee of Supply have considered the matters to them referred and have directed me to report having made some progress and ask leave to sit again.

MR. SPEAKER: The Chairman of the Committee of Supply reports that they have considered the matters to them referred and report having made progress and ask leave to sit again.

On motion report received and adopted.

On motion committee ordered to sit again on tomorrow.

MR. SPEAKER: By a prior agreement I think we decided to have the debate on the adjournment, or more commonly referred to as the late show, I think at 5:15, so the first question we shall deal with is the one asked by the honourable Member for Bell Island to the honourable Minister of Provincial Affairs, so I recognize the honourable Member for Bell Island.

MR. NEARY: Mr. Speaker, last Fall the Member of the House of Assembly for Bonavista South joined me in a brief but much publicized series of revelations on terrific spreads in the selling prices of new cars through dealers in Newfoundland as compared with those on the Mainland of Canada. To this date, Mr. Speaker, I am still being buttonholed wherever I go in this Province by people telling me that they are just back from Toronto, Montreal or Halifax and that they have saved anywhere from \$500, \$1,000, \$1,500 and more in some instances, on bringing cars into the Province from the Mainland rather than making the purchase locally as a result of some of these revelations, Sir, that my friend from Bonavista South and myself made last Fall.

Now, Mr. Speaker, let me say at the outset, Sir, that it seems a shame to me that the profits on these cars that are being brought in from the Mainland should not be kept in Newfoundland to help

support, Sir, our hard pressed salesmen who are depending on the local car market for their livelihood and who I understand, Sir, at this moment are going through a very difficult period.

But, Mr. Speaker, it has become apparently clear that the enfranchised car dealers themselves will do nothing to disturb their old tradition of milking the Newfoundland car buyer for every cent they can wring out of them. They apparently, Mr. Speaker, do not intend to do anything about the unethical and the immoral practice of highballing. Mr. Speaker, the only difference between car prices in Newfoundland and on the Mainland should be the freight charges.

AN HON. MEMBER: Inaudible.

MR. NEARY: I am coming to that. The Minister of Provincial Affairs, Sir, can make all the foolish statements he wants about this being exclusively a federal matter, that there is nothing the government can do, there is nothing the minister can do because the prices of cars are set outside of this Province.

Well, Sir, I submit that this is merely a smoke screen. Because the Province of Quebec, Ontario, Nova Scotia are also Provinces, but in these Provinces, Sir, they accept the prices that are set by the factory and all they do is add the freight to these recommended retail prices that are set

by the car manufacturers that it already include a built-in profit. However, Sir, here in Newfoundland the car dealers are not satisfied with the built-in profits that are in these recommended retail prices, and they want to stack their own profits. They want to stack their own profits. They want to stack two or three more additional unjustified profits, and there is where the highballings comes in. This is known, Mr. Speaker, in the automobile industry as highballing. In my opinion, Sir, although highballing is morally wrong, is unethical, it is not illegal. And that is where this government can come in, Sir. This government can step in and make highballing illegal. And it is my contention, Mr. Speaker, that the direct responsibility of investigating car prices in this Province comes under the Minister of Provincial Affairs who has at his fingertips, Sir, who has at his command, a staff that is probably sitting over here in Elizabeth Towers, on Elizabeth Avenue, twiddling their thumbs, Sir, wishing to God that they had something to do.

Well, Sir, if they want something to do, it is my contentinn that the minister responsible for Consumer Affairs in this Province should act at once, instruct his staff that this is a most urgent matter and order his staff to go out and investigate the high prices of cars in Newfoundland as compared to the Mainland of Canada and report back to the minister, and in turn, to this House and make recommendations in connection with what can be done, Sir, to reduce the indisputable, unconscionable spread that exists between retail prices of cars here in Newfoundland as compared to elsewhere in Canada.

MR. SPEAKER: The Hon. Minister of Provincial Affairs and Environment not being in his place, and I have not been told that another honourable minister wishes to reply so I shall recognize the Hon. Leader of the Opposition in a question put to the minister.

MR. DOODY: I would like to say a few words.

MR. SPEAKER: Oh, I am sorry.

MR. SPEAKER: The Hon. Minister of Industrial Development.

MR. ROBERTS: If the senior member cannot be bothered, could the junior member?

MR. DOODY: As the Leader of the Opposition very graciously says, in the absence of the senior member from Harbour Main, I will attempt to add a little to the confusion of the member for Bell Island. I do feel a little regretful that the Minister of Provincial Affairs and Environment, my co-partner from Harbour Main, is not with us this afternoon. He is out of the Province on government business. I understand he is in Toronto. I hope while he is there, he has an opportunity to look at some of the problems which the member for Bell Island raised here this afternoon.

I took the liberty, when the member for Bell Island mentioned the fact today that he was going to debate this matter, of contacting the Department of Provincial Affairs and Environment and asked them if they would give me briefly some background on the situation. I understand that shortly after the question was raised by the Hon. Member for Bonavista South, who was eventually, I think, supported by the member for Bell Island in -

MR. NEARY: No, it is the reverse.

MR. DOODY: What?

MR. NEARY: It is the reverse.

MR. DOODY: Oh, do not be so humble.

Anyway when the matter was brought to the attention of the minister, he immediately contacted his counterpart in Ottawa, the Federal Minister of Consumer Affairs and Corporate Affairs, and they undertook to work in co-operation with the provincial department to see, indeed, if there was any substance in the charges that had been levied and if some action could be taken to correct the situation, if indeed there was some wrongdoing in being. The situation is now under very active consideration by both departments, the provincial and federal departments. Whether or not

there is an investigation underway, which the member suggested, is something that I would not care to comment on. An investigation almost pre-supposes wrongdoing, and I would not care to say that this is so. Should the situation come to light that things are happening in Ontario, Nova Scotia and other provinces, I have no doubt that our department will take the appropriate action to see that the necessary protection could be afforded, if it is needed, to the citizens of this Province.

This stacking of profits and highballing that the honourable member refers to is a term that I had not come across up until now. I have to leave the discussions and the expertise of highballs with the member for Bell Island, and ask him to perhaps pass the information along to the minister on his return.

I do want to make it quite clear, Your Honour, that the government is concerned with the matter. We are grateful to the member for Bonavista South and the member for Bell Island for having brought it to the attention of the government. I understand from the department that it is one of many matters that they had been concerned with and were interested in working on. They are certainly not twiddling their thumbs and sitting around in Elizabeth Towers. When I was talking to them this afternoon, they appeared to be completely cognizant of the situation and were well on top of it. I did not need any second phone calls. They had the material there for me. They knew exactly what it was all about, and I can assure the honourable member and the House that this government is quite aware of the problem and are actively working on it. Thank you, Sir.



MR. SPEAKER: The Chair recognizes the honourable Leader of the Opposition.

MR. ROBERTS: Thank you, Mr. Speaker. Mr. Speaker, my quarrel officially under the rules is with the Acting Minister of Public Works and Services, the gentleman from Labrador West and of course my quarrel is not with him but rather with a policy of the administration and a policy enunciated by the minister, the gentleman from Humber East, who unfortunately is not with us but it is through no fault of his own. Nonetheless it is the minister who will have to carry the can for the government on this matter of advertising in The Daily News.

Now, Sir, there are only three daily newspapers published in this Province. There is only one of those three owned within this Province and that of course is The Daily News. I am told, it is no secret, in fact, that it has been a long struggle by The Daily News. Certain local investors I understand have invested a great deal of money in it, a great deal more than they intended or planned to invest but they have chosen to keep it going and I think Newfoundland is the better for having (a) an independently and locally owned newspaper and (b) having a newspaper that is not part of a great chain. The Telegram of course, is part of the great Thompson chain, which means its interests are still very much of Newfoundland but nonetheless there is an element and a very real element of control which can be exercised outside the Province.

The Daily News, I understand, I have no information other than that which is public, need government advertising if it is to survive. The Premier can talk about it being a business and it is too bad that the business needs government advertising but the Premier was in a business and indeed the Premier's family did legitimately very well out of a business which required considerable government assistance, and it is not to be heard that he decries a paper which, or a business which is not looking for any special favours, it is asking for just and fair treatment.

The situation is quite simple, Mr. Speaker. Government advertising in The Daily News has been reduced. There was great confusion for a while as the ministry fell all over themselves in attempting to say why it had been reduced but it is now accepted and even they admitted that it had been reduced, if not eliminated because of that paper's political stand, not a political stand against the party in power on political issues but rather a stand taken by the newspaper editorially in their editorial columns with respect to the trawler strike. It took a stand which apparently did not meet the approval of the government. The government struck back viciously and vindictively.

The Premier attempted to say in the House, Mr. Speaker, that the government had reduced advertising in all newspapers and The Daily News was simply feeling the brunt. I asked the Premier a question on March 12, it is on the Order Paper of March 12 but it has not yet been answered in a fortnight. I submit the reason it has not been answered is that the Premier cannot answer it, because what the Premier said, Sir, was not the full and complete story.

The full and complete story is that The Daily News is being punished by the government for its political views. It is being punished for expressing its views on a matter of grave concern to the people of this Province. I think it is a shameful act. I think it is vindictive and reprehensible. It threatens the very foundation of the freedom of the press and honourable gentlemen opposite from time to time tell us about their concern for the freedom of the press. It is part of a long pattern with this administration.

The Premier, two or three days told us was a bad day, called The Evening Telegram a yellow dog of journalism, Now we have The Daily News in a completely different way being subjected to a concerted, calculated, cold and quite vicious campaign to try to drive it out of business.

Mr. Speaker, I have only a moment or so but I say that that is wrong and that this government should be ashamed of themselves and should immediately change. They have not changed. The Premier said the other day they had reinstated the decision to advertise in the newspaper. The publisher in a public statement in his newspaper said that that was not correct. The Premier has not been heard from further on the point.

The Daily News circulates, it is the only newspaper that circulates widely on the Burin Peninsula and throughout Labrador. So the government in punishing The Daily News are not only threatening the freedom of the press but depriving the people of those two areas of our Province of access to information about the government.

The joint town and community councils in a very unusual move have taken a stand publicly in support of The Daily News and their right to receive a fair portion of government advertising.

So I say to the minister that what he must do is ensure that The Daily News receives from the government a fair and a just proportion of the government's advertising budget and I say to him that the government have made no case in support of their earlier contention they reduced it because The Daily News circulation is not adequate.

That is a myth and a particularly pernicious myth. I do not know of anything that is more basic to life in this Province as we want it to be and as it should be, than the freedom of the press to say what they believe subject only to the laws of liable and criminal liable. This government have apparently adopted a vicious new doctrine, economic retaliation.

I hope that when the minister rises to speak in a second or two he will tell us that what has been done is a mistake. The government did not mean it. They did not intend it and they will proceed to put in The Daily News advertising in the same proportion of their advertising budget as they have these past three years. That is the only answer that will disprove the charge that this government are out to destroy the freedom of the press in this Province.

MR. SPEAKER: The honourable Minister of Transportation and Communication.

MR. ROUSSEAU: Mr. Speaker, in the first instance when this matter came up, when it became a matter of question for the late show today, it was a point at which I said the Premier had wished to make a statement and I rose on a point of personal privilege on that item and read the verbatim. The question was did the Premier want to make a statement, and the Premier did indeed make a statement on the following day.

I can only say now, as the Premier said then, and the Premier was accurate in his statement, that orders have gone out that advertising be reinstated in The Daily News. Now, I think there is one concept and quite possibly the honourable the Leader of the Opposition is not aware of it. I do not know whether he has been involved in advertising before of this nature, but there is a time lag between the time that the advertising comes into the Department of Public Works and when it is sent out to the newspapers. In other words, a decision to restore advertising was not a retroactive one.

I hope that the people at The Daily News can understand that it takes some time to accumulate advertising and get it down

there. It is not done for advertising for the past two or three weeks. That decision has now been made. It has been passed to the Deputy Minister of Public Works who has passed it, as I understand it, to the Director of Services in the Supply Division, and that the advertising has been reinstated. I am only saying now that it is going to take a few days before the effects of that are seen.

So, the thing has been laid to rest as far as I am concerned. The orders have gone out at the ministerial level and one would anticipate that over the next week or so that the results of this decision will be seen. Beyond that, Mr. Speaker, I have nothing further to say on it. I think the thing has been dragged out. I would have wished that it had not come up today because I think the matter has been rectified and the only problem is now the time lag between the time that the decision was taken and the time that the advertisements actually appear. As the advertisements now come in to the Supply Division of the Department of Public Works and Services they are now being distributed to The Daily News.

MR. SPEAKER: One more question. The Chair recognizes the honourable member for Bell Island.

MR. NEARY: Mr. Speaker, for some time passed now we have been hearing stories about the abuse and misuse of the Churchill Falls jet and we were beginning to wonder, Mr. Speaker, on the control of the Churchill Falls jet which is owned by the taxpayers of this Province, owned by the people of Newfoundland, because when the government brought Churchill Falls Corporation for the amount of \$160 million and \$20 million interest paid every year by the people of this Province, then, Sir, not only did we get Churchill Falls but we got a jet.

Sir, we were shocked in this honourable House today to learn that no minister of the government, not even the Premier, is giving any direction to Churchill Falls Corporation in connection with this jet. They have abdicated their responsibility completely. So, therefore, Mr. Speaker, is it any wonder that we are hearing all these stories and reports about all kinds of queer, peculiar looking, strange looking people travelling on that jet between St. John's and Montreal and the

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jet coming down and bringing down a little parcel and putting it off for some minister or the Premier down at St. John's Airport probably at the expense of about \$5,000 or \$6,000 or \$7,000 or \$8,000.

Now, yesterday, Sir, was the unkindest cut of all when Air Canada was grounded because of weather conditions and there were men, women and children down at the airport unable to travel, who probably had to sleep there all night, and right before their very eyes, Sir, the Premier of this Province boards the Churchill Falls jet on the way to Halifax, on his way to Bermuda. Now, Sir, I am not objecting to the honourable the Premier taking about his twenty-fifth holiday this year. That is his business and that is his problem.

But what I am objecting to, Sir, is his abuse and misuse of that Churchill Falls aircraft. And I would like to know, Mr. Speaker, and it would be interesting to find out

MR. ROBERTS: Ontario reimbursed the Government of Ontario.

MR. NEARY: Yes, Sir, this has happened in other provinces, in Quebec and in Ontario, and the province, the public treasury had to be reimbursed for the kind of a trip that we saw made yesterday, a special trip from St. John's to Halifax to transport the Premier over there, so he can get down in the sunshine down in Bermuda. I would like to know, Sir, who is paying for this trip? Is it being paid for by the taxpayers of this province through the Churchill Falls Corporation? If not, Sir, I would like to know if the Premier is going to be sent a bill for it? We want to know, Mr. Speaker. The people of this Province want to know who is paying for this trip? And if the trip is free, Sir, if the Premier is getting a free trip, the Premier and his party are getting a free trip then why is not this privilege extended to all the taxpayers of Newfoundland and Labrador who want to go on vacation? Why should it be restricted to the Hon. the Premier?

Sir, in my opinion, this is the worst example of abuse and misuse of public facilities that we have ever seen in this Province. And I know the Minister of Fisheries, the Acting Premier is going to get up and drag a red herring out of this, side step the issue, put up another smoke screen like we had from the Minister of Transportation and Communications today, Sir. But there is no way, Mr. Speaker, that the minister can avoid the issue. The jet just did not arrive at Torbay the moment the Premier was going to leave. The jet just did not leave at the opportune moment, and the Premier thumb a ride over to Halifax. It was all pre-arranged, Sir.

And what I want to know now, Mr. Speaker, and what the people of this Province want to know is, who is paying for this trip? Are they paying for it? Or is the Premier paying for it out of his own pocket? What arrangements have been made to reimburse the public treasury? Now, Sir, my time is almost up. Before I sit down, Sir,

I want to thank the honourable gentleman who sent me over the flipper. I hope I do not go home tonight, Sir, and find a horse's head in bed as a result of some of the questions that I asked in this honourable House today. Would the Minister of Public Works please arrange to have this put in the garbage? Or send it to the Third World, Sir, I do not really need it. If I want flippers I know where to get them. I will go down in Baird's Cove or down on the Water Front -

MR. SPEAKER: Order, please!

MR. NEARY: and get my flippers.

MR. SPEAKER: Order, please!

MR. NEARY: And I will not get them at the expense of the taxpayers.

MR. SPEAKER: Order, please! The Hon. Minister of Fisheries.

MR. CROSBIE: Mr. Speaker, I did not think it was the flipper, I thought it was the gentleman's tongue that dropped into his hand.

Mr. Speaker, this is on a par, on a par with the kind of innuendo and rumour that the honourable gentleman for Bell Island is so expert in. We have had examples of it today, questions asked about a trip to Port au Choix and out to a seal vessel to get flippers, and who in the government sent the plane out to get flippers? And that turned out to be untrue. Completely untrue and unfounded. That the plane was to go to Port au Choix to take Public Work's employees there on legitimate government business, and the President of the Development Corporation went along, there were seats on the plane that went out to the seal vessel on business for the Development Corporation, not to get flippers for the cabinet or anyone else, but this is on a par with that.

And also another question asked intimating that one of our civil servants went down to St. Pierre on a little pleasure jaunt to St. Pierre on the government's Beach Craft, Captain Piercey. It is unheard of for civil servants who are unprotected, an ordinary citizen to be attacked like that by way of innuendo and questions. And then we get to the honourable gentleman's - and that turned out not to be true, for Captain Piercey had not been to St. Pierre on any visit like that. There had been one trip there on business by the Development



Corporation. Now that is somewhat on par with that.

AN HON. MEMBER: Inaudible.

MR. CROSBIE: The CFLCo - the Churchill Falls Labrador Corporation, Mr. Speaker, owns a jet and had owned one for some years previous to our acquiring shares in the Corporation, and owned it when we had ten per cent of the shares. It still owns it now that we have almost two-thirds of the shares. And that jet is used by CFLCo for its own business and corporate purposes. It will be extremely valuable and even more useful when the Gull Island project commences, as it was when the Upper Churchill was in full swing. Now the situation

with that particular plane is that if either of the shareholders want to utilize the aircraft on occasions when it is not being used by CFLCo itself for its own purposes, they make it available. In other words, they make it available to Hydro Quebec and they make it available to the Government of Newfoundland in a proportion of one to two which reflects the share interest that we each have in CFLCo, if it is not otherwise being used by CFLCo. Then, no charge is made for the aircraft because it is made available only to the shareholders of the company. So, they are not charging either Quebec Hydro or the Government of Newfoundland for it when it is used occasionally by either party. The cost is absorbed by CFLCo. The cost is certainly not coming from the taxpayers. The taxpayers are not subsidizing CFLCo. CFLCo is self-sustaining and revenue is taking in from the sale of power to Quebec Hydro and otherwise. This is one of the expenses of that company. We will eventually get dividends and that we get other emoluments from it. So, that is the arrangement on the CFLCo jet.

The government does not direct how the plane is operated. The honourable gentlemen opposite were shocked that we are not directing how it is operated. We do not direct CFLCo how to operate. The government sets the general policy and we have an excellent board of directors and President, Mr. Beaver. They operate CFLCo. They decide what will be done with its aircraft and this is the arrangement they have made if Quebec Hydro or the Government of Newfoundland wish to use it. So, there will be no charge for a trip of that aircraft yesterday.

Now, I have not been talking to the Premier about this, but I understand that he did have the use of the CFLCo aircraft yesterday and went to Halifax and I do not know whether that aircraft went to Bermuda or not. Of course, he will be able to answer himself when he gets back. I do know and I checked today that the aircraft has gone back to Labrador and is being used to fly certain CFLCo people from Churchill Falls to Montreal or wherever

they are going. That is what it is doing today.

So, the Premier had the use of it yesterday and whether it took him to Bermuda or did not take him to Bermuda, I do not know. That can certainly be made clear. Now, is this an abuse of public funds or an abuse of any kind, Mr. Speaker? We have Cabinet Ministers of the Government of Canada who fly all over Canada in a fleet of jets owned by the Government of Canada and paid for directly by the taxpayers of Canada and we do not here objections from honourable gentlemen opposite and it so happens -

AN HONOURABLE MEMBER: Twenty-five.

MR. CROSBIE: Twenty. They have a fleet of at least twenty or twenty-five. The Minister of Regional and Economic Expansion was brought home here for the weekend, weekend after weekend. I do not object to it. I do not object to it, or other federal ministers. It is used to bring him back to his home to spend a couple of days in his riding and back to Ottawa. Is anybody in the Opposition in Ottawa carping and trying to make a federal case out of that or make it look bad or evil or vicious? No, because it is realized that men in public life with the demands on their time and the rest of it, if they can get a break with any time that can be saved for them by coming down in an aircraft like that if one is available, is an advantage that they should not be prevented from enjoying.

AN HONOURABLE MEMBER: Inaudible.

MR. CROSBIE: That is up to the Premier of Ontario. If the Premier of Ontario felt that way that is up to the Premier of Ontario. If the Premier of Newfoundland can see the opportunity to take a few days and if it saves some time and enables him to conduct business in this Province for half or two-thirds of the day, if he has a CFLCo jet available for him to take him on the end of that day somewhere where he is going for a few days break, is that some crime or high crime or misdemeanor? I say no, Mr. Speaker, it is not and it is a piece of vicious, it is a kind of vicious tactic that the Opposition

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are using to try to blacken anyone who participates in government or in politics in this Province. I think it is shameful. We have had today Captain Piercey maligned. We have had today -

MR. SPEAKER: Order, please! I would like to advise the honouable minister that his forty-five minutes have expired.

MR. CROSBIE: - the flippers maligned and now we have had the Premier maligned.

SERGEANT-at-Arms; Mr. Speaker, His Honour the Administrator has arrived.

MR. SPEAKER: Admit His Honour the Administrator.

A bill, "An Act For Granting To Her Majesty Certain Sums Of Money For Defraying Certain Expenses Of The Public Service For The Financial Year Ending The Thirty-First Day Of March, 1975 And For Other Purposes Relating To The Public Service."

A bill, "An Act For Granting To Her Majesty Certain Sums Of Money For Defraying Certain Expenses Of the Public Service For The Financial Year Ending The Thirty-First Day of March, 1976 And For Other Purposes Relating To The Public Service."

HON. R.S. FURLONG (ADMINISTRATOR): In Her Majesty's name, I thank Her loyal subjects. I accept their benevolence and assent to this bill.

MR. SPEAKER: May it please Your Honour, the General Assembly of the Province has in special session passed certain bills to which, in the name and on behalf of the General Assembly I respectfully request Your Honour's assent.

A bill, "An Act Respecting The Newfoundland And Labrador Hydro-Electric Corporation."

A bill, "An Act Further To Amend The District Courts Act."

A bill, "An Act To Amend The Solemnization Of Marriage Act, 1974."

A bill, "An Act Further To Amend The Constabulary (Pensions) Act."

A bill, "An Act Further To Amend The Conditional Sales Act."

A bill, "An Act Further To Amend The Summary Jurisdiction Act."

HON. R.S. FURLONG (ADMINISTRATOR): In Her Majesty's name, I assent to these bills.

MR. CROSBIE: Mr. Speaker, I move that the remaining Orders of the Day do stand deferred and that the House at its rising do adjourn until Tuesday, April 1 at 3:00 in the afternoon, and that this House do now adjourn.

MR. SPEAKER: It is moved and seconded that this House do now adjourn until tomorrow, Tuesday April 1, 1975, at 3:00 p.m.

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