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VERBATIM REPORT

WEDNESDAY, MARCH 10, 1976

SPEAKER; THE HONOURABLE GERALD RYAN OTTENHEIMER

The House met at 3:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER: Order, please!

It is my pleasant duty to welcome a large number of young men and young women to the various galleries today. One group from outside of the Province consists of twenty-five Grades X and XI students, a part of a Young Voyageurs Group from Lindale High School in Ounger, Saskatchewan, and they are accompanied by Mrs. Katherine Turnbridge.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: From Woodland Elementary School in Dildo, Trinity Bay, sixty-five Grade V students accompanied by their teachers, Mr. Cranford, Mr. Boone, and Mr. Cooper. And from Mobile Central High School thirty-one Grade X and XI students accompanied by their teacher, Miss Esther Moore. From the Whitbourne School for Boys, seventeen Grade VII, VIII and IX students accompanied by their teachers Mr. Reid and Mr. Nuhall. And from John Watkins Central High School in Hermitage, nineteen Grade XI students accompanied by their teachers Mr. Wayne Kendall, Mr. Albert Loveless and Mr. Gus Janes.

Certainly to all of the young men and women from Saskatchewan and from the various schools in the Province I am pleased to extend a welcome to the House of Assembly on behalf of all hon. members, and certainly we all hope that your visit to the Legislature of the Province will be an interesting and an informative and enjoyable one.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: We also have a delegation from the Birchy Bay Town Council in the Chamber this afternoon, and on behalf of all hon. members I am pleased to welcome Mayor Randolph LeDrew and Councillors Alvin News and Otto Pope.

SOME HON. MEMBERS: Hear, hear!

STATEMENTS BY MINISTERS

MR. SPEAKER: The Hon. Minister of Tourism.

HON. T. V. HICKEY: Mr. Speaker, I wish to make a short statement to clear up some confusion with regards to the Auditor General's Report

Mr. Hickey:

so far as complimentary licences are concerned. The Auditor General refers to complimentary licences which is covered under Regulation 7 of The Wildlife Regulations. The Auditor General for one reason or another does not point out that under The Wildlife Act the minister has authority to use whatever means or methods to encourage, to provide incentive for the proper management of wildlife in the Province, and to provide any incentives for the collection of statistical data.

MR. HICKEY:

The impression is left by the comments of the Auditor General that some 112 - this is the number at least, 112 - licenses, while not stated in number, the impression is left that those licenses were just issued by the minister to this one, that one or anyone who came along. I wish to correct that impression by stating that 112 complimentary licenses were issued to people throughout the Province whose names were drawn and this was done to provide the incentive to have hunters send in the data with regards to the kill or the lack of kill as a result of their having a license.

AN HON. MEMBER: What was the result?

MR. HICKEY: Pardon?

AN HON. MEMBER: A sort of half -

MR. HICKEY: Yes, I believe so. I am not quite sure. It was before my taking over the ministry as such. But I am assured by my staff that there is nothing unusual about this. Prior to this system there was a system whereby people who did not send in this data were penalized by being required to pay an additional five dollars for their license the following year. I wish to point out that the usual number of I believe twenty-one were issued to the diplomatic corps or to V.I.P's. The 112 licenses that were issued in 1974, as I have stated, were issued for the purposes as indicated. I wish to point out to the House that indeed in 1975 the same practice was adhered to and probably we will feel the wrath of the Auditor General again next year. When it was brought to our attention it was too late, that the complimentary licenses for 1975 indeed had been issued. I do want to say, Mr. Speaker, that we acknowledge that the Auditor General is correct inasmuch as the amount of \$1,680 indeed should appear as revenue. The method of correction can only be, of course, that the department will have to transfer this amount of money from one subhead to the appropriate subhead so that indeed it shows up as revenue. I give the House assurances that from now on this will be done.

MR. NEARY: Were any given in appreciation at the Gander Lodge where the manager of the Gander Lodge on the Gander River is -

MR. HICKEY: If there were any licenses other than the ones I have covered, Mr. Speaker, they were issued to V.I.P.s. I am sure that everyone in the Province realizes that this system is as old as time. I do not think anybody would want that changed.

MR. SMALLWOOD: Mr. Speaker, did not the Auditor General, or one of his officers at his direction, inform himself of the explanation that the minister has just given? Does he repeat that in his report? I have only read part of the report up to date. Just left it at that?

MR. HICKEY: Well, Mr. Speaker, that is what I find rather difficult to understand. Indeed my Deputy Minister informs me quite categorically that he personally explained the system, gave a full explanation in detail to the Auditor General and pointed out that if this were to be reported in his report as such, in the form that it is here, that it would leave the wrong impression and create the wrong impression. He gave the explanation, and my Deputy and I, indeed all my staff, are as surprised as anybody else to find that it is contained in this report in the manner in which it is.

MR. NEARY: Is it tabled in this report who got the licenses?

MR. J. NOLAN: Mr. Speaker, does the hon. minister intend to table the names of all people who had licenses, complimentary licenses, for hunting, plus the names of those licenses complimentary for hunting in the Gander Lodge?

AN HON. MEMBER: That is out of order, is it not?

MR. NOLAN: It is a mere question in reference to the statements the minister made.

MR. LUNDRIGAN: Is it not to be called in the Question Period, that is all.

MR. NOLAN: I am merely asking the minister if he intends to do this. He is the one who brought it up and rightly so. I compliment the minister. But the fact is that in connection with this apparently there are references, as the minister knows, in weakness in the system of the internal control that is mentioned

MR. NOLAN: in the Auditor General's Report, and perhaps the minister might now agree to, if there are weaknesses there, which he has mentioned, what changes are going to come about, will he table the names of those. By the way in reference to one other point, and I mention this not to attempt to embarrass the minister, because in fact if he wanted to check the records he would find in reference to your department where some the anniversary medals were presented complimentary, it so happens I am one of the ones who received it because I was invited to be a judge in Heritage 1974, I believe it was, which was, in my opinion, a magnificent project of the government which encouraged students from all over Newfoundland to send in essays, slides, video tapes, an art display, an incredibly fine project. Every dollar you spent on it, in my opinion, Mr. Speaker, is worth it. And I also said at the time publicly, although I was not in the House, that I had hoped that this project, where so many of the young people were involved, would be on some kind of permanent display so that not only those of us who were judges or close to the thing might have an opportunity to see it, but that more of Newfoundland could see it. I think that the minister and the government should be very, very proud of this and I was presented with one of those medals. But again I ask, are you prepared to table the names of all those who received one of those medals plus the licences and so on?

MR. SPEAKER: The hon. Minister of Tourism.

MR. HICKEY: Mr. Speaker, I have no objections in tabling the list. I simply want to point out as a qualification to that statement that my only fear would be that I would be setting a dangerous precedent. I do not know if I am expected, or any minister is expected, to table documents just because somebody from the outside, radio stations or newspapers, imply that there is something wrong. Surely we have not reached a time when a minister gives an explanation as minister in this House, the people's House, surely he is accountable for what he says, and surely we have not reached a stage where one has to prove their innocence as opposed to a person being proved guilty.

MR. HICKEY: I can assure the House, and I will certainly take the question under advisement, I am not trying to side-step the hon. member's question. I will consult my colleagues. I can assure this House, I have gone over the names, I have discussed this matter with my deputy in detail. He assures me that not one single licence in that particular year, was issued in any wrong way, that they were all proper and they were all covered under this and the others were covered under the VIP or diplomatic corps.

One further comment, with regards to the medals, Mr. Speaker, they are not necessarily, I am not responsible, I am not the responsible minister as such but the medals or the medallions that were given out, I suspect, were given out by - some were given out by me, some were probably given out by my predecessor and possibly it is proper that I give the explanation, even though I am not the responsible minister who had custody of those items.

The Auditor General makes reference to this and he makes reference to civil servants and to other people, and my explanation is - and I do appreciate the remarks made by the member for Conception Bay South (Mr. Nolan) - to my knowledge, and I have consulted again my staff on this matter, no medallion was issued to anyone except in two categories; one - VIP or special people outside the Province, such as if a minister was indeed visiting on business, as a proper and an appropriate presentation on behalf of the Province; secondly - to civil servants, special civil servants who played a special role in the celebration activities and to other people who were totally involved in those celebrations.

Surely, Mr. Speaker, there is nothing wrong with that. And as I indicated before, it is part of the function of my department, indeed we purchase items to give to people as a token of appreciation sometimes for services rendered, or indeed as a souvenir to people who visit the Province.

MR. SPEAKER: The hon. member for Twillingate.

MR. SMALLWOOD: Mr. Speaker, I wonder

Mr. Smallwood:

in connection with the medallion celebrating Newfoundland's Twenty-fifth Anniversary of Confederation, would it be possible for the minister to let me have a look at one of them? I would like to, at least, have a look at one.

MR. ROBERTS: The hon. gentleman did not get one?

MR. SMALLWOOD: No.

MR. HICKEY: Mr. Speaker, can I assume that the hon. member has not received one?

MR. SMALLWOOD: No; but I would like to look at one.

MR. HICKEY: May I assure him that he will be presented with one this afternoon. I will personally see to it. I am awfully sorry that he has not received one, Your Honour, and certainly he is a most fitting person to receive one.

MR. SMALLWOOD: No flattery.

SOME HON. MEMBERS: Hear, hear!

MR. HICKEY: It will be a pleasure.

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

MR. NOLAN: Mr. Speaker, I wonder if I could follow up with the hon. minister on one more point which may not be relevant.

MR. WELLS: A point of order.

MR. SPEAKER: A point of order has been raised.

MR. WELLS: Mr. Speaker, I think we have allowed a certain degree of latitude here. This, after all, was a time for statements by a minister, which leaders of parties or their representatives are entitled to comment upon. But this, Mr. Speaker, would be to turn this into a question period, and I suggest would be entirely out of order.

MR. ROBERTS: To that point of order, if I might, Mr. Speaker: The hon. gentleman from Twillingate (Mr. Smallwood) was twice permitted and twice asked a question, one of them before the gentleman from Conception Bay South (Mr. Nolan), who was speaking in my behalf. The hon. the minister has been allowed to make not

Mr. Roberts.

merely a ministerial statement, which is his right under the rules of this House, but has made two or three separate and very lengthy comments upon it. I would suggest if the rule has been breached - and I am not submitting that it has not been breached - if the rule has been breached, it has been well-breached before my colleague from Conception Bay South (Mr. Nolan) rose to ask a secondary question. I submit he should be allowed exactly the same privileges and courtesy as the gentleman from Twillingate (Mr. Smallwood), or for that matter the gentleman from St. John's East Extern (Mr. Hickey), the Minister of Tourism.

AN HON. MEMBER: Hear, hear!

MR. SPEAKER: On that point of order. I think the practice in this House is quite well summarized in Beauchesne, section 91: "When a minister makes a statement on government policy or ministerial administration, either under routine proceedings, between two orders of the day or shortly before the adjournment of the House, it is now firmly established that the Leader of the Opposition or the Chiefs of recognized groups are entitled to ask explanations and make a few remarks, but no debate is then allowed under any Standing Order."

Certainly if an hon. member is allowed to ask for explanations, then the minister who made the statement must be allowed to answer that question, so that implies that answers to the question for explanations is allowed. It has been the usual practice that there is only one entry, if one wishes to put it that way, from any hon. member who is making these brief remarks or asking a question. That has been the usual practice. I would not be prepared to make a ruling whether that is necessarily so or not, whether the remarks, or requests for explanations have to be done once or can in fact be done with two series of either remarks or explanations. That would be something which I would want to reserve an opinion on.

Mr. Speaker.

Since, however, the one hon. gentleman has on two occasions asked for explanations, then I will permit the hon. member for Conception Bay South (Mr. Nolan) one further opportunity for a brief comment or the asking for explanation and then the minister an opportunity to make the reply.

MR. NEARY: Point of order, Sir.

MR. SPEAKER: A point of order has been raised.

MR. NEARY: Do I understand, Your Honour, quoting from Beauchesne to say that only the Chiefs of recognized groups in this hon. House could -

MR. SPEAKER: Or their representative.

MR. NEARY: No, Your Honour, did not say, 'or your representative.' Your Honour just merely quoted. Maybe, Your Honour, omitted a part of the paragraph he quoted from. But I understood Your Honour to say, 'chiefs of recognized groups in the House,' which means the Leader of the official Opposition and the Leader of the Liberal Reform Party or the hon. the Premier. I have been barred on a number of occasions, Sir, from asking questions or to make a few comments on ministerial statements. I consider myself to be more of a chief of a recognized group than the individuals who have been permitted to ask questions, so I would like to get a ruling from Your Honour on that particular matter.

MR. SPEAKER: The ruling is entirely clear. I read from Beauchesne and did not add anything. However, the point of order raised by the hon. member, the answer to that is quite clear, and it has been stated certainly in this session on more than one occasion - I do not know how many occasions - on more than one occasion, and that is that in this Legislature the right of the Leader of the Opposition, or the leader of a recognized group, and group there means, parliamentary group, a caucus, more than one person, that

MR. SPEAKER:

that right may be ceded to another hon. member speaking on behalf of that leader. The two points in a sense raised there are, number one, whether a person who is not the leader of the group in this legislature may comment, and the answer is no. The second point is whether an hon. member who is not the leader of a group but speaking on behalf of such a person may exercise that right on behalf of his leader, and the answer is yes.

MP. NEARY: Further to that point of order, Sir, could Your Honour quote me the citation from Beauchesne or the Standing Orders of this House covering that particular situation?

MR. SPEAKER: To clarify the matter, the section (91) of Beauchesne which I read just a few minutes ago clarifies and states explicitly the situation as it exists in the House of Commons and which is, as far as it goes, the practice in this House. Our Hansard of, I could not say what date offhand but within the first two or three days of the opening of the legislature; indeed, I believe, the first day after the Speech From the Throne, then the ruling was made that an hon. member who was not the leader of a recognized parliamentary group or who was not speaking on behalf of such a person did not have the right to comment or to ask for explanations after a ministerial statement. That will be found in the Hansard, I am quite sure, of the second day of this session.

MP. NEARY: Well we broke our own rules then, Mr. Speaker.

MR. SPEAKER: Order, please!

The hon. member for Conception Bay South.

MR. NOLAN: Mr. Speaker, I am going to forego the observation I had because it is a question that can wait for the question period. I merely remind the hon. member for St. John's South (Dr. Collins) that we are very much aware - yes, St. John's South; or Kilbride (Mr. Wells) I am sorry - that I am sure he can add up two as well as the hon. Leader of the Opposition.

MR. SPEAKER: Order, please!

MR. NOLAN: This is the second time he has presented us with doing something like this.

MR. SPEAKER: Order, please! Order, please! This has very little to do -

MR. NOLAN: And we will remember it over here.

MR. SPEAKER: - with the ministerial statement.

PRESENTING PETITIONS:

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

MR. ROBERTS: Thank you. Mr. Speaker, I ask leave to present a petition which while it has not been signed by anything like the numbers of people who have signed the several petitions which have been presented in respect of electricity rates, this petition I submit is every bit as important and every bit as urgent as the ones which have been presented earlier in this session including the ones about electricity rates.

The petition, Mr. Speaker, is signed by approximately 100 of the men at Come By Chance who will be laid off, some of them beginning this coming Friday, I believe, and the rest of them in a period of weeks as the refinery operation closes down as it is now supposed to do. These men are members of the Oil, Chemical and Atomic Workers International Union Local 9908, which is the big local at Come By Chance, the local which represents most of the employees employed there at that time.

The prayer of the petition, Mr. Speaker, is as follows:

"We, the undersigned, employees of the Come By Chance oil refinery, hereby petition government to take action to alleviate the severe hardship which will be caused our families by the sudden termination of our employment at the refinery. We ask (1) that government immediately proclaim the Termination of Employment Act, 1973; (2) in the alternative, that government enact special legislation to compel Provincial Refining Company Limited to give us longer notice of termination than the two weeks notice we have received;

MR. ROBERTS:

(3) in the further alternative, that government provide for severance pay out of government funds to be recovered upon sale of the refinery," I may say it is a very well-worded petition, Sir, and I cannot claim the credit for that--"Such action by government will give us time," the petition goes on," to reorganize our lives and it will also to keep a corps of trained employees available for a longer period to ensure fast reopening of the refinery should a buyer be found.

MR. ROBERTS: Mr. Speaker, a word or two in support of the petition. As the petition mentions, in 1973 an act was enacted by the Legislature to require that an employer laying off a number of men as large as the number involved at Come By Chance, more than 500, would have to give those employees sixteen weeks notice. The act has never been proclaimed. It was subject to proclamation and as of the most recent knowledge which I have, which was yesterday - the Cabinet may conceivably have acted this morning on it or last evening - but the Cabinet have not proclaimed this act. It is not yet in force. If it had been in force it would certainly have required that the men at Come By Chance, who have been given two weeks notice only, would have received sixteen weeks -

PREMIER MOORES: That is not true.

MR. ROBERTS: The Premier says it is not true. I am told that legal advice has been sought and taken to the effect that if the act had been in force it would have required that the employers at Come By Chance give their men sixteen weeks notice. That may not be -

PREMIER MOORES: The Bankruptcy Act supercedes it.

MR. ROBERTS: I am sorry?

PREMIER MOORES: The Bankruptcy Act supercedes it.

MR. ROBERTS: The hon. gentleman says the Bankruptcy Act supercedes. I do not wish to enter into a legal debate at this point, I would simply say that my understanding is that legal advice has been sought and that that is the opinion which these men have been given. It may or may not be the correct opinion. Equally, the opinion expressed by the Premier may or may not be the correct opinion. The alternatives in the petition, in any event, are that if the act is not effective - and I would raise the question whether it could be effective if proclaimed today, given the fact the notice has already been given these men - that special legislation be enacted by this house to enter into it. I think we could have an interesting legal argument whether the Bankruptcy Act has paramouncy over the property and civil rights

MR. ROBERTS:

provisions. It would be a very interesting point in constitutional law indeed.

The fact remains, Mr. Speaker, that these men have seen their jobs wiped out with two weeks notice. Some of them may be hired back by the receiver in connection with the winding up, the winding down of the refinery but the majority of them have been given two weeks notice and that is all they will get. They are not receiving the benefits of the public policy which was expressed by this Legislature in the legislation, and they have, I believe they have - this was the request they made of the Premier when they met with him, a group of men from Come By Chance, Thursday or Friday of last week - they have not to my knowledge received any reply as of now. They have now asked that this petition be brought before the house, Sir, and that it be given the very urgent and very serious consideration it merits. It is urgent, Mr. Speaker. These men will be laid off on Friday afternoon, forty-eight hours from now. I present the petition, Mr. Speaker, and I do so with the strongest of support. I think these men have a just cause. I think they have a cause to claim the protection of the public policy which has been proclaimed as the policy of this land in the act passed by this House three years ago. That act has not been proclaimed. The sorrow and the shame of it is that the fact that that act has not been proclaimed apparently will cost these men the notice period or the fourteen weeks severance pay which otherwise they would have received. That being so, Sir, I ask the government to do what they can and I say that we on this side of the house, Mr. Speaker, are ready to do what we can in the legislative sense to ensure that these men, Mr. Speaker, get the just treatment they deserve.

MR. SPEAKER: The hon. the Minister of Mines and Energy.

MR. CROSBIE: Mr. Speaker, we did hear yesterday that certain members of the Opposition had gone down to the Come By Chance area and, of course, the petition that is presented here today is the result of that fishing expedition.

MR. CROSBIE: The position is that the Termination of Employment Act the hon. gentleman refers to has been passed by this house but never proclaimed. If the Act were proclaimed it would provide that where on an occasion when over 500 employees were terminated by the shutting down of an industry there should be sixteen weeks termination pay, and in the event, I think it is, that over four hundred were laid off there would be twelve weeks provided for and so on. Now, Mr. Speaker, this is not the case, of course, where an industry is terminating on any voluntary basis. This is a case, unfortunately, where an enterprise or an industry is being terminated through action taken by creditors of the company through the Bankruptcy legislation on the grounds that the company involved is insolvent. It is not a voluntary termination by the company of any of their employees and therefore, even if this legislation were in effect, if it had been proclaimed, Mr. Speaker, it would not apply to this situation which is governed by the Bankruptcy legislation of the Parliament of Canada which provides what amount of wages and what circumstance are a preferred claim in a bankruptcy.

MR. CROSBIE: Actually a notice of termination of employment was given by Provincial Refining Company Limited for the employees concerned, not by the interim receiver. But the interim receiver is going to re-employ some 200 after that notice is effective to work in the temporary, we hope, closing down of the oil refinery. The others are receiving two weeks notice and their vacation pay. If they are entitled to any more than that they will certainly receive it from the interim receiver. The government of this Province has no power over the interim receiver to order him to pay more than he is legally obligated to pay. The interim receiver is acting on behalf of all the creditors of the company and he has his responsibility to them and to the laws of the land. He has his responsibility under the first mortgage, as receiver under that the first mortgagee; under the debenture on the inventory to the holder of the debenture on the inventory, Ataka; and under the second mortgage to the Government of Newfoundland. He, the receiver, will have to do whatever the law requires him to do or whatever other arrangement he finds fair and equitable to enter into in the situation which would have to be approved by the creditors generally. The bankruptcy order is made.

Mr. Speaker, the Government of Newfoundland can hardly intervene in this situation and dictate that this insolvent corporation, if it is insolvent, should pay sixteen weeks wages to its employees, or twelve weeks or whatever. We have no jurisdiction over bankruptcy whatsoever. That is clearly, under the B.N.A. Act, in the province of the Parliament of Canada. The only thing that this government could do would be to act entirely apart from legislation and agree on a payment that should be made entirely apart from the law altogether or the rights of the employer—employees completely apart altogether from their rights under the law or otherwise. This government cannot do that. This bankruptcy, if it is a bankruptcy, differs only from other bankruptcies by the number of people involved. There is absolutely no difference in principle. I do not know the exact number of bankruptcies in Newfoundland or Canada during the past year but certainly there have been a number of others that have also involved workers in those particular

MR. CROSBIE:

enterprises. It may affect in some of them only ten or twenty. In others it may be fifty or sixty. The only difference in this case, from that point of view, is the number involved which is some 484. If the government were to intervene here and say that the Province of Newfoundland will pay sixteen weeks wages to these men, or twelve weeks wages, could there be any reason in right or justice why we would not have to say in every bankruptcy, in every case of bankruptcy in the Province that the Province would also pay sixteen weeks or twelve weeks pay to the people involved. That is obviously a completely untenable position.

MR. SMALLWOOD: Might that not depend on who had really cause the insolvency?

MR. CROSBIE: The insolvency of this corporation, Mr. Speaker, whatever the causes are, it is the responsibility of the management and the owners of P.R.C. and N.R.C. Therefore, Mr. Speaker, the government cannot accede to the request contained in this petition. We assure that the employees involved will be treated as fairly as possible by the receiver. But the government cannot agree that the government should provide sixteen weeks wages in this situation, nor can the government pass legislation to enforce it on the receiver. That is a matter entirely within the constitutional jurisdiction and responsibility of the Government of Canada.

MR. SPEAKER: The hon. member for LaPoile.

MR. S. NEARY: Mr. Speaker, I rise to support the prayer of the petition presented by the Leader of the Opposition. It would be very unfair indeed, Sir, for any hon. member in this hon. House to imply that the delegation that went to Come By Chance yesterday afternoon went down to solicit this petition. I do not think that is so, Sir. I think we are all members of this hon. House, very concerned about the workers at Come By Chance who are going to be laid off on Friday. I know I have had a number of phone calls, visitations from employees in the refinery. I have had a number of letters. I had a visit from the President of the union down there, and a delegation pointing out to me, Sir, the serious repercussions

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MR. NEARY:

that these layoffs are going to have on workers, especially those who relocated in the area and built new homes and committed themselves to mortgages for twenty, twenty-five years, and who have bought

MR. NEARY: new cars and paying installments on their cars, and on their furniture and so forth. It is really heartbreaking, Sir, to hear some of the tragic stories that are being told about the workers in the Come By Chance oil refinery who will now find themselves in a most difficult financial position. And I believe, Sir, that the government of this Province, having more than just a passing interest in the oil refinery - we have the second mortgage on that refinery to the tune of \$42 million - so therefore it is not like an ordinary bankruptcy and it would not be fair, Sir, to involve the workers in a long legal wrangle in the court. I think this House, Sir, has the power. We cannot do anything about The Termination of Employment Act, but as the Leader of the Opposition said, Sir, this House has the power to pay the employees of the Come By Chance oil refinery sixteen weeks pay, or six months pay for that matter and hold it in abeyance until such time as the oil refinery goes back in operation or is sold and then the money can be recovered for the general revenue of the Province.

So I think, Sir, it is an excellent suggestion and I would certainly vote in favour of any special piece of legislation brought into this hon. House to give the workers of the Come By Chance oil refinery who are going to be terminated on Friday, to give them at least six months pay in lieu of notice.

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

MR. SIMMONS: Mr. Speaker, I rise to support the petition presented by my colleague the Leader of the Opposition. In reference to what the Minister of Mines has said, I was one of the persons in the area yesterday. I do not think it is fair to say we solicited. We advised on this particular matter because the men are very frustrated as to how they can have this matter properly aired at this particular point in time while there is still time. So I make no apologies to the House or to the public for saying that I certainly advised them to take this course of action, but first to consult their lawyer.

MR. SIMMONS: I understand they have as their lawyer a very eminent legal head, a gentleman who served in this administration, the government administration, and I do not know whether they consulted the lawyer or what the advice was but I can only presume they did. But let it be known that the men once again have affixed their signatures, not out of a force but out of a real concern for their own welfare and the welfare of their families.

Now, Mr. Speaker, in supporting the petition let me say that it is a moot point indeed which the minister raises insofar as the matter of bankruptcy is concerned. As of today the PRC is not bankrupt. That has yet to be determined. That company has not been adjudged bankrupt at this particular point. What has happened, Mr. Speaker, insofar as the implication of this petition is concerned, is that the receivers have taken certain initiatives including the termination of employment of 500 or so employees. That is all that has happened which bears on the petition, that a number of men, 500 or so of them, have received notice of termination. The operation has not been adjudged bankrupt at this point in time.

Mr. Speaker, the legislation is on the books though not proclaimed. The legislation is there from 1973 and for a very good reason, Mr. Speaker, because the present Minister of Mines and Energy, when he was in opposition, saw the need. He saw the need, Mr. Speaker, in particular as a result of a development at Cull Bridge mines in the Green Bay area when eighty-five men were laid off in somewhat similar circumstances. And he at that time indicated to the public that he would take initiatives to have such legislation brought in. I am glad he did, Mr. Speaker. I am very glad he did. And I commend him for it, whatever part he had in it.

What disturbs me today and disturbs every man and woman at Come By Chance involved in this termination of employment is that the final step was not taken insofar as this legislation was concerned,

MR. SIMMONS: and while we have a piece of paper called The Termination of Employment Act, 1973, the fact of the matter is it still requires an Order-in-Council, a Proclamation to give it legal effect. And one can only ask, and in proper time we shall, one can only ask why, for what reason that legislation was never proclaimed particularly in view of the stated concern of the Minister of Mines and Energy on the matter in relation to a group of eighty-five men. How much greater ought to be his concern now, Mr. Speaker, on behalf of more than 500 men and women who suddenly, with only two weeks notice, have, what they thought to be secure and permanent employment, cut off short with just a couple of weeks notice?

Mr. Simmons.

I see in the prayer of the petition a solution, a partial solution to another concern that has been expressed by the Premier and by many of us in addressing ourselves to the unfortunate turn of events at Come By Chance. We have all expressed concern about the possible dispersal of the skilled work force at Come By Chance. The prayer of this petition, if answered, if the legislation were proclaimed or a special act brought in, special legislation introduced and passed, that set of events, Mr. Speaker, would at least, in the interim, slow down the dispersal already taking place, the dispersal of a very highly skilled work force second to none in the Province, Mr. Speaker, and comparable to most across this nation.

Mr. Speaker, I am disappointed to hear the Minister of Mines indicate that the government does not empathize with this particular problem. Mr. Speaker, are they completely without heart? Do they not understand the problem at all? Are they cold, unrelenting, or will they not once again, Mr. Speaker, hear the prayer of this particular petition, a petition which simply asks, Mr. Speaker, that the men and women of Come By Chance be given the kind of justice they deserve. The Minister of Mines himself three full years ago, five full years ago, in reference to Gull Bridge mines, admitted it was only fair in those circumstances where people were given termination of employment with only a couple of weeks notice. Mr. Speaker, the solution is fairly simple. The solution is to proclaim this act, if indeed it can have affect now in view of the fact that the notices have gone out. And if not, as my colleague, the Leader of the Opposition has said, and as my friend from LaPoile (Mr. Neary) has indicated, the solution then is to introduce special legislation. And I for one will agree to consent to have the matter debated, all three readings in the same sitting if that is what is required, to get it through in time. I know I speak for my colleagues in the official

Mr. Simmons.

Opposition when I say that we are most anxious to ensure that the men and women of Come By Chance are not put through any additional hardships as a result of the severe blow that has been struck to them in the last week or so. They are already facing some pretty severe problems as a result of mortgage commitments, etc., a matter I will not pursue further. But, Mr. Speaker, why in addition to that, if we have it in our hands as legislators to do something about their present problem insofar as termination of employment is concerned, why in the name of goodness does the Minister of Mines and the Government House Leader and the Premier insist on sitting there and doing nothing. It boggles me, it is beyond me, and I appeal to them once again, Mr. Speaker, to accept the prayer of this petition, bring in the legislation, proclaim what is, or else bring in a special act, and we shall give it our hearty endorsement.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Minister without Portfolio.

MR. WELLS: Mr. Speaker, with respect to the petition I want to clear up one or two things. This whole business of Come By Chance is a serious matter, and yet we are given the spectacle in this House of the Opposition standing up and trying to make it appear that the government has no concern -

MR. ROBERTS: Point of order, Mr. Speaker.

MR. SPEAKER: A point of order has been raised.

MR. ROBERTS: The hon. gentleman from Kilbride (Mr. Wells), who should know better is obviously and - in fact, not is about to, has attempted to question the motives of gentlemen opposite from him. Sir, he is not entitled to do that by the rules of this House, by the courtesy of debate, or by the dignity and decency of a gentleman.

Mr. Roberts.

Sir, let him state his points without getting on the tack he is on, Sir. He has no right to question the motives of any member of this House, Sir.

PREMIER MOORES: Why did you not interrupt Roger?

MR. SPEAKER: The hon. Minister without Portfolio.

MR. WELLS: To that point of order, Mr. Speaker. There was no questioning of motives. It was just a statement of what the member over there or the members are trying to do.

AN HON. MEMBER: Hear, hear!

MR. WELLS: Their motives can be left to somebody else to judge.

SOME HON. MEMBERS: Oh, oh!

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

A point of order has been brought up. In my opinion there is a difference of opinion between two hon. members. I am not aware that there was any impugning of motives. I regard the matter as a difference of opinion.

The hon. Minister without Portfolio.

MR. WELLS: The position is, Mr. Speaker, that the government is absolutely concerned about the whole situation in Come By Chance as the government has shown throughout this by its actions and its approach toward the people who were involved. Now, Mr. Speaker, we remember that the other afternoon men from Come By Chance came. They met with members of the Cabinet and with the Premier, and the Premier and two or three members of the Cabinet absented themselves from the House in the afternoon so that they could go through the whole matter. And the government at that time said to these employees at Come By Chance that they would make available legal advice which was done. And as one of the members said, Mr. Leo Barry was chosen by them as their solicitor, and he has given them advice.

MR. ROBERTS: What advice did he give them?

MR. WELLS: Well, you will have to ask them, surely, what advice he gave them.

MR. ROBERTS: Will the hon. gentleman allow us to disclose the letter Mr. Leo Barry wrote?

MR. WELLS: It is nothing to do with the hon. gentleman if whoever makes public the advice. But the point is, Mr. Speaker, The Termination of Employment Act, and whether it is proclaimed or not, has nothing to do with this situation. And that is why it seems so odd that one uses words to explain things in this House of Assembly, but the people who are pushing another point of view go on as if the words were not said or the position was not clear. If that act had been proclaimed a month ago, whether it had been proclaimed today or tomorrow would make no difference because this is a bankruptcy, not the phasing out and closing down of an industry such as the steel mill out at Octagon, the steel plant. Two different things. And the laws of bankruptcy in Canada are clear, and the trustee has his - or the receiver has his obligation under the law to the people for whom he is acting as receiver, and if a bankruptcy is declared he has the obligation to the court itself that creates that role.

So the point is that to talk about proclamation of that act is sheer, utter nonsense, Mr. Speaker, because it gives the people who are concerned and caught in this serious situation the feeling that a simple proclamation of an act would clear everything up, and the government, because it is either too stupid or too cold or too hard-hearted or too senseless will not do it. Now I want to put the end to that piece of nonsense right here and now, Mr. Speaker.

The point is -

AN HON. MEMBER: Hear, hear!

MR. WELLS: - that the law is very clear on this question, and the law unfortunately provides in all of its ramifications that this severance pay cannot be paid because this is a bankruptcy. And I suspect the trustee, and we will use every influence we can as a

Mr. Wells:

government with the trustee to urge him to pay the money to the persons who are put off work, but we know nonetheless that it is highly unlikely that he can do it because he is bound by the law and he is bound also by the interest of the creditors whom he is caused to represent. And I do not know how people like Ataka who were down close to \$300 million, or the local Newfoundland companies who are down anywhere from a few hundred dollars to several hundred thousand dollars or \$1 million would feel about it. I would hope that they would have sympathy for the people who are working there. But, you know, we have no guarantee, nor do we have any control over what would be done there.

So let us expose what has been suggested for what it is, Mr. Speaker. What the hon. members on the other side are saying is that we as a House of Assembly should take something between \$600,000, as a low, and possibly \$1.5 million as a high, of money of the taxpayers of this Province and hand it over to another group of citizens of this Province. Now that would be an astonishing thing, much as I sympathize, much as we sympathize with the people at Come By Chance and will do everything that is legitimate and proper to assist, and that means setting up a task force, and everything else that we can do. It means that we as a government will find out everything we can on a moratorium on payments of various kinds which people have to meet. But to simply take money and give it to another group of people would obligate the government in every situation whether it was a bankruptcy or an insolvency to go and say, we are now going to take the taxpayers money and we are going to give it to this person for six weeks or twelve weeks or eight weeks or six months as the hon. member -

MR. NEARY: And charge it back to the refinery.

MR. WELLS: And charge it back to the refinery, charge it back to an insolvent institution -

MR. NEARY: When it gets going again.

MR. WELLS: - so when a buyer comes along and he is going to buy it and take it over, you say, hold on now, you have got another million that the Government of Newfoundland paid to somebody and you add that to it.

MR. NEARY: Why not?

MR. WELLS: Well why not?

MR. NEARY: Why not?

MR. WELLS: Why not? Well I mean this -

MR. NEARY: Maybe you intend to have a fire sale, I do not know.

MR. WELLS: No we intend -

MR. ROBERTS: Is this not getting a little beyond the realm of -

MR. WELLS: Maybe so. Maybe so. But the hon. gentleman brought it up, Mr. Speaker, and it is irresponsible, I suggest -

SOME HON. MEMBER: Hear, hear!

PREMIER MOORES: That is the word. Totally irresponsible.

MR. WELLS: Also what the hon. member - and nobody has suggested and with all of our sympathy for the people of Come By Chance,

SOME HON. MEMBERS: Hear, hear!

MR. WELLS: - the point is that the people of Come By Chance who were put off here, and I am not suggesting this is the be-all and end-all but they are going to receive unemployment insurance.

AN HON. MEMBER: Let us pay them.

PREMIER MOORES: Politically prostitution, in other words.

MR. WELLS:

I think it would be a shocking thing to ask people to hang around or to stay there for six months in the hope that the refinery can be got open in six months. This is what has been suggested. I think it is a cruelty to these people to suggest that they hang around as somebody did for six months -

PREMIER MOORES: Until the facts are known, eh!

MR. WELLS: - when we know - the facts are not clear - but we know or apparently there is work to be done even on that refinery to put it right which will take longer than six months

MR. NEARY: Your leader says it could be open in six months minimum, or a year and a half.

MR. WELLS: It is not a question of parts left out it is a question of the truth. The truth, Mr. Speaker, the truth now does not seem to have any point in this legislature.

MR. COSBIE: You have got to twist things. Sleeveless, slithering down!

MR. WELLS: So I think this will be debated tomorrow afternoon in the late show but I think the record ought to be made straight and clear.

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

MR. FLIGHT: Mr. Speaker, I rise in support of the prayer of the petition and I would like to admit, I would say now that I was one of the members of the Opposition that went to Come By Chance, and I can assure the Minister of Energy I did not go on a fishing expedition. I went because I accept some of the responsibility that has been given to me in this caucus, on a familiarization trip.

SOME HON. MEMBER: Oh, oh!

MR. ROBERTS: He cared enough to go unlike the minister.

MR. FLIGHT: Now, Mr. Speaker, Mr. Speaker -

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

MR. FLIGHT: Mr. Speaker, it appears to me that suddenly there has been a wealth of knowledge made available to the government because -

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

MR. SPEAKER: A point of order has been raised.

MR. SIMMONS: Mr. Speaker, the Minister of Industrial Development has not been long in the House and he probably does not know the rules. I wonder would you indicate to him that when my colleague or some other member in the House is speaking, the rules say that he should keep quiet and let my colleague have his say.

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

MR. LUNDRIGAN: If the hon. Leader of the Opposition were to make the statement that he just made out loud across the House he would understand the reason for the provocation.

MR. ROBERTS: I will repeat, the statement was in order, Mr. Speaker.

MR. SPEAKER: Order, please! Order, please! A point of order has been -

MR. ROBERTS: I will repeat it here or outside the House.

MR. SPEAKER: Order, please!

A point of order has been raised. The hon. gentleman for Burgeo-Bay D'Espoir (Mr. Simmons) has correctly stated the rules.

MR. ROBERTS: Hear, hear!

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

MR. FLIGHT: Mr. Speaker, I asked a question a few days ago with regards to entitlement to severance pay. I asked if indeed there was entitlement. I did not ask the government of Newfoundland to pay severance pay to the workers in Come By Chance. I asked the Premier that if the workers in Come By Chance were indeed judged to be entitled to severance pay would that severance pay take precedence over any liens secured or unsecured. There was no answer forthcoming on that question, Mr. Speaker. I can only now assume that either the government was not aware of whether it should or should not have, but obviously now they are aware of it, obviously now, that severance pay would not take precedence over liens and the implication has been made that we are asking that the government of Newfoundland would pay the severance pay. When we talk about who is accusing whom, nothing could

Mr. FLICHT:

be further from the truth.

My question was would the severance pay take precedence and the government at the time was not aware and now obviously they are aware. Mr. Speaker, as a new member in this House I do not want to pursue The Termination of Employment Act but I have to say I am appalled - why would a bill pass through this House in 1973 and not be proclaimed? I can suggest to the hon. House Leader that had that bill been proclaimed the fuss that we are having here today would not have had taken place because the bill would have been there and the people in Come By Chance and this House would have went under the bill and whatever would have been decided would have been decided in light of what the bill said.

But what has happened in Come By Chance - and I was down there any I have been told and I know that some people in Come By Chance, a lot of the workers feel - and somebody is going to have to go out there and tell them the difference or have them told through this House - that they feel that if that bill were to be proclaimed today that they indeed would be entitled to sixteen weeks termination, and certainly they are asking why it was not proclaimed and I am asking.

Mr. Speaker, another grave fear down there, and a fear that I share, is that we are going, the Province is going on the assumption that the final solution for the Come By Chance will be the disposal of the assets, the sale of the refinery to another company, who will operate that refinery and guarantee that Newfoundland will indeed have a refinery and a viable industry in Come By Chance. Now the fear is this, Sir, that it is not as easy to sell an oil refinery - if you have the expertise, if you have the crew dispersed all over the world. I talked to people in Come By Chance yesterday who were in representing people from all over the world, at least from all over Canada and they

MR. FLIGHT:

have indicated to me that they can absorb the whole, every man in Come By Chance in the next six to eight months. They are, and I will admit to this House, that they are finding out - their only problem is that they are finding reluctance on the half of the men who work in Come By Chance to leave and go to Calgary or to Sarnia or to somewhere else. But I sincerely ask this government if it is your hope to interest another operator, another large oil company - Imperial, Gulf, Irving or anybody else - to come in and operate that refinery? Do you indeed believe that you will be able to convince them so easily that they will come so quickly if they have to build a complete, new work force? I think it is the obligation of this government to do what they can to see that as much of that work force can be retained in the Come By Chance area as possible.

Another point here, Mr. Speaker, we are not talking about 500 people laid off. We are talking about 2,000 people directly involved. 500 are going to lose their jobs. Let me bring back a word that has been thrown around this Chamber an awful lot, the multiplier effect. Two thousand people will be affected in that area, Mr. Speaker, indirectly or directly. If you want to talk about families, it is closer to about 18,000, if you talk about men, women and children.

Mr. Speaker, this is going to sound again - I will probably be called by the hon. House Leader as being petty or being political - but indeed it is a fact that during the summer of 1975 members of this government made an announcement that led people of Come By Chance to believe that their future, the economy of Come By Chance, the future of the refinery was secure. Based on that information they went out and mortgaged, spent their lives' savings into homes.

MR. ROBERTS: Even in October the Premier was saying that.

MR. FLIGHT: They may not have done that had they not been probably acting under the - you know, who is one to believe anymore than the Premier of the Province or the government? When the government says something is good then automatically something must be good. So I say,

MR. FLIGHT:

well, this is a good place for me to live. The refinery is secure. There is going to be expansion. There is hope now for the petrochemical complex. Why not build a \$40,000 home in Chance Cove? And my last comment -

MR. SPEAKER: Order, please! I must point out to the hon. gentleman that his five minutes has expired. Does the hon. gentleman have leave of the House to continue. The hon. gentleman.

MR. FLIGHT: Do I have leave?

MR. SPEAKER: Yes.

MR. FLIGHT: Mr. Speaker, the one other thing that came through and has been coming through to me more and more is that if the Government of Newfoundland- and it is not my desire to be petty in this House and I will not in the next three or four years be petty for petty sake, it is the last thing I want to do to cast aspersions on any individual member of the government. I have great respect for most of the ministers - but it seems to me, Sir, that if the Government of Newfoundland were doing their job in protecting the \$41 million investment that we had in Come By Chance that that bankruptcy may have been declared a lot quicker than it was declared. It seems unbelievable to me, Sir, that the Come By Chance, the oil refinery at Come By Chance could have allowed to go into the debt that it did go into when Ataka was owed \$100 million. Why was it allowed to go to \$300 million? Was not the government aware? Could they not have pulled the plug? Could they not have saved a lot of people, a lot of anxiety by having this thing we are going through now, having gone through it a year from now?

MR. SPEAKER: Order, please! I think -

MR. FLIGHT: I heartily support the prayer of the petition.

MR. SPEAKER: Order, please! I realize in speaking on this subject there are many ramifications. But on the very last point or sentence or two the hon. gentleman was on, I think he was indeed broaching a matter which is sub-judice and which must be avoided.

The hon. member for Twillingate.

MR. SMALLWOOD: Mr. Speaker, I take it that what the Minister of Mines and Energy said is the simple truth,

MR. SMALLWOOD: that even if this bill, this Act that was passed three years ago were now to be proclaimed, or had been proclaimed in the last week or month or a year, it would not apply to this case in Come By Chance. I take that to be fact.

MR. CROSBIE: It is.

MR. SMALLWOOD: Now he did not speak as Attorney General, he did not speak as the Chief Law Officer of the Crown, but he is a lawyer and and he is Minister of Mines and Energy and this matter of Come By Chance has been his particular baby, I am afraid. So I take it that he knows what he is talking about, that the Act, if it had been proclaimed, would not apply anyhow. Now whether it ought to have been proclaimed in another matter, it really has nothing to do with Come By Chance, if the minister is correct that it would not apply to Come By Chance.

Now what you are left with then are several possibilities. One is, as the Leader of the Opposition suggested, bring in new legislation. The member for Burgeo - Bay d'Espoir says, put it through all its stages; we will all help and collaborate in that and do it in one day. Bills have been introduced and become law in one day. That is another suggestion.

I want to suggest to the House, Mr. Speaker, that there are two really serious matters; One is the loss to Newfoundland of highly skilled men who will go off to the Mainland of Canada; and the other is the homes, the new homes and mortgage situation which is tragic. It is tragic beyond words. The market for those homes simply vanishes. Nobody will buy them because the people who would have bought them are the men working in the refinery and they will be gone. So there will be really no customers for those fine homes that are now mortgaged up to the hilt.

Now let me say one other thing, the liquidator, the - what are they called?

MR. SIMMONS: The receiver.

MR. SMALLWOOD: The receiver said the other day that there were two serious

MR. SMALLWOOD: approaches to them for the purchase of the refinery.

I happen to know the names. I have known for three weeks the name of one eminently big and eminently respectable and eminently important oil outfit who have shown energetic interest in buying the refinery. I have known about this intimately for several weeks.

What occurs to me is the thought that the government, in some way or other, would gamble that in six months - now the Premier said, I heard him say on TV, that this might be - he was asked how long will it take perhaps before the refinery is bought by others - he said, "Oh, three months to three years." Then he added, "Well," he said, "I do not think it will be three months nor do I think it will be three years." Well could you narrow it? And his answer was, "Yes. Say a year to a year and a half." I suggest that it would be a lot shorter than that, much shorter than a year. If the government were prepared to gamble that within six months it will be bought, the refinery, by a big outfit, a going concern that are able to make it go, that they gamble on that.

The average pay in the Refinery is about \$14,000. I have a list of all the rates of pay and it averages at \$14,000. That \$14,000 for six months would be \$7,000 and \$7,000 for 400 men - not the 500 now, but say 100 or 150 would be kept on for so many months anyhow, sort of on a more or less a caretaker or a little more than a caretaker basis - so you are talking, at the

MR. SMALLWOOD:

maximum, of 400 men, 400 men at \$7,000 for six months is \$2.8 million, a little under \$3 million. I only ask them to consider it. It is a big gamble to take. But it will keep that magnificent team of Newfoundlanders here in Newfoundland, ready to begin operating the refinery when someone buys it. The first thing that someone is going to need is a staff. You do not want to have train a new crowd all over again. It would take a year to do it. Maybe it is worth gambling. Keep that team of 500 Newfoundlanders here in Newfoundland, under pay, or if you like, under half pay which would be \$1,400,000 instead of \$2.8 million, for six months a gamble. Would the Premier and his colleagues think about that.

MR. SPEAKER: The hon. the Premier.

PREMIER MOORES: Mr. Speaker, I had not intended to speak in support of this petition today. But after the mini debate that has been established I think it is only fair that I do so. I think with all due respect, Sir, and I am not pointing fingers as such, I think there has been a political opportunism attitude taken in this particular problem at this time which is not healthy for this Province.

MR. R. SIMMONS: Mr. Speaker, on a point of order.

MR. SPEAKER: Order, please! A point of order has been raised.

MR. CROSBIE: Sit down! Sit down!

MR. SIMMONS: Mr. Speaker, the Premier has mentioned the term 'political opportunism' and if it is a reference to any actions of me or my colleagues in the official Opposition I reject it and I suggest, Mr. Speaker, -

MR. CROSBIE: On the point of order.

AN HON. MEMBER: Order! Order!

MR. NEARY: Are you making the rules? Sit down!

MR. SIMMONS: I would suggest, Mr. Speaker, that he is imputing motives and that is against the rules of this House.

MR. SPEAKER: Order, please! I do not see that there has been any breach of order. There may well be a difference of opinion. Certainly no members

MR. SPEAKER:

motives have been impugned is my understanding of it.

The hon. the Premier.

PREMIER MOORES: Thank you very much, Mr. Speaker. It was not directed at the hon. gentleman from Burgeo-Bay d'Espoir, Mr. Speaker. What would be directed at that hon. gentleman is much more serious than what I am talking about on an individual basis right now. The fact is, Sir, regarding the remarks of the member from Windsor-Buchans (Mr. Flight) the business of why was not the proclamation of the legislation that was passed regarding pay which could affect the workers of Come By Chance, it is very simple in that labour and management both asked us to hold it up until they could possibly have input into amendments that would affect that particular legislation. So that is the reason, Mr. Speaker, that that was not done. The reference to why, and the application of this particular legislation if it was proclaimed, is not relevant for this very simple reason, Sir, that the interim receiver being appointed, if the court case reacts in bankruptcy the fact is it is retroactive to when that receiver was appointed. So in fact that particular legislation would have been no help, no help whatsoever in this particular case. It is a Bankruptcy Act and not just a termination of employment.

The situation, Sir, is that we as a government feel as strongly as any member of the Opposition, any member of the Opposition, the other side of the House, as far as the men and women who are employed on that job are concerned. The fact is, Sir, that a receiver is in position right now. We will do all in our power, and with that limitation in this particular context, to try to make sure that the receiver retains the good will and does whatever can be done for the welfare of those employees who are going to be laid off. I think, Sir, it is fair to say that by appointing the lawyer, by assisting hopefully the receiver, by helping him in any way we can, I think, Sir, that is a statement of good faith.

The other thing is, I think it has been pointed out, and I think it is probably one of the most major obligations that the employees have at the oil refinery, is the tremendous personal debt they have gotten into in a very quick period of time. We had a situation at the oil refinery where

PREMIER MOORES:

people left jobs in this Province which were not well paying, I suppose, by present day standards, \$400 or \$500 a month, got work at the refinery and all of a sudden found themselves in, after training, in \$1,400, \$1,500 per month. The fact is, Sir, with that sort of income and, let us face it, if you got a job in the refinery in those days it meant that your income was pretty well secured, everybody thought in the public eye. These people went and acquired huge mortgages, payments on accessories that one has around the House, and have run up great debts.

One of the obligations I feel, Sir, we as a government have is together with the task force to identify exactly what these obligations are because

Premier Moores:

these are the obligations. It is not just income. It is what they owe is important. This is an area we can possibly help and where if we can, we will. But this is a subject of getting the information, meeting with the unions, talking to the men, and seeing what can be worked out to their mutual advantage. The thing is, Sir, I can reiterate that we do not want to see the men of skills leave that area, but we cannot promise at the same time that the refinery will be operational in three months, six months or nine months. We cannot do that because we do not know. And to tell these people that we do know when we do not is something that maybe a few of the members of the Official Opposition may think, Sir, but that is not the practice of this government of promising something when it is not a fact.

SOME HON. MEMBERS: Hear, hear!

PREMIER MOORES: The fact is, Sir, that we are concerned about the men who are losing their jobs in this area. We are concerned about the industry.

MR. SIMMONS: Show it!

PREMIER MOORES: We are concerned about the investment.

MR. SIMMONS: Show it!

PREMIER MOORES: We are concerned about a great many people who have been involved in this thing.

MR. SIMMONS: Show it!

PREMIER MOORES: And it is not something that we are going to take political advantage of by a member who sits there, Mr. Speaker, saying, "Show it! Show it!" Because, Mr. Speaker, he can shove it. Thank you, Sir.

SOME HON. MEMBERS: Hear, hear!

MR. SIMMONS: Mr. Speaker, on a matter of personal privilege.

PREMIER MOORES: Sure!

MR. SIMMONS: That remark was completely uncalled for, unparliamentary, unbecoming of our Premier, and a gentleman.

SOME HON. MEMBERS: Oh, oh!

MR. SIMMONS: Mr. Speaker, and I ask you to ask the Premier to withdraw it without qualification.

MR. SPEAKER: Order, please!

PREMIER MOORES: Mr. Speaker, on that point of personal privilege, if I could comment, I did not say what the member should shove or where.

MR. SIMMONS: Coward! Coward!

SOME HON. MEMBERS: Hear, hear!

MR. SIMMONS: Chicken! Coward!

AN HON. MEMBER: What a chicken!

MR. SIMMONS: What a chicken!

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please! The hon. gentleman from Burgeo-Bay d'Espoir has raised a point of privilege, it may well be interpreted as that. I would perhaps regard it as a point of order, whether the term was parliamentary. I would ask the hon. gentleman to withdraw it and then the matter would be disposed of.

PREMIER MOORES: Mr. Speaker, do you want me to ask him to unshove it or withdraw it?

MR. SIMMONS: Mr. Speaker, -

PREMIER MOORES: I will withdraw it, Sir. As it has been shoved, I will gladly withdraw, Sir.

SOME HON. MEMBERS: Hear, hear!

MR. SIMMONS: Mr. Speaker -

MR. SPEAKER: Order, please!

MR. SIMMONS: On a point of order, Mr. Speaker. I do not believe that is an unqualified withdrawal of the remark. I think it is very unbecoming, the whole performance of the Premier this afternoon. I ask you once again -

MR. SPEAKER: Order, please!

MR. SIMMONS: - that he has to withdraw it -

MR. CROSBIE: Sit down!

MR. SIMMONS: - without any qualification.

MR. CROSBIE: Sit down!

MR. SPEAKER: Order, please!

MR. CROSBIE: Act your age when we have students in the galleries.

PREMIER MOORES: Mr. Speaker, without qualification anything I have said to the hon. member or ever did to him I will gladly withdraw it.

AN HON. MEMBER: Hear, hear!

MR. CROSBIE: I would not pay any attention to him. Ignore it.

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

MR. NOLAN: Mr. Speaker, a number of members on the other side, the Premier included, have made reference to political motives and so on, but the fact is I would suggest, Mr. Speaker, in connection with this topic that we have under discussion now that many of the people who are in Come By Chance, who are the ones directly affected, who are faced with this situation right now look upon many people on both sides of this House at this time as very sceptically. They are wondering with some of our behaviour in here, or lack of it, as to whether or not we are really and genuinely concerned. We have a situation out there where we have, as the Premier indicated, a situation where men knowingly and women perhaps went and had huge mortgages on houses out there, and we also know from other speculative things that we have seen in this Province that if there is any undue delay, and if these men had to go away, whether it is for six months or a year or whatever, any simpleton knows that the time to buy is when the market is down, and if that is what is going to happen, is there anything really that we can do to protect these people and their investment and their life savings out there? Are we going to have someone who has a few more dollars in their pocket move out in a short time, buy up the houses and sell them back, or speculators? Because this is a matter of some real concern. This is not political opportunism. This is a question of serious concern to the people out there.

Now there is a matter that I would like to mention in connection with the possibility of the purchase hopefully soon of the refinery. The hon. member for Twillingate (Mr. Smallwood) said that he was privy to certain information that one, two, three or more firms were interested, and that he knew about it for some three weeks or more.

MR. SMALLWOOD: I knew of one.

MR. NOLAN: Pardon?

MR. SMALLWOOD: I knew of one.

MR. NOLAN: Knew of one. But my own knowledge of this Province, Mr. Speaker, for what it is worth, is that I know that this Island

Mr. Nolan:

and much of Labrador is a Province of brokers and agents. And
what I am looking for- and I do not care what stand any party takes
in this House if I find out about it, no matter who is involved -

Mr. Nolan.

that I feel that there are people over there on that side of the House, ministers and so on, who can probably negotiate, probably just as well, and to my satisfaction, perhaps an agreement when the time comes about, with Gulf Oil, with Imperial Oil, with Shell, or whoever, but what scares the hell out of me, Mr. Speaker, from what I know in this Province, is how many middlemen are going to be involved when it finally comes about? Who will be the front? I am not saying there is going to be. I am voicing a concern. I am voicing a concern for all members of this House and for the people of the Province generally who know that you can hardly buy or purchase anything in this Province without so many middlemen involved—and this was brought to the attention, for example, of the hon. minister in a reference that the member for LaPoile (Mr. Neary) made the other day when questioning what action, if any, was taken in the Prices Review Board study on food prices in this Province where eight of the recommendations asked for provincial action and not one of them were carried out, and I doubt if they will be—but that is an aside. All I am saying is - and it may not come about - that if there is going to be a purchaser of the refinery, and I hope there is, and if the hon. member for Filbride (Mr. Wells) is involved in it, I wish him well. We all do, and we all support him in his efforts.

MR. WELLS: Wish me well with what?

MR. NOLAN: In the purchase of the refinery.

MR. WELLS: I am not going to buy it!

MR. NOLAN: I am not saying you are going to buy it. I am saying you are a member of the government, and you have been lipping off about what we should do and should not do, and now maybe you will listen for a moment.

MR. SPEAKER: Order, please!

MR. WELLS: Mr. Speaker, is that parliamentary?

MR. NOLAN: I withdraw the remark, Mr. Speaker, without qualification, unlike some gentlemen I know.-

MR. ROBERTS: It is perfectly parliamentary.

MR. NOLAN: - even though it is parliamentary, you see. That is the kind of a crowd we are over here.

AN HON. MEMBER: Oh, oh!

MR. SMALLWOOD: What is unparliamentary is the use of the word, you and your.

MR. NOLAN: That is correct.

MR. WELLS: Is this parliamentary?

MR. NOLAN: Correct. I thank you very much.

MR. NOLAN: Which may surprise some students and some members of the House. I thank you very much.

MR. NEARY: You thank the hon. member very much.

MR. NOLAN: I thank the hon. member very much.

The point is, and I am sure the hon. member knows my point, that almost everything of any significance that has ever been done in this Province there are too many middlemen, and I will say it again. And if this refinery is going to be - I am really making a case that the minister is questioning, and that is go do the job that I hope you can, sell it to Gulf or whatever arrangement you can come about or whoever. But the fact is that I, and many others, will be watching to see who makes the deal. There is nothing wrong with the people in the government doing it. That is what they are there for. More power to them. But do not let us see someone here locally trying to cash in on a hunk of change on a sick situation that we have in this Province and that is what many people suspect. That is what we will be looking for. Thank you, Mr. Speaker.

MR. SPEAKER: The hon. Minister of Justice.

MR. HICKMAN: Mr. Speaker, may I just say a few words in support of this petition just to get it back so that the record is somewhat more

Mr. Hickman.

accurate. This House cannot presume under any circumstances as to what the courts will decide with respect to the matter that is presently before it on the application that a permanent trustee in bankruptcy be appointed under the Bankruptcy Act. There is an interim trustee already appointed two weeks ago by the courts under the Bankruptcy Act. But should the situation occur where a trustee in bankruptcy is appointed, or alternatively under the provisions of the two trustees where there is an interim receiver appointed, either by ECDG or by the partial beneficiaries - under - not partial beneficiaries - the beneficiaries under the debentures on the supplies out there, or the Government of Newfoundland, that any disposition of the assets will be within the exclusive responsibility of the trustee in bankruptcy and/or the interim receiver who must act, not only in accordance with the law, but in the best interests of all creditors, and most assuredly, in my opinion, at least, would have to seek the approval of the courts for any sale to satisfy the courts that it is - certainly if it is under the Bankruptcy Act - that it is prudent.

MR. HICKMAN: Mr. Speaker, I simply rise in supporting this petition so that no one in the press gallery can go away with the idea that the government of Newfoundland would be permitted to sell by itself this plant there, and anyone who is making that suggestion in my opinion is not levelling with the people who have such a vested interest, which are all the people of Newfoundland, in the plant in Come By Chance. These decision will be decisions that will have to be made by a prudent trustee in accordance with the laws of Canada and in accordance with directions from the court.

One other thing that I think bears repeating, and that was a statement by the hon. the Premier a few minutes ago, that he has asked, has instructed the officials in the appropriate department of government, and this was decided at the meeting with the task force who were very - for some strange reason the representatives of the union and the people out there appear to look at the situation not only with concern but more realistically than has been indicated in this House today by some of the statements that I have heard. They agree that we should first identify, number one, the people in the area who have mortgages, the extent of the mortgages, and secondly, we should ask, and we have instructed the people in the Department of Municipal Affairs and Housing insofar as they are involved, to indicate what action can be taken to alleviate some of the problems that have arisen. I simply ask hon. members of the House and suggest to this House that it is not in the best interests of the people who are directly involved in this regrettable situation, to be making wild statements when the facts may indicate somewhat different.

It is in this determination on the part of government and in the determination of this task force who are a very representative group, to work together and to meet frequently and to give full and frank disclosure of all the facts as we know them that may bring some relief to the people in the area.

MR. SPEAKER: The hon. member for LaPoile.

MR. NEAPY: I have another petition, Sir, to present. Mr. Speaker, I want to present three petitions actually, and I want to draw to the attention of the hon. members of the House that the matter referred to in the prayer of the petition is really a federal matter, but in keeping with past tradition in the House, Sir, we table the petitions and ask the minister responsible, in this case the Minister of Transportation and Communications, to forward the petition to the appropriate federal minister or the appropriate federal authority.

The prayer of the petition, Mr. Speaker, is that the Canadian Radio and Television Commission be asked to restrict television scenes involving social drinking. I will just read a part of the petition, Sir. "Whereas alcoholism is becoming an increased problem in our country, be it resolved that we write the Canadian Radio and Television Commission protesting the extensive showing of scenes on TV involving social drinking and serving of alcoholic beverages and further that each branch and individual of - this is the ACWA - individual write their member of parliament expressing this viewpoint. Below is a form that you may use, and so forth, and we, the people who sign these petitions, that we support the resolution of the Anglican Church Women's Association of Newfoundland to the Canadian Radio and Television Commission protesting the extensive showing of scenes on television involving social drinking and the serving of alcoholic beverages."

The petitions are signed by forty-seven residents of my district, Sir, in Port au Basques, Harbour Le Cou, and Rose Blanche. As I indicated they call upon the Canadian Radio and Television to take steps to eliminate the extensive showing of scenes on television involving social drinking and the serving of alcoholic beverages. Mr. Speaker, I call upon all members of the hon. House to support these three petitions and in so doing, Sir, I want to congratulate all the branches of the ACWA throughout Newfoundland and Labrador for taking the initiative in this matter in trying to do something

MR. NEAPY:

about alcoholism, Sir, which is becoming an ever increasing problem in our Province and in our country.

Mr. Speaker, before I lay these petitions upon the table of the House I might pass an observation

MR. NEARY: myself, Sir, that it seems to me from watching television that every time a detective solves a crime or a lawyer wins a case in court, or some soap opera lover who has had a lover's quarrel and the quarrel is resolved on the television, the occasion, Sir, is usually celebrated by serving cocktails which is all a part of the brainwashing process, Mr. Speaker, to try to brainwash us into accepting the new morality. It give me great pleasure, Mr. Speaker, to be able to present these petitions to the hon. House and I would ask that they be tabled and passed over to the Minister of Transportation and Communications so that he may in turn pass them on to whatever federal agency or minister is responsible for this matter.

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

MR. NOLAN: Mr. Speaker, I rise to support the petition of the hon. the member for LaPoile (Mr. Neary). Like he I have a similar petition and I wish I had known he was going to present his today. If I had known that I would have brought mine in also, which I will do shortly.

There is a feeling abroad among the people concerned who sent in the petition, and perhaps to some of the members opposite also, that there is an appearance at times that you really are not in the swing of things, that you really are not up-to-date, you really are not a member of the current modern generation, that you are a bit of a dullard, that you cannot have a good time unless you have a glass or a bottle of something in your hand. I suggest that there are members here in this House who have managed for years and years and years to, one, be very, very sociable, good, very good in their jobs, and perhaps have never taken a drink at all. And I do not think that we judge them or we should not, at least, anyone because of the fact that they have chosen to abstain. I say that is their business and more power to them. So I think I can speak for my colleagues on this side, at least this party, when I say that we support most heartily the efforts of the group concerned and we would hope that it will be forwarded on to the C.R.T.C. with the

MR. NOLAN: support, hopefully, of the members of this House.

Thank you, Mr. Speaker.

MR. ROBERTS: Hear, hear!

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

MR. ROUSSEAU: Mr. Speaker, in the absence of the minister and as Acting Minister of the Department of Communications we certainly undertake to forward this particular document to the C.T.C. And also, of course, any others that are tabled in like manner will be forwarded to the C.T.C.

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

MR. ROBERTS: Mr. Speaker, my colleague and friend from Conception Bay South (Mr. Nolan) has spoken for us as a party on this but perhaps I could say a word or two as a member because as with the gentleman from LaPoile (Mr. Neary) and my friend from Conception Bay South (Mr. Nolan), I have received a number of these petitions from members of the Anglican Church Womens' Associations in several communities in my district, particularly, interestingly enough, from the Labrador side of the Straits, from Forteau, L'Anse-a-Loup, West St. Modiste, Red Bay and Pinware and the communities on that side of the district.

Mr. Speaker, the problem really is infinitely deeper than one of portraying drinking and alcoholism. The hon. the member for LaPoile (Mr. Neary) and my friend from Conception Bay South have stated that to mention the problem, but the problem is far deeper and the problem really calls for action, not just by the Government of Canada through the Canadian Radio and Television Commission, it calls for action from the Government of this Province. Because even if we were to ban all television portrayals of social drinking, and even if we were to require the television programmes to carry detailed and accurate documentaries on the evils and the horrors of alcoholism and the trouble alcohol causes, that in itself, Sir, I do not think would meet all of the needs. There may be something in them as suggestions but that would not meet the need. The problem is really with the age in which we are living and the problem in a medical or a health sense - and I am sure my hon. friend the present Minister of Justice would agree with this - the problem is with the fact that we

Mr. Roberts:

as a society do not make nearly the effort we should to educate people in the evils of alcohol.

It is an old statement that has been made in the house many times but we spend what? - maybe \$50,000 or \$100,000 a year on alcohol education programmes in this Province and we take in ten or fifteen or twenty or thirty millions a year - from memory - from the sale of alcoholic beverages and we also spend many millions more in our health programmes - be they in the hospitals or be they in doctors offices or elsewhere, and through our social services programmes we spend many millions more dealing with or trying to alleviate or trying to cure the problems and the difficulties which are caused by the abuse of alcoholic beverages.

Mr. Speaker,

MR. ROBERTS:

I am all for sending these petitions to Ottawa. I had not presented mines here in the House but rather I have decided and, in fact, have been in touch with the appropriate authorities in the Government of Canada to let them know of my feelings and my support. The hon. gentleman from LaPoile (Mr. Neary) has presented them in the House and that is a good thing and gives an opportunity for a few comments to be made. But in sending them to Ottawa or in putting pressure on the Federal authorities who have that responsibility to deal with this problem of the portrayal of alcoholic beverages as a delight, in dealing with the television content regulations and the programming content regulations, let us at the same time realize that most of the remedy, I suggest, lies within our own hands and that we as a government or as a society take in \$20 millions or \$30 millions a year from the sale of alcohol. It is a state monopoly and it is well it is so. It is a very lucrative one. But on the other hand we make little effort to do anything to cure the ills which perhaps inevitably but in any event inescapably come from the fact that alcohol is widely available and that the consumption of alcohol, rightly or wrongly, is very much part of our way of life.

I would like to see the government put some more money into the alcohol education programmes either through the government or through the private agencies who were in this field. I think that would be a very meaningful step forward and one which would help to remove what is probably the greatest abuse, the greatest social abuse that our society faces today. We hear a lot of talk about drugs, a lot of talk in the newspapers and on the radio programmes, but the greatest drug we have and the drug abuse that we have today in this Province and in all other provinces as well is alcohol and alcoholism. I support the petition, Sir.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Minister of Justice.

HON A. HICKMAN: In rising to support this petition, and I assume, Sir, that you have been receiving these petitions that relate to the Government

MR. HICKMAN:

of Canada without prejudice to our rules, because obviously it would be in the best interests of this House if what has happened in the last few days with respect to petitions that should be directed to federal ministers and federal agencies were accepted as a matter of course. The prayer of this petition by the Anglican Ladies' Association is one that, in my opinion, should receive the full commendation and support of the House. I am concur with some of the comments made by other speakers, other hon. members, that simply banning the use or glorification of consuming alcohol on television will not bring an end to this problem.

I believe, Mr. Speaker, that we need more organizations in this Province similar to the organization of Anglican Ladies who have taken this stand.

SOME HON. MEMBERS: Hear, hear!

MR. HICKMAN: It is a great pity that they have disappeared. I am probably - I know I am the only member of this hon. House who in the past served as Recording Scribe of Grand Division No. 9 of the Sons of Temperance in Grand Bank for many years.

MR. NEARY: He is now a member of the -

MR. HICKMAN: But unfortunately, regrettably, unpardonably, the Sons of Temperance has totally disappeared from the Province of Newfoundland -

MR. ROBERTS: Gone forever.

MR. HICKMAN: - gone, finished, lost. It is still active in Halifax and in three or four other places in Nova Scotia. To my knowledge that is all we have left of an organization that had the courage of their convictions and who were prepared to stand up and be counted. Mr. Speaker, I am sure that all hon. members of this House would want to join with me in commending Mr. James A. McGrath, M.P., for his one man crusade that he is carrying on with limited success in the Parliament of Canada to have television shows of violence and drinking and crime restricted and put an end to some of this glorification.

MR. SMALLWOOD: Before the minister sits down I am very much interested in that organization of which he was a member. I think I too was a member

MR. SMALLWOOD:

of it at St. Thomas's, Canon Wood Hall in the East End of St. John's. Was there not one at Fortune? Is there not a lodge building there next to the swimming pool?

MR. HICKMAN: Over in St. Lawrence.

MR. SMALLWOOD: Was there not one over in St. Lawrence? Are they not still running? Is there only one left in the Province, the one at Grand Bank?

MR. HICKMAN: Mr. Speaker, if I may in response to that question from the hon. gentleman from Twillingate (Mr. Smallwood).

MR. CROSBIE: The two boozers should get together outside.

MR. HICKMAN: I am not aware that there was ever a building or indeed a lodge in Fortune. The building that the hon. gentleman refers to next to the swimming pool is in Grand Bank.

MR. SMALLWOOD: Grand Bank, right, right, Grand Bank.

MR. HICKMAN: I heard last week when I was in Grand Bank that the building may be coming down. I think this is most unfortunate. It is the oldest building in Grand Bank.

MR. SMALLWOOD: If the minister will join me, we will start a crusade to stop them from tearing it down.

MR. HICKMAN: Well, the hon. gentleman may have more influence there than I, because I understand it has been bought by the Orange Lodge.

MR. CROSBIE: It is called the Skakum building.

MR. SMALLWOOD: What are they going to do with it?

MR. HICKMAN: They, I think, are going to remove it for the purpose of providing additional parking because their building is right behind it.

MR. SMALLWOOD: Near the pool?

MR. HICKMAN: There was one in St. Lawrence, I am told, many years ago and there was one in Epworth. It was a strong, strong lodge in Epworth.

MR. SMALLWOOD: And Canon Wood Hall.

MR. HICKMAN: And there may have been an offshoot of one in St. John's, that I am not aware of. But in any event Nova Scotia is the only place where that great organization still exists and flourishes with limited success.

MR. LUNDRIGAN: Mr. Speaker, on a point of order. I am not sure if it is order or of observation or point of something or other. I would just like to make a few points if I could, Sir, and rule me on it if I am out of order. I recognize I am a new member in the House and consequently have to be guided by distinguished members that have been around for some time on rules and procedure, and I will be governed by that, and I will take your advice. I commend Your Honour for the presence in the House in the sense that you have maintained a level of decorum that certainly seems to me to manifest the level of order beyond what I have seen in previous years.

AN HON. MEMBER: Hear, hear!

MR. LUNDRIGAN: I want to make one observation, it is now almost quarter to five. Last Thursday when we came into the House it was quarter to six, I believe, before we got off of petitions. Now please I would like Your Honour and the House to not misinterpret my remarks as being objectionable to the presentation of petitions. But I believe judging by remarks which were made by the Leader of the Opposition some weeks ago of the urgency of opening the House, the need for debate, my friend from LaPolie (Mr. Neary) the need for the House to be opened, the House gives the Province the kind of -

MR. NEARY: On a point of order.

MR. LUNDRIGAN: The House gives -

MR. NEARY: On a point of order.

MR. SPEAKER: I am waiting to hear it.

MR. LUNDRIGAN: Your Honour, I have been used to on frequent occasions despite my inexperience of being able to stand up and make observations of this nature on a point of order with a recommendation at the end in the House of Commons in Ottawa, which I assume is relevant to our procedure here. My point, Your Honour, is this, -

AN HON. MEMBER:

MR. SPEAKER: Order, please!

MR. LUNDRIGAN: Sir, I wonder if there is any possibility even after the advice from the Premier that that member exercise a little bit of restraint, control and show some leadership and some manliness in his behaviour while some other -

MR. SPEAKER: Order, please!

MR. LUNDRIGAN: hon. member are speaking. I know that he is a distinguished member of long standing.

MR. SPEAKER: Order, please! The hon. gentleman should continue his remarks with respect to the point of order that he is developing .

MR. SMALLWOOD: The hon. minister is not a member of the band of hope , I can see that.

MR. LUNDRIGAN: Sir, I heard the distinguished gentleman who lead the various parties make comments that we needed the House open for debate on major issues, legislation and so on, so that we could give the Province a lift and so on. Here we are for the last five days we have been sitting we have spent a considerable amount of time on petitions, not the presentation. It is essential that the people have an avenue for presenting their grievances or whatever the case might be. But I contend, Your Honour, that we have allowed ourselves to get roped into many debates. A lot of the comment is repetitious, if I might suggest. And I am a little concerned that that perhaps the way the House is presenting itself to the Province might be less than the way it should, and it could end up resulting in a level of inefficiency in our proceedings that might in fact not be as commendable as it should be to the House itself. I make that as an observation not as a criticism.

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

MR. ROBERTS: Mr. Speaker, on the point of order, if in fact it was one. The hon. gentleman from Grand Falls has not only been impudent and impertinent to the House, but he has been impudent and impertinent towards Your Honour. And I would suggest, Sir, and I do raise a point of order not as the hon. -

MR. LUNDRIGAN: Mr. Speaker, on a point of privilege.

MR. ROBERTS: Mr. Speaker, there is no point of privilege in this at all.

MR. LUNDRIGAN: A point of personal privilege.

MR. ROBERTS: Mr. Speaker, I am speaking to a point of order.

MR. SPEAKER: Since the hon. gentleman has risen on a point of privilege I will be now required to hear him and return to the point of order.

MR. LUNDRIGAN: Mr. Speaker, my question of privilege is this. I am not used to the business of what it means about impugning motives and making asperations and all that stuff. But I do not consider it the right of the hon. member to stand up after a reasonable representation has been made through you, Sir, to the House, to make observations about impertinence are all kinds of nonsense about disrespect to the Speaker, His Honour. Certainly that was not part of my intention -

AN HON. MEMBER: Sit down!

MR. LUNDRIGAN: and at some point the Leader of the Opposition is going to have to assume some responsibility for leadership -

AN HON. MEMBER: Shut up!

MR. LUNDRIGAN: - as part of the government process.

AN HON. MEMBER: Learn the rules!

MR. LUNDRIGAN: Instead of being a small minded man as he is today at this moment.

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

There has been a point of order and a point of privilege raised.

MR. ROBERTS: Your Honour, may I speak to the point of privilege? The hon. gentleman from Grand Falls (Mr. Lundrigan) insists upon abusing the rules of the House, Mr. Speaker. I made no reference to his motives. I certainly made reference to his words, which I say again were impudent and impertinent. Now if Your Honour would rule on the point of privilege, if in fact it is one, whatever Your Honour rules, of course it will be. Then if it is in order I would like to proceed to speak to the point of order. The gentleman from Grand Falls (Mr. Lundrigan) has taken ten minutes to make a point of order and I would like at least two or three, Sir, to respond to it.

MR. SPEAKER: Order, please! I am not aware of any distinct breach of privilege. We are back to the point of order.

MR. ROBERTS: Mr. Speaker, now if I may continue on the point of order, Sir, I would suggest that the gentleman from Grand Falls (Mr. Lundrigan) raised a specious point of order. I will not suggest that he knew it was specious. I will say that he ought to have known it was specious. It was not only impudent and impertinent towards the House, Sir, but it was impudent and impertinent towards you, Mr. Speaker. Your Honour has presided over the debates of this House in the last, well since we elected you unanimously at the opening of this session. What the hon. gentleman is saying is that Your Honour has allowed the rules of this House to be breached, and I would suggest, Sir, that that is not a function of any hon. member. It is a direct and impertinent reference to Your Honour and I would suggest also that if the hon. member wishes to criticize Your Honour's conduct there are appropriate and proper means and remedies open to him.

I would ask, Mr. Speaker, that the hon. gentleman from Grand Falls (Mr. Lundrigan) be asked to withdraw his remarks insofar as they refer in any way to Your Honour's conduct to the debates of this House. As far as I know, Sir, Your Honour has not only carried out the traditions of the Speaker of this House but has added considerably to them, and particularly to our precedents during the, to date, brief

MR. ROBERTS:

but extraordinarily able tenure of the Chair. Mr. Speaker, the rules of this House govern the debates of this House. Your Honour is charged with the duty of observing these rules. Any hon. member, of course, under the rules may raise at any time a point of order if he feels the rules are not being observed. The hon. gentleman rose on a so-called point of observation. He made no point of order. All he did was read an impertinent and impudent lecture. Sir, if he did not know better - and I assume he did not - then I say he ought to have known better, and I would hope he will shortly know better.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

If hon. gentlemen insist upon their right to speak on this point of order, then I will hear a limited number of them. I can say that I am prepared to rule now, and I would certainly request hon. gentlemen, or would suggest to them, that enough has already been said and that the Chair is in a position to rule. However I will not say that I absolutely refuse to hear any. I would just put forward that in my opinion I have heard sufficient argument on it.

With respect to a point raised by the Leader of the Opposition, certainly I do not interpret or regard any of the remarks by the hon. member for Grand Falls (Mr. Lundrigan) as in any way derogatory of the House or of the Chair. With respect to the point of order raised, what I understood to be a point of order, with respect to the time period for petitions there are none in our rules. There is a time period governing how long a person may speak in presenting a petition or speaking to it. That is five minutes. But there is absolutely no rule restricting the time. There is for the question period, thirty period, and for various things there are.

But strictly speaking once one got beyond Statements by Ministers to Presenting Petitions, strictly speaking, unless the House put a motion to the contrary, one could keep going until

MR. SPEAKER:

six o'clock on Presenting Petitions. As our rules are - and that obviously is what I have to enforce - as our rules are there is no specific time limitation for presenting petitions.

o o o

MR. COSBIE: I have a most unusual petition, Mr. Speaker. I do not often get a chance to present a petition to this House but this is very appropriate. There are a little pair of drawers with it.

MR. CROSBIE: This little apron is sent to you, / And here is what we want you to do. / That little pocket in front you see, / For a special purpose it is meant to be. / Just measure your waistline inch by inch, / Don't hold your breath, / Don't pull, don't pinch. / For each inch you measure around, / In the pocket put a penny sound. / If the size of your waist you will not tell, / Slip in a dollar or two, / T'will do as well. / The game is fair, you must admit. / All waist money that the pocket holds, / Arnold's Cove UC women will use / In a wise way to buy furniture for our new church. / Just send it to the undersigned / And we will thank you a lot for being so kind." Signed Mrs. Williams. Any member who wants to accept the challenge here and measure their waists will be welcome and I will refer it to the lady to whom it refers.

MR. ROBERTS: Mr. Speaker, if I may say a word with respect to that petition since I was in Arnold's Cove last night and elected to contribute the dollar rather than the other alternative for I think good and sufficient reason. I would not only commend the hon. gentleman but I would say that I for one would gladly put up - he obviously cannot take the dollar option - but I will start the contribution of \$2.00 towards the fund which will be necessary to pay off the cost which will be incurred when the hon. gentleman puts his waist to the inch by inch test. And I figure if we get \$2.00 per member, there being 49 members at present, Sir, that is \$98.00. It is well known the hon. gentleman has substantial private means. Well, he should be able to make a modest contribution and all those sources together may be enough to enable the hon. gentleman to defray the cost of an inch by inch measurement in this worthy cause. I support that, Sir.

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

MR. NOLAN: Mr. Speaker, without intending to take up any additional time in the House -

MR. LINDRIGAN: Put in your twenty-five cents, please!

MR. NOLAN: I will certainly put in my twenty-five cents, and I thank the hon. member, who, incidentally is a constituent of mine, which I welcome

MR. ROBERTS: He has got a better member than his constituents have.

MR. DOLAN: We applaud the efforts of the member for St. John's West (Mr. Crosbie), the Minister of Mines and Energy, and I am wondering if when he does measure either by inches or by centimeters or whatever, that magnificent girth, if he will table the measurements here in the House so we will all have that information in the public documents of the Province, which will eventually, I assume, go to the Archives and we certainly support the prayer of this petition. And I am just wondering now really if this might be the forerunner, or are we encouraging more to come of the same because -

AN HON. MEMBER: An avalanche.

MR. NOLAN: - everyone for example who has been in broadcasting or public life has received similar type bids from time to time -

AN HON. MEMBER: Walkathons.

MR. NOLAN: - and walkathons and the like, but anyway we certainly support it and we look forward to - I do not know if the hon. member intends to have a public measuring on television and things like that.

MR. ROBERTS: The Aga Khan used to be weighed publicly and balanced with diamonds.

MR. NOLAN: Weighed publicly, yes. Maybe he might consider his weight in gold since he is the Minister of Mines and Energy, and since gold is dropping in price, I understand. But we certainly support it and I have no doubt that all members of this House will and we thank the hon. member for bringing it to our attention. Thank you, Mr. Speaker.

MR. ROBERTS: Hear! Hear! Measure all.

ANSWERS TO QUESTIONS FOR WHICH NOTICE HAS BEEN GIVEN:

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

MR. BRETT: Mr. Speaker, I would like to reply to a question asked by the Leader of the Opposition yesterday. The question was in connection with a statement that I made over one of the radio stations. There was some suggestion that I may have had the wrong figures, or as the member for Port au Port (Mr. Hodder) suggested that I might have used some rather queer arithmetic.

MP. BRETT: Briefly the statement that I made was that the number of people in receipt of short-term assistance, or able-bodied relief as it was one time called, was lower than it had been for quite a number of years. And, of course, I meant the month of January in any number of years.

I did not have the figures with me yesterday so I could not give an intelligent answer to the question. I would like to point out that when I made the statement on the radio I certainly was not trying to make political hay. I went on to say that - they asked me the question, how can you account for the fact that short-term assistance is down when unemployment is so high? And I indicated that it was because of LIP programmes, LEAP programmes, UIC, etc. But I failed to mention the fact that the Department of Social Services had also played a very important part and I would like to point that out in my answer.

Mr. Brett.

The reason for questioning my figures was that the flash sheet for the month of January indicated that there had been an increase of some 14%, and I think the figures given rough, around the 6,000 or 7,000 number. Now I do not know where Statistics Canada got their figures, and quite frankly I could not care less. But I do have figures that come from the accounts division of my department. These figures are accepted by the federal government for repayment under CAP, and I would like to read them out, which, of course, will prove that it is the lowest number of people that have been in receipt of short-term assistance since 1972, and the number in January - I am sorry - January of 1972 was 8,930; in January of 1973 it was 6,274; and in January of 1974 it was 4,988; January 1975 it was 5,196; and in January of 1976 it was 4,920 cases, of course, heads of families or families.

So, Mr. Speaker, these are the correct figures as issued by, as I said, the accounts division of my department and these are the figures that are accepted by the federal government.

MR. NEARY: How about the long-term figures?

MR. BRETT: I beg your pardon?

MR. NEARY: Do you have the long-term figures?

MR. BRETT: No, I am sorry, I do not have the long-term figures.

MR. MURPHY: It remains pretty static.

MR. BRETT: By the way for the information of the member for LaPoile (Mr. Neary), there has also been a fairly steady decline also over the last three or four years in the long-term. Before I sit down I would like to point out to the House that this department did play what I think is a very important role in bringing down the figures, the number of families in receipt of short-term assistance. From July 1972 to March 1973, through the efforts of the staff of the department, 297 people were taken off the welfare rolls and placed in either permanent, temporary or vocational

Mr. Brett.

training, permanent employment, temporary employment or vocational training. From April 1973 to March 1974 there was 1,115; from April 1974 to March 1975, 1,684; and from April 1975 to January 1976, 1,218, for a total of 4,314 people that this department was actually responsible for taking off the welfare rolls and getting them into jobs.

MR. MURPHY: In December 1971 when we came in there was 9,700 short-term.

MR. BRETT: I think, Sir, that this should answer the questions that were put to me yesterday.

MR. ROBERTS: Are the figures the hon. gentleman has given different from figures the government themselves issue?

MR. MURPHY: For the month of January?

MR. ROBERTS: I will check them.

Mr. Speaker, I do not want to get into a row with the hon. gentleman now. Let me merely ask if he would table the figures he has been reading - I realize they are in Hansard, but it would take, you know, Hansard is three or four days in coming - if he would either table them or if he does not wish to do that perhaps if he could let us have copies of them? I would like to check them, because there appears to be a discrepancy, and we will have it checked, and then we will know what the story is. There is obviously an explanation.

MR. BRETT: I will gladly table them, Sir, or I can give you copies, whatever you want.

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

MR. HICKMAN: Mr. Speaker, I have the answers, but I would like to be able to table them, but they are on kind of scraps of paper, which are not very flattering or satisfactory. The answer to Question 109, asked by the hon. gentleman from Twillingate (Mr. Smallwood) - the question is: How many men are in the Newfoundland Constabulary, and

Mr. Hickman.

what is the total annual cost of this force? Answer - there are 222 men in the Newfoundland Constabulary, that is officers and men. The total annual cost to the treasury of the Newfoundland Constabulary for the fiscal year 1975-1976 is \$3,235,900.

The answer to Question 320 by the hon. gentleman from Twillingate (Mr. Smallwood) which had been directed to the hon. Minister of Provincial Affairs - it should have been directed to me - the question is: Supply a statement showing the annual cost of the office and establishment of the Chief Electoral Officer, including all salaries and all other expenses? The answer - the cost to the treasury of the general election including all of the above is \$613,294 as of December 1, 1975.

MR. SMALLWOOD: That is the last election.

MR. HICKMAN: Yes, Mr. Speaker.

When all expenses have been paid it is anticipated that the total cost will be \$632,400.

MR. ROBERTS: Does that include the two or three by-elections? No provision has been made for those.

MR. HICKMAN: The question was, the cost of the last general election, Mr. Speaker.

MR. ROBERTS: We have not settled it yet.

MR. HICKMAN: Also the answer to Question 98, asked by the hon. gentleman from Twillingate (Mr. Smallwood), seeking a statement showing the number of magistrates, their salary range and the basis on which this range exists. The answer, Mr. Speaker, is that there are thirty-two magistrates in the provincial courts of Newfoundland at this time who are paid on the basis of one of the two following salary scales; (a) legally trained, \$20,000 to \$30,000 per annum; non-legally trained, \$16,000 to \$26,000 per annum. The last part of Question 98 is: And the basis on which this range exists? Hon. gentlemen will recall that the report of Judge Geoffrey L. Steele into the magistracy in Newfoundland recommended that there be two salary scales - I am not sure if that is the correct wording - but in any event that there had to be a recognition of legally trained magistrates in the hope that in the future- and this I say certainly without casting any reflection at all on the very competent lay magistrates who occupy the benches of the provincial courts in Newfoundland - but that in the future we may be able to attract legally trained persons to the benches.

MR. SMALLWOOD: Would the hon. Minister of Justice tell me whether the work done and to be done by the two classes of magistrates, those legally trained and those not, differs? Or do both kinds of magistrates handle the same kinds of cases? Or are non-legally trained magistrates

Mr. Smallwood.

barred from handling certain cases that can be handled by those legal trained? There is a difference in pay, is there a difference in the work?

MR. HICKMAN: No, Mr. Speaker, there is no difference in the work in the sense that the jurisdiction for the provincial courts is the same throughout the Province. What has been happening in Newfoundland is that, particularly during the past seven or eight years, we have seen a reasonably large number of lawyers moving into rural Newfoundland to practice which, you know, is a very good thing, and as we get more and more lawyers we seem to find that the magistrates on the bench are being subjected to lengthy arguments on procedure and evidence, and in any event the royal commission was very firm and very strong that government adopt, as a matter of policy, that in time we have legally trained magistrates. That is not very far off, Mr. Speaker. That is less than eight years. I would think that within eight years they will all be legally trained.

Mr. Speaker, the answer to Question 107 asked by the hon. gentleman from Twillingate (Mr. Smallwood), "is there an arrangement under which members of the Newfoundland Constabulary may get training by the Royal Canadian Mounted Police? If so, what is the cost and how many members of the Newfoundland Constabulary have received such training and at what cost to the treasury? The answer is there is an arrangement which has been ongoing for the past number of years, really since 1949, whereby members of the Newfoundland Constabulary may get training by the Royal Canadian Mounted Police in various courses. There is a maximum of four members per year permitted to receive such training. This year - that would be 1975 - two members received breathalyzer training and two members received I.D. training at the following cost to the treasury; (a) breathalyzer

MR. HICKMAN:

training, no cost for two members, training carried out at St. John's;
(h) I.D. training, approximate total cost of \$2,200 for two members which
included travel to Ottawa and return, meals and accommodation, etc.

MR. SMALLWOOD: Cost to the Treasury -

MR. HICKMAN: - of Newfoundland.

MR. SMALLWOOD: But not charged by the R.C.M.P.

MR. HICKMAN: No, charged by the, I think, is the Police College.

MR. SMALLWOOD: That is the cost to the Treasury.

MR. HICKMAN: Yes, yes. I.D., identification division. The answer to
question 108, "To table a copy of the current contract between Newfoundland
and Ottawa for the employment by the Government of Newfoundland of members
of the Royal Canadian Mounted Police. How many members of the Royal
Canadian Mounted Police are presently employed in Newfoundland by the
Newfoundland Government? What is the total cost to the Newfoundland
Government of the men so employed?" Mr. Speaker, I table copies of two
current contracts between the Government of Canada and the Government
of the Province of Newfoundland covering the employment of the R.C.M.P.
in this Province. One is the provincial contract and the other is
a municipal contract which covers the policing of the city of Corner Brook.

There are a total of 403 members of the Royal Canadian Mounted
Police presently employed in Newfoundland -

MR. SMALLWOOD: By the government.

MR. HICKMAN: - by the government. The total cost to the Newfoundland
Government for the current fiscal year is \$5,437,600.

MR. SMALLWOOD: If I could have a few minutes, Mr. Speaker, would the
minister allow me: What proportion is that of the total cost of the
R.C.M.P. operating in Newfoundland for the Newfoundland Government -
not counting any R.C.M.P. who may be operating for the Government of
Canada - but for the Newfoundland Government, that \$5.5 million is what
proportion of what is costing the Government of Canada?

MR. HICKMAN: Mr. Speaker, I do not want to be held to this answer because
I have to give it off the top of my head. The formula set forth in the

MR. HICKMAN:

contract is that the Government of Newfoundland pays fifty per cent of the salary cost of R.C.M.P. officers and men under the provincial contract. As of now we have -

MR. SMALLWOOD: Their wages.

MR. HICKMAN: Their wages. We pay nothing on capital account which is very, very substantial. We pay - well there is a bit of an argument has been going on for years and I believe it is in the Auditor General's report again about paying the cost of a stenographer in Corner Brook who works in the R.C.M.P. but -

MR. SMALLWOOD: Cars and planes and boats.

MR. HICKMAN: Cars and planes and that sort of thing are paid for by the Government of Canada. How much longer this will continue is now in the hands of the Solicitor General of Canada who seems to think that we have been taking unfair advantage of the Federal Government act. But none of the Provinces agree with him. But on the other hand there have been two very fantastic submissions or bills submitted to the Government of Canada by Quebec and Ontario for many hundreds of millions of dollars on the grounds that for many years the other eight Provinces have been receiving a bit of a bargain from Ottawa with respect to policing services that they chose to reject themselves, and now they have come along with the astounding submission that they should be reimbursed that cost.

MR. ROBERTS: It is a shame.

MR. HICKMAN: It is a shame. But unfortunately I have a feeling that that may be showing up in the attitude of the Government of Canada towards the eight contracting Provinces that they are - even though they properly refused to accept it, they are conscience of the fact that both Quebec and Ontario seem to have more than three members of Parliament.

MR. ROBERTS: That is why Quebec is getting the Olympic debt paid.

MR. HICKMAN: Quebec is getting - are they? Well, I hope that what the hon. the Leader of the Opposition has just said with respect to the Government of Canada paying for the Olympic debts is wrong, totally wrong because it is totally unacceptable to the people of Canada.

MR. ROBERTS: Hear, hear!

MR. HICKMAN: The last question, Mr. Speaker, is a question, No. 661 by the hon. the member for LaPoile (Mr. Neary). "Have any representations been made in the past three years by the minister or his department to the federal authorities requesting changes to present laws concerning the use and distribution of marijuana."

MR. HICKMAN:

That is a difficult question to answer precisely, Mr. Speaker. There have been no formal submissions in the sense of written requests but the topic has been the subject matter of discussion at least twice a year at federal-provincial conferences of Attorneys General 'round the table where there is nothing supplied but cold, clear water, as we used to say in the Sons of Temperance, a beverage prepared by God himself.

MR. NEARY: What is the position of this Province?

MR. HICKMAN: The position that we have taken is that in our opinion there should be more rigid enforcement of the laws. Certainly my position is that before there is any change in the narcotic laws from the point of view of legalizing any of the drugs, that I would have to see far more convincing evidence than has already been presented.

The other position that we have expressed some concern over is the position adopted, I will not say by the present Minister of Justice, the hon. Mr. Basford, but by his centralist predecessor, the hon. Otto Lang, who relied very heavily on the British North America Act when it came to the consultative process and the rights of provincial Attorneys-General to enforce the criminal laws. Some of us share the view that simply by taking an offense out of the Criminal Code, or passing an act creating a crime and saying this is a separate act, that this does not confer upon the federal Minister of Justice the right to enforce that law. But there is a contrary view held in Ottawa with respect to the narcotic acts and I avail of this opportunity again to point out to this House that I as Attorney General of the Province and my department have no involvement in the enforcement of the narcotics act or any breaches thereof.

MR. NEARY: Is the minister referring to pushers or users? Users or pushers of marijuana?

MR. HICKMAN: Both. The legalization, I think, is out.

MR. NEARY: A point of information, Sir. I would like to ask, Mr. Speaker, the House if it is customary to circulate copies

MR. NEADY:

of tabled answers to members who ask the questions? Yesterday there were three answers to questions that I asked on the Order Paper tabled. So far I have not gotten my copies. Maybe the clerk of the House is too busy, but if he is, Sir, I would like for him to arrange for me to get copies because this has been the tradition, to send copies of the answers to members who have asked the questions. So I would presume that I will get the answers sent to me. You know, copies of the answers.

MR. SPEAKER: (Dr. Collins) The comments of the hon. member will be noted.

Are there further answers to questions for which notice has been given?

ORAL QUESTIONS:

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

MR. ROBERTS: Mr. Speaker, in the absence once again of the Premier my question, I hope, can be answered by the Minister of Mines and Energy. I think it may be within his departmental responsibilities. Could the minister indicate to us whether any arrangements have been made or are being contemplated to bring into Churchill Falls during the current situation where there is a lawful strike underway, people from outside the Province or for that matter people from within the Province who are not normally employed at Churchill Falls to carry out functions which are normally carried out by the members of the bargaining unit who are now lawfully on strike? The usual phrase for these people would be 'scab labour', Mr. Speaker, but could the minister indicate the situation to us, please?

MR. SPEAKER (DR. COLLINS): The hon. Minister of Mines and Energy.

MR. CROSBIE: Mr. Speaker, you know, people have a right to go on strike, and in that connection they have a right to advertise that they are on strike and they have the right to hold a placard and say, "Do not cross our picket lines," and to advertise they are on strike and ask people not to cross their picket lines. Conversely

MR. CROSBIE:

the employer or the company involved has a right to work, if they wish to work and if they can get anyone to work for them. That is not contrary to the law, as far as I know it or anyone else in this Province knows it.

Now, for Churchill Falls, it is up to the management of the company, the Churchill Falls-Labrador Corporation Ltd. They are managing the company. We do not manage the company. It is managed by an independent board. The day by day operations of that company are in their hands. We do not intervene and we do not intend

Mr. Crosbie.

to intervene in their management of that company. If we lose confidence in the Board of Directors, we will simply have to replace the Board of Directors.

Now what the hon. gentleman is getting at is: Is CFLCo bringing in anyone to erect the transmission tower that is down there? It was blown down and lost before that strike commenced. The answer is that at the present time they have not brought anyone in to re-erect that transmission tower. But if the strike continues it may very well be necessary for them to bring someone else to re-erect the tower, whether they come from Newfoundland or outside Newfoundland since they have contractual obligations with Hydro-Quebec to generate and deliver power to Hydro-Quebec. The answer at the moment is no, they have not as yet brought anyone in to re-erect the tower or to do any other work of that nature. It may be necessary in the future for them to do that. That has been left up by the government to them. They are managing the corporation. They have entered into contracts with Hydro-Quebec. Hydro-Quebec has to have the power delivered to them. If there are difficulties on the transmission line, strike or no strike those difficulties should be overcome, and they have not yet done that, but if the strike continues it may very well be that they will do what they have a legal right to do and that is to bring people in to re-erect the transmission tower. But to date it has not been done.

MR. NEARY: Mr. Speaker, a supplementary question. Would the minister indicate to the House if either he or the Premier have received a telegram from Mr. Ralph Parsons, president of the IBEW Local 2351 protesting decisions made by management that there be no gasoline sales at Churchill Falls, no liquor sales at Churchill Falls, no guns or ammunition sales at Churchill Falls, the roads at Churchill Falls would be blocked intentionally, that there is RCMP harassment and that staff employees' dependents are being sent out of Churchill Falls in preparation for a major confrontation? Would the minister

Mr. Neary.

confirm whether or not this telegram has been received by the government? If so, what action, if any, has been taken on things are mentioned in the telegram?

MR. SPEAKER: The hon. Minister of Mines and Energy.

MR. CROSBIE: Mr. Speaker, the hon. gentleman seems to know a lot about this telegram from Mr. Parsons, so I assume that the telegram was not just sent to the Premier or to me, but to the hon. gentleman, the Leader of the Opposition and perhaps every member of the Opposition. Yes, a telegram was received from Mr. Ralph Parsons, president of IBEW, Local 2351. But I can say this, that the government has no intention of intervening in the strike in question. There is a labour dispute between CFLCo and its employees at Churchill Falls. The government has no intention of intervening except as it would in any other labour relation situation in the Province that went beyond any kind of reasonable period, or which created some emergency in the Province. The government will be reviewing with the management of CFLCo just what the situation is up there. We can get the reasons why the gasoline sales have to be restricted and the like. I am sure that there is a reasonable explanation for it all. Other than that I do not know. We do not have any knowledge of the information in the telegram, but we are not going to intervene in this collective bargaining dispute in any way other than we would if it became necessary in any other strike in the Province. It is a matter to be settled by the management of CFLCo and their employees, and we would like to have this dispute resolved, of course, and settled as quickly as possible. But this is up to the two parties, and if there is any intervention it will certainly not be in any other than the general principles of intervention in any labour dispute in the Province.

Mr. Crosbie.

I mean obviously when extremely low wages are cited in the telegram, and these other kinds of alleged points made in the telegram, that that is part of the labour relations publicity of either side of the dispute. So no particular action will be taken on that, but we will review the position with the management of CFLCo as we would if it was the management of St. Lawrence or any other company.

MR. NEARY: Mr. Speaker, a supplementary.

MR. SPEAKER (Dr. Collins): The hon. Leader of the Opposition.

MR. ROBERTS: Well, if it is a supplementary, I will not ask a question.

MR. SPEAKER: A supplementary.

MR. NEARY: Mr. Speaker, I want to ask the minister if he can assure this House that during the life of this dispute that there will be no trampling or invasion of civil liberties or the human rights of the residents of Churchill Falls?

SOME HON. MEMBERS: Hear, hear!

MR. CROSBIE: Mr. Speaker, I can assure this House that there will be no trampling or no interference with the civil rights of the employees of CFLCo. There will be no trampling or interference with the civil rights of the management of CFLCo.-

AN HON. MEMBER: Or the people.

MR. CROSBIE: - or of the people of Churchill Falls or the people of Labrador, nor will there be any trampling or interference with the rights of CFLCo itself who owns property in the area and whose property should not be subject to destruction by any other than the normal causes or acts or events. The civil rights of everyone involved in that area will be maintained and this government will seek to preserve them, the employees', the managements', the companys', and everyone else who lives at Churchill Falls or has anything to do with the whole area. That is whose rights will be observed. They will all be observed.

MR. SPEAKER (Dr. Collins): The hon. Leader of the Opposition.

MR. ROBERTS: Mr. Speaker, my question is for the Minister of Manpower. In view of the apparent rapidly accelerating deterioration of the position at Churchill Falls in their labour management dispute there, could the minister tell us whether he has as yet acceded to the request to appoint an industrial inquiry into the dispute at Churchill Falls?

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

MR. MAYNARD: No, Mr. Speaker, there has not been any decision made at this point in time to accede to the request for an industrial inquiry commission into Churchill Falls. A decision will probably be made in the next couple of days. In the meantime we have maintained constant contact with both parties in the Churchill Falls dispute. We are ready to move as far as conciliation procedures are concerned at any time that we consider it appropriate to move.

MR. SPEAKER (Dr. Collins): The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, I will put a question to the Government House Leader. Sir, would the Minister without Portfolio or the Government House Leader inform the House when the House can expect to see a Public Accounts Committee set up to study the public accounts and the report of the Auditor General tabled in this House yesterday?

MR. SPEAKER: The hon. Minister without Portfolio.

MR. WELLS: According to the rules of the House the various committees must be set up. This is being worked upon now. In a matter of four or five days these committees will be set up.

MR. NEARY: Mr. Speaker -

MR. ROBERTS: You are already in breach of Standing Orders.

MR. NEARY: Go ahead, John. John, go ahead.

MR. CROSBIE: Go ahead John. Go ahead Steve.

MR. NEARY: Mr. Speaker, now the Minister of Mines and Energy can go ahead. Would the Minister of Mines and Energy tell the House if the government and his department are still proceeding with the plans outlined in the Fall session of the House in November and December, are still proceeding with their plans to construct a tunnel underneath the Straits of Belle Isle and the construction of a transmission line in connection with the development of the Lower Churchill? If the plans -

MR. SMALLWOOD: Tell him not to try telling you to stuff that.

MR. NEARY: I beg your pardon?

MR. SMALLWOOD: Tell him not to try to tell you to stuff that.

MR. NEARY: The member for Twillingate (Mr. Smallwood) reminds me to remind the member not to tell me to stuff that one. But, Sir, would the minister give the House a progress report, tell us whether or not they are going ahead with these two projects, if they have been cancelled, if they are going to be postponed for a year or two? What is the precise position now of the construction of the tunnel and the transmission line?

MR. SPEAKER: The hon. Minister of Mines and Energy.

MR. CROSBIE: Mr. Speaker, there has been no change since the statement was made in the House in late November or during December when we announced what our plans were for this year. If there is any change made, and there may be, if there is any change made, if our policy changes or if we decide either not to go ahead or to go on with any change in that policy statement, then the House will certainly be

MR. CROSBIE:

told about it. So as soon as there is any change we will be informing the House.

MR. NEAPY: Are you anticipating any changes?

MR. CROSBIE: I simply do not know. This is all being worked on now, intricate, sensitive negotiations going ahead. The project will be carried through, never fear, but whether it will be carried through this year or whether it will be next year or the year after or 1985 or 1995 or the year 2000 that project will be carried out. But there has been no change from the position described last November or December, but if a change has to be made then certainly a statement will be made in the House as soon as it is possible.

MR. NEAPY: Mr. Speaker, I detect a weakness -

MR. ROBERTS: A supplementary -

MR. NEAPY: Yes, go ahead.

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

MR. ROBERTS: Thank you. Mr. Speaker, in view of the fact that the people in the area around each of the two proposed terminuses for the Straits tunnel, at Flower's Cove and at Forteau on the Labrador side, are most obviously interested, and in view of the fact they have not been able to get any information, nor have I as their member, could the minister indicate to the House when we will be in a position to know just what work will be carried out this year and accordingly what work may be available to people in the area?

MR. SPEAKER: The hon. Minister of Mines and Energy.

MR. CROSBIE: Now, Mr. Speaker, you know, there is no change in our plans now. As to whether they are going to be reconfirmed and so on, whether we - as I have said there has been no change. If there is going to be a change I think it is very safe to say that the House will be told before the middle of April.

MR. ROBERTS: Mr. Speaker,

MR. ROBERTS: a further supplementary, if I could a further supplementary?

The minister just said there has been no change in the plans and I appreciate that, and then he went on to say, and I believe I quote him correctly, Sir, "If they are to be reconfirmed." It is obvious then that the matter is under review. Would the minister please make that clear? I mean I am drawing an deduction but I wish to give him the opportunity to make it quite clear. Are the ministry reviewing the plans outlined to the House during the debate we had here before Christmas with a view to changing them?

MR. CROSBIE: I mean quite obviously, Mr. Speaker, this matter has to be reviewed and there has been no change in the plans. Certain negotiations are going on. If, you know, we have to make a decision, will we carry on as we announced last Fall or will there be any change? There is no decision being made on that. Yes, it is under review. But we would be fools and knaves if it was not under review. So the present position is that the work is being done now to carry on during this year as we described in the House in November.

MR. ROBERTS: But that is being reviewed and it may be changed?

MR. CROSBIE: The work that is necessary to carry on the transmission lines and the tunnels is ongoing now. But we are reviewing the whole situation.

MR. ROBERTS: Pretty slowly ongoing.

MR. CROSBIE: And as soon as there is anything to report then I will report it, and I would expect that if there is going to be any change at all that we would certainly know by the middle of April.

MR. NEARY: Mr. Speaker, a supplementary question, I interpret the minister's answer -

MR. SPEAKER (DR. COLLINS): Order, please! I remind the hon. member that in putting supplementary questions they must not reword previous questions. I think some of the supplementary questions that have been put have been close to that. The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, am I interpreting the hon. minister's answer correctly that the minister is not as definite now as he was last Fall

MR. NEARY: when he announced these projects, that they are now under review? They may or may not go ahead this year, is that the position now? Can the minister give the House a definite answer at this moment?

MR. CROSBIE: Mr. Speaker, I do not know whether there is something inadequate in my English or whatever. You know, there has been no change in the plans announced in this House last November or December, whenever it was, no change. None.

MR. NEARY: But what is the issue?

MR. CROSBIE: Zero, no change, the plan is still the same to go ahead this year with the transmission line and the tunnel, but that is the plan.

MR. NEARY: But it is under review.

MR. CROSBIE: And the work necessary to carry on this year is ongoing. But, but -

MR. NEARY: But, this is the but, yes.

MR. CROSBIE: - but -

MR. NEARY: There was no but last Fall. No ifs, ands, and buts last Fall.

MR. CROSBIE: Read the statement.

MR. NEARY: I read the statement. I know what the minister said because I supported it.

MR. CROSBIE: Mr. Speaker, whether that will continue to be the plan for the rest of this year is being reviewed and -

MR. ROBERTS: A shambles.

MR. CROSBIE: It is not a shambles.

MR. ROBERTS: Shambles.

MR. CROSBIE: It is only a shambles if -

MR. ROBERTS: A mess!

MR. SMALLWOOD: It is very welcome news.

MR. CROSBIE: It is only a shambles if the small-minded hon. gentlemen opposite who wished the project to fail are successful in their wishes.

MR. NOLAN: Were you doing what we asked you to?

MR. CROSBIE: So that if there is any change - so the plan is still the same -

MR. NEARY: But -

MR. CROSBIE: - but there may be a change, if there is a change it will be announced to the House. Now can I make it any more simple, or any more clear?

MR. NEARY: Why do you not do it now instead of building up people's hopes?

MR. CROSBIE: If there is any change it will be announced to the House.

MR. SPEAKER (DR. COLLINS): The hon. member for Conception Bay South.

MR. NOLAN: If I may go to another minister for a moment, or maybe the same minister, Mr. Speaker, in connection with the Department of Fisheries and the Auditor General's Report, Now whether I should go to the present minister, or the former bookkeeper - maybe I should in this instance - it is in connection with the inventory of fishing equipment on hand in the warehouse at Torbay. If you have not no one has, I am sure, if the hon. minister has not, but anyway apparently you have there inventory valued at \$349,000 and enquiries by the Auditor suggest or disclosed no inventory records maintained, written authorization for inventory movement from the warehouse is not required, physical inventory test counts are not performed regularly, inventory valuation based on estimated cost and approximate values -

AN HON. MEMBER: Wait until the committee is appointed!

MR. ROBERTS: Where are we going to get one? Standing Orders have been ignored.

MR. NOLAN: Mr. Speaker, am I permitted to ask the question? I am asking a report from either the Minister of Fisheries present, or the former gentleman who occupied that portfolio and maybe he can give an account of the stewardship while there and this obviously was under his authorization one way or the other. Now we would like to have an answer,

MR. NOLAN: or have you changed your mind? He has not got the answer.

MR. W. CARTER: Mr. Speaker, the matter referred to by the member is now under investigation by officials of my department and as soon as I get a report I shall be happy to discuss it with them.

MR. SPEAKER (DR. COLLINS): The hon. member for Burgeo.

MR. SIMMONS: Burgeo - Bay d'Espoir, Mr. Speaker.

MR. SPEAKER (DR. COLLINS): Burgeo - Bay d'Espoir.

MR. SIMMONS: I would like to come to this yellow document, the Auditor General's Report. I realize, Mr. Speaker, we shall have some more opportunity in terms of time length to peruse it but there are some questions that deserve answers now, Mr. Speaker, indeed before now.

Mr. Speaker, in particular to begin I would like to direct a question to the Minister of Forestry and Agriculture. I refer him to page ninety-one of the Report where the Auditor General, Mr. Howley reports his finding that expenses for advertising were incurred without any adequate certification or without a written contract for the advertising and I would like the minister if he would, Mr. Speaker, to indicate to the House the companies which were involved in the expenditure of \$43,000 without any contract, if he would indicate the companies involved and if he would give to us some details of the advertising, what the advertising was for?

MR. NEARY: Who did it?

MR. SPEAKER (DR. COLLINS): The hon. Minister of Forestry and Agriculture.

MR. ROUSSEAU: Mr. Speaker, I will have to take that as notice. I will check that out. I have the departmental officials checking out the items involved in the department so tomorrow or Friday I should have it.

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

MR. SIMMONS: Mr. Speaker, while the minister is taking that under advisement perhaps he would want to do the same with my next question, or else he may be able to answer this one today. I refer him to the bottom of page ninety-one of the same report where the Auditor General reports an undertaking by officials of the Department of Forestry whereby a contractor, a surveying company, was engaged before the tender

MR. SIMMONS: details had been known, indeed had completed over a third of the work before the deadline for tenders had arrived, a rather improper procedure to say the least, Mr. Speaker, but not the time for the debate. The question, Mr. Speaker, is what does the minister intend to do about these improper procedures, do they constitute the practice within his department, was he previously aware that this was going on? And a couple of other questions; would he indicate again which surveying company is involved, and indicate to the House the details of the work undertaken again under this rather improper and completely unauthorized procedure.

MR. SPEAKER (DR. COLLINS): The hon. Minister of Forestry and Agriculture.

MR. ROUSSEAU: I will take that question as notice too, Mr. Speaker.

MR. SPEAKER (DR. COLLINS): The hon. member for LaPoile.

MR. NEARY: Sir, I would like to direct a question to the Minister of Justice and ask the minister, if he does not have the information at his fingertips perhaps he would undertake to get me the information, what improvements have been made in the record of injuries, deaths, and property damage since the roadblocks were instituted by the RCMP and are these roadblocks still being maintained? Could the minister, if he does not have any statistics to show me the results of the roadblocks, could the minister undertake to get me some statistics on whether the number of accidents decreased, increased, what was the effect of the roadblocks?

MR. SPEAKER (DR. COLLINS): The hon. Minister of Justice.

MR. HICKMAN: Mr. Speaker, I will have to get the details. I can say without any hesitancy that the effectiveness of the roadblocks, the enforcement procedures by the Royal Canadian Mounted Police in attempting to curb drinking on the highway was very, very salutary indeed. My recollection is that over the Christmas season, the festive season, for the first time in many, many years there were no fatalities on the highway and I am sure that the hon. gentleman from LaPoile (Mr. Neary) joins with everybody else in Newfoundland in commending the RCMP for the

MR. HICKMAN: effectiveness of this very desirable enforcement programme.

MR. NEARY: Mr. Speaker -

MR. SPEAKER (DR. COLLINS): Is this a supplementary?

MR. NEARY: No, Sir.

MR. SPEAKER (DR. COLLINS): The hon. member for Fogo.

CAPT. WINSOR: Mr. Speaker, may I direct a question to the hon. Minister of Fisheries? Can the hon. minister inform the House whether or not the provincial government will be reimbursing the fishermen for lost gear in 1975?

MR. SPEAKER (DR. COLLINS): The hon. Minister of Fisheries.

MR. W. CARTER: Mr. Speaker, shortly after assuming the portfolio we appointed a committee of departmental officials to investigate the entire gear subsidy programme, having to do

Mr. W. Carter.

with subsidies paid on gear as well as the cost to the fishermen of replacing gear lost by storm. That report has now been presented to me. It is under study. There are several options that have been presented with respect to amending the existing programme. It is our intention to circularize the fishermen to get their views on it after which we will be making a statement as to what our plans are, whether it is to continue the present subsidy programme or to maybe introduce an entirely new concept in that area.

CAPT WINSOR: A supplementary, Mr. Speaker. Could the minister give us any idea at what time a decision will be made, because at this time of the year all fishermen are very eager and anxiously awaiting to get their gear prepared and repaired for the next season's operation?

MR. W. CARTER: Mr. Speaker, on a matter as important as the changing of the gear subsidy programme which is very important to fishermen, if we feel it is important to solicit the views of fishermen, and we have to do that by sending out to them a letter or a memo outlining what the various options are, what the findings of our studies are, but that could take some time, but certainly it is our hope to be able to introduce certain changes, if not maybe an entirely new programme, some time within the next month or six weeks, no more than two months.

MR. SPEAKER (Dr. Collins): I will recognize the hon. member for Windsor - Buchans (Mr. Flight) if this is not a supplementary.

MR. FLIGHT: Mr. Speaker, my question is to the Minister of Manpower and Industrial Relations. The Termination of Employment Act has been referred to three or four times this past few days, and I would like for the minister to clarify this plan for me anyway. Is it right for me to believe that the labour group in this Province, the Newfoundland Federation of Labour or representatives of labour have opposed the proclamation of that act? I presume management have, but

Mr. Flight.

I want to be sure whether or not labour itself have officially opposed the proclamation of that act?

MR. MAYNARD: Mr. Speaker, I do not know if you could say that either management or labour have opposed the proclamation. Management and labour have expressed some concern about certain provisions in the act, and approximately three years ago we started an exercise which is close to being finalized now and that is to bring together all the labour legislation in the Province, all the labour legislation dealing with such things as termination of employment, minimum wages, vacation with pay, etc., into one labour standards code, which we are now doing and have done, and we have had conversations and discussions and meetings with labour and management groups over the past three years on this matter. That bill should be before the House in not too long a period of time from now, and it will contain provisions for termination of employment within the act. That act and other acts such as the Employment of Children Act, which was passed back in 1970, I think, and various other labour standards bills that have been passed, have not been proclaimed because of certain provisions in the act. We hopefully have overcome most of the objections of labour and management groups to these bills now, and they will be incorporated into a new labour code.

MR. SPEAKER (Dr. Collins): The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, I would like to put a question to the Acting Minister of Public Works and Services. Would the minister tell the House now the target date for completion of the Health Science Complex over there on the campus of Memorial University?

MR. ROUSSEAU: I have to check that point out. I understand it will be some time in the late Fall or early in 1977, but I will take it as notice and get the exact date for it.

MR. NEARY: A supplementary. Would the minister inform the House if there are any negotiations going on at the present time to change the project managers on the Health Science Complex? And if so would the minister give the House the information?

MR. SPEAKER (Dr. Collins): The hon. minister.

MR. ROUSSEAU: I will take that as notice, too, and I will check that.

MR. NEARY: A further supplementary. Would the minister indicate to the House the amount of the escalation in cost of the Health Science Complex since it commenced?

MR. ROUSSEAU: Yes.

MR. SPEAKER (Dr. Collins): The hon. Leader of the Opposition.

MR. ROBERTS: Mr. Speaker, in the continued absence of the Premier and in the absence of the Minister of Finance, perhaps the Government House Leader could answer the question. Would the government undertake

MR. ROBERTS: to make public very quickly, say tomorrow or very shortly thereafter, the anti-inflation agreement which they signed last - I believe it was last week - but in any event, a week or two past with the Government of Canada?

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

MR. WELLS: Mr. Speaker, there has to be an act passed which will be brought forward and then passed in this session of the legislature.

MR. ROBERTS: Mayhap, mayhap!

MR. WELLS: Well in all probability there will be.

MR. ROBERTS: Well that is fine.

MR. WELLS: And at that time when that matter is sorted out then, of course, the agreement will be made public.

MR. ROBERTS: Mr. Speaker, a supplementary. The minister, could he indicate to us whether the agreement is in effect. There is obviously some doubt among the ministers as to whether or not we have authority - let me put the question this way then as a supplementary, Mr. Speaker: Does the Government of this Province have authority to sign that agreement with the Government of Canada without the authority of this legislature?

MR. WELLS: The position is, Mr. Speaker, that the government believe that they have the authority to sign such an agreement without legislation but, of course, there will have to be legal opinions received on that subject and these are being worked on at this time.

MR. ROBERTS: Mr. Speaker, a further supplementary. Is the minister saying that the agreement has been entered into without legal advice being sought and taken? That seemed what he was saying, and the point of my question is, in that light by what authority was the agreement signed?

MR. WELLS: The agreement was signed, Mr. Speaker, in the belief by the government that it had the authority to sign it without legislation. If it turns out that legislation is required then the legislation will cover the signing of the agreement. But in any event, the agreement, of course, will be tabled in due course in the house and made public.

MR. ROBERTS: Mr. Speaker, I thank the hon. gentleman. I would ask again that the agreement be tabled immediately and my supplementary question is this: Is it now in effect? Is it binding upon the groups and the bodies who are bound, whose affairs can be brought under the anti-inflation guidelines only by virtue of the consent of the Government of this Province?

MR. WELLS: Yes, the agreement has been signed.

MR. ROBERTS: Well, then it should be made public.

MR. WELLS: It will be.

MR. ROBERTS: Immediately.

MR. WELLS: It will be.

MR. SPEAKER (Collins): If there are no further Oral Questions I will call Orders of the Day.

ORDERS OF THE DAY:

MR. SPEAKER (Collins): This being Private Members' Day when the house adjourned on December 10, I believe the date was, we were debating Motion No. 3, and the hon. the Minister of Justice had adjourned the debate.

MR. HICKMAN: Mr. Speaker, as I was saying when I was so rudely interrupted by the Christmas vacation - well, before I get on to that may I firstly correct the record. I answered a question this afternoon which I referred to as the answer to question 320. That should have been 319. Question 319.

Now the resolution. The resolution, Mr. Speaker, that is presently under debate calls upon this house to resolve that a Select Committee be appointed to enquire into and to report upon the prospects for Newfoundland and Labrador including the prospects for economic growth and development, and in particular, a consideration for those types of developments which are best suited to foster and encourage the way of life most desired by the people of Newfoundland and Labrador.

Now, Mr. Speaker, we on this side of the house cannot and will not support, or vote to support that resolution.

MR. CROSBIE: Hear, hear!

MR. HICKMAN: And I would sense from some of the comments from hon. gentlemen opposite, particularly from the New Liberal Party, the Liberal Reform Party, and from the hon. gentleman from LaPoile, (Mr. Neary) that they too will not support this resolution. There is a very obvious reason why they will not support this resolution and why I suspect that maybe some of the old-line Liberal members will not support it either, is that to vote for this resolution constitutes a clear abdication by hon. members of their responsibility as the elected representatives of the people.

How can we come into this hon. House, Mr. Speaker, just a few short months, just a few short months after a general election, when we went to our constituents, to our voters and said, "Here is our platform, here are undertakings, here is what we will endeavour to do, and

MR. HICKMAN:

here is what we interpret as being your concern, what you would like us to do as your representatives." Having so recently received from our constituents and from the people of this Province what they would like to see us do, it ill behooves us to go back and say, "Instead of doing that, instead of discharging our responsibilities and our duties as elected members we are going to set up a select committee of the House of Assembly to go around and find out what it is you want us to do."

Well if any hon. gentleman, Mr. Speaker, had been listening at all to what the voter was saying then he or she surely is in the position to tell this House now the course that should be followed in the economic development, in the development of this Province. We have had two or three days of debate on the Address in Reply whereby the hon. the Leader of the Opposition for two and a half days called upon the government to outline a plan without making any suggestions, any recommendations, giving us the benefit of either his thoughts or those of his constituents or his party as to what should be done in developing the Province in the future.

Now, Mr. Speaker, surely we can look forward to other members of this hon. House who participate in the Address in Reply debate giving us the benefit rather than the negative approach, giving us a positive approach and saying, this is what I would like to see done. This is not only what I would like to see done in my district, but I believe that when the people of the district that I represent when the people who represent the developers of this Province say to me, what you should be doing is drawing to the attention of the government of Canada that their legislation that they introduced into parliament but two short years ago, namely the Foreign Investments Review Act, is having a very disastrous effect upon development particularly in the underdeveloped provinces such as the Province of Newfoundland, when we have been told that, when we can see with

MR. FICKMAN:

our own eyes the reluctance of investors particularly from South of the border to come into Canada now because they are not quite sure what the climate is, what the investment climate is, surely we do not need a select committee to go around and find out whether or not the people of Newfoundland believe that this kind of legislation has to be repealed, that the interpretation of it by the federal Minister of Industry, Trade and Commerce, the member for Burin-Burgeo, that his interpretation has to be tempered with the realization that maybe only Ontario and Alberta are in the position to develop their industry - I do not believe they can either - that maybe they have the investors who will develop industry in these provinces by you taking the money out of the sock and putting it into resource industry and developing this nation.

Maybe his interpretation has to be so generous, so broad that once again Americans will be encouraged to come into Atlantic Canada and invest their dollars into development. But right now they are looking upon it very apprehensively. They have to be apprehensive, most apprehensive when they see this disasterous piece of legislation that became law the other day from the Parliament of Canada that killed once and for all the Canadian edition of Time Magazine and leaves Canadians now, all of us, without any, Mr. Speaker, without any weekly magazine to let us know what is going on in Canada and to interpret what is going on.

I can see why the government of Canada did not like it, because it was a factual interpretation of where this country is heading. I say, Mr. Speaker, we do not need a select committee to tell us that. We have to realize that this House and the government of this Province must be ever alert and vigilant and make strong representation to the government of Canada to repeal that shocking piece of legislation known as The Foreign Investments Review Act which will do nothing but discourage investment particularly in Atlantic Canada.

Mr. Hickman:

Quite recently in this House the hon. Minister responsible for Intergovernmental Affairs unfolded the sorry story of where a job-creating industry in Gander has been rejected by DREE. And this puzzles us. This has to puzzle every hon. member of this House. We are puzzled for two reasons; one, why a similar application from the same company to establish another job-creating industry or branch of its operations in Halifax was readily and quickly and enthusiastically embraced by DREE and various substantial grants made so that industry could become established, and when Eastern Provincial Airways after a great deal of work bringing to bear their entire expertise on the subject came to the logical and sensible and encouraging conclusion that they could not only establish an operation in Gander to maintain their own fleet of aircraft but others from outside of the Province and from other companies that Mr. Lessard, the hon. Mr. Lessard, the Lessard of Oz, suddenly said, no we are not going to give you any of this money, you do not qualify. And this leaves all of us at a loss. This, Mr. Speaker, is what we should be addressing our attention to in this hon. House right now instead of talking about select committees, is to try and find out why there has been that marked change of philosophy and policy by the new Minister of Regional Economic Expansion.

AN HON. MEMBER: Because of your piecemeal approach!

MR. HICKMAN: Piecemeal! We were told, Mr. Speaker, when we assumed office, we were summoned to Ottawa, and I was one of the ones summoned to Ottawa, called into the office of the hon. Mr. Marchand who was then the Minister of Regional Economic Expansion, lined up in front of Mr. Marchand and Mr. Francis, I think it was, and Mr. Love, or Mr. Dove or whoever were the deputy and the assistant deputy minister of that department, and said, the day of ad hockery is over for Newfoundland. Give us a plan. You give us a plan, and then you will see that there is unlimited supply of funds for the right projects.

Mr. Hickman:

Well, Mr. Speaker, to save time, we said, okay, Mr. Marchand what do you suggest we do? Well get some intensive studies done into every sector of your economy and into the operation of your government. And then put that together and give us an overall development plan. Now that sometimes was an old federal trick, Mr. Speaker, because they loved studies, because you can lose two or three years by a study, because if the Province does the study then they set up another committee of federal officials to study the provincial study. So we said, Mr. Speaker, we will not do that. We will set up a combined federal-provincial task force, your representatives will be on every committee, and so they were. So there could be no further studies and this was done. And based on that we came up with the overall development programme that resulted in the general development agreement that was signed, the first of its kind in Canada.

MR. NEARY: Tell us about EPA?

MR. HICKMAN: And then having done that we had been presenting our studies and our agreements to Ottawa for signature, and they were rather slow in forthcoming, there has been a change of policy. Interservice, or what do you call it? infrastructure - out, gone, finished, we do not want to hear any more about infrastructure. Our emphasises is going to be on job creating industries. So they have said good-bye to schools, and they have said good-bye to water and sewerage, and that sort of thing.

Well, Mr. Speaker, I can only arrive at the conclusion that not only have they changed their policy with respect to infrastructure, but their astounding decision on the proposal of Eastern Provincial Airways for Gander indicates very clearly that they have very limited policy with respect to the industrial development of the have-not provinces of Canada. And I pose the question, Mr. Speaker, and I pose it very sincerely, as to whether or not the Department of Intergovernmental Affairs in Quebec had done half the studies that we have carried out in the Province of Newfoundland, and whether or not

Mr. Hickman;

they get the same kind of treatment that we do. My guess is that they do not. And from what we have been told from time to time by Ottawa that there is no province in Canada who has gone and completed the studies to the extent that we have. Mr. Speaker, I find something less than enthusiastic sympathy emanating from the present Minister of Regional Economic Expansion.

MR. HICKMAN:

I do not want to create the image or the position that we should forever be going to Ottawa looking, looking, looking for help. But from time to time I have heard statements made by members of Parliament in Ottawa that there are programmes available that Newfoundland is not taking advantage of. Always loose in their statements, when you try to tie them down you cannot seem to get the kind of answer that you want. These programmes suddenly disappear. Well let me give you one, Mr. Speaker, that we have made representation to, that we wanted to take advantage of, and that is with respect to my own department to the custodial facilities, to the correctional facilities in this Province. We carried out the studies. We had our own Federal Provincial Corrections Committee. Following their recommendations and on the advice and with the financial assistance of my good friend the Solicitor General of Canada we retained K.L. MacReynolds to do the study and he set forth the programme. That study cost about \$20,000. I think it was \$21,000. We paid about \$1,000. We estimated it would be \$20,000 and it went over \$1,000. We did not have the heart to go back and ask for the other \$1,000. But when that was submitted by me to Ottawa, to the Government of Canada a year ago January past, what happened? They appointed another committee to study it. That committee has been studying it and studying it and re-studying. I went to Ottawa recently in desperation and met the Solicitor General of Canada and said, when are you going to give us a decision. I am not faulting the hon. minister for this. He said, "I would like to give you a decision. I could have given you my own decision months ago. But I have got to rely on the professional advice that I get from my people in the department." So it is going to be delayed for another two months.

So if the hon. gentleman, the hon. the member for Grand Falls - White Bay-Labrador wants to know, and he is the one who seems to be saying all the time that there are programmes available that we are not taking advantage of for Labrador, let me repeat for his benefit and I hope one of his friends passes it on to him, that there has been a proposal for

MR. HICKMAN:

custodial and correctional facilities in the hands of his government for his constituency, for Labrador since a year ago, January past. There has been no reply, no answer, no action, no real indication of an understanding of the problems that we have particularly with the native Canadians living in that part of our Province. I have met and worked with men like Dr. Padden, with Magistrate Goodyear, who is considered as one of the authorities in Canada in that sphere of influence and dealing with that problem. We have practically gone on our knees to the hon. Judd Buchanan, to the minister, to the hon. Mark LaLonde, to that rather cold fish, the hon. Otta Laing.

MR. NEARY: Now, now, be nice.

MR. HICKMAN: You cannot be nice with him because he is too much of a centralist. He has no interest in what goes on in Eastern Canada at all, none, transportation wise -

AN HON. MEMBER: Zero.

MR. HICKMAN: -zero. Zilch, zero, am I right? My hon. colleague, the Minister of Fisheries? Now his successor, the hon. Mr. Basford, got a heart, believes in the consultative process. But let me get back to this proposal for Labrador. It has been there for over a year and there is where Mr. Rompkey can show his mettle, can show that if we bring in a plan for his constituents that the Federal Government acts quickly and efficiently and sympathetically. But they have not done it. We are waiting which leads me to the inevitable conclusion that all this talk, Mr. Speaker, that is envisaged in this resolution about the Trans-Labrador Highway and about the Trans-Continental - and I use that word advisedly - hydro lines, the transmission lines that this same suggestion that if we would only present the detailed plans, then, Mr. Speaker, they would -

MR. SPEAKER: Order, please!

MR. HICKMAN: - be sympathetically acceptable. We have submitted the plans, Mr. Speaker. Ottawa has the proposal and Ottawa, Mr. Speaker, have not responded. I now find myself in the delightful position where I have to

March 10, 1976.

Tape 1064

RH - 3

MR. HICKMAN:

adjourn this debate.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: It now being six o'clock I leave the Chair until tomorrow, Thursday, at 3:00 p.m.

On motion the House adjourned until tomorrow Thursday at 3:00 p.m.

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MAR 10 1976

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Supply a copy of the report made on the Burgeo Fish Plant and draggers in the Government for 1961 and 1962 by the non-profit firm operating out of the Province of New Brunswick.

ANSWER

Please refer this question to the Honourable Minister of Industrial Development.

March 11/76
(2)

QUESTION 354. HONOURABLE MR. SMALLWOOD (Twillingate) - To ask the Honourable Minister of Fisheries to lay upon the Table of the House the following information:

Has the Government made an estimate of the number of years; commencing next year, the cod fishery is likely to be viable for the inshore fishermen, and the number of years the off-shore fishery may be viable for the off-shore fishing fleet of Newfoundland, if the 200-mile fishing zone is not declared and firm control exercised over it by Canada?

ANSWER

No.

*1/15/75
Smallwood
MS*

MAR 11 1975

325. HONOURABLE MR. SMALLWOOD (Twillingate) - To ask the Honourable Minister of Fisheries to lay upon the Table of the House the following information:

What is the number of longliners operating in each of the financial years 1970-75, the total catch, and value thereof, of the said longliners each year?

ANSWER

<u>YEAR</u>	<u>NUMBER OF LONGLINERS</u> ¹
1970	485
1971	518
1972	562
1973	612
1974	607 ²
1975	519 ²

1 Longliners of 10 to 49 tons

2 Estimates

While total inshore landings and values are available; that portion attributable to longliners in the 10 - 49 ton range are not readily available from Federal statistics.

*Answer 11/71
C.P.*

MAR 10 1975

QUESTION 342. HONOURABLE MR. SMALLWOOD (Twillingate) - To ask the Honourable Minister of Fisheries to lay upon the Table of the House the following information:

Supply a statement of the exports of turbot, to what markets and by what trade name in each of the financial years 1970-75.

ANSWER

NEWFOUNDLAND EXPORT OF TURBOT 1970 - 1975

YEAR	FROZEN FILLETS		FROZEN BLOCKS	
	QUANTITY (Metric Tons)	VALUE (\$,000)	QUANTITY (Metric Tons)	VALUE (\$,000)
1970	1,898	1,274	1,016	617
1971	1,769	1,219	1,370	1,001
1972	1,342	1,210	913	796
1973	960	1,094	1,256	1,419
1974	960	1,172	341	369
1975*	1,566	1,920	601	648

* To end of September, 1975

Over 90% of this export product goes to the U. S. market
Information as to the trade name used is not available.

*March 11/75
GK*

MAR 11 1976

790. MR. MILROONEY (Exploits) - To ask the Honourable the Minister of Fisheries to lay upon the Table of the House the following information:

1. (a) Would the Minister state whether the wood, which was exported from Newfoundland for the purpose of determining whether the wood would be suitable for the manufacturing of barrels used in the exportation of fish, has been deemed suitable.
- (b) Would the Minister state the present number of barrels being imported into Newfoundland for the same purpose, and the cost of each barrel.
- (c) Would the Minister state if there is any percentage being paid to any company or individual in Newfoundland for these imported barrels and the amount of that money per barrel.
- (d) Would the Minister state the progress which has gone into analysing the establishment of two barrel manufacturing plants in Newfoundland, and if a location for either of these barrel manufacturing plants has been determined.

ANSWER

- (a) It has been established that some of the wood which was exported from Newfoundland to Norway for testing and construction into barrels was deemed suitable for barrel manufacturing. This included both black and white spruce. However, the quality of the lumber has to be fairly high, therefore selective cutting is absolutely necessary; poor quality lumber could tend to reduce the quality of the barrel and therefore the quality of the processed herring.

Further details on this topic will be forthcoming from the Newfoundland and Labrador Development Corporation Limited around mid-February, 1976.

- (b) Provincial fisheries statistics show the following barrels of herring exported from Newfoundland (includes wooden, steel, and plastic barrels):

1970	-	100,422	barrels
1971	-	138,727	"
1972	-	151,815	"
1973	-	118,741	"
1974	-	105,397	"
1975	-	not yet available	

Milrooney
1/24

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It is safe to assume that the majority (in excess of 90%) of these barrels are imported since there is only one small local producer of herring barrels. i.e.

S. T. Jones & Sons Ltd.
Little Bay Islands

Local sources indicate that presently there are between 80,000 - 100,000 barrels per year being imported into Newfoundland from Norway for herring packaging. The price is currently approximately \$14.00 per barrel before duty. Duty is 15% (i.e. \$16.10 per barrel including duty).

Trends indicate that the price of these barrels will likely increase in the near future.

It should be noted that the popularity of the wooden barrel on the United States and Canadian markets has decreased. However, on the Scandinavian market popularity has remained strong and the market continues to look good for the future.

(c) The major users of herring barrels in the Province are:

- B. C. Packers
- National Sea Products
- H. B. Mickerson
- Johan Stangeland Canada Limited

plus a variety of small users. As far as can be determined these companies import their own barrels; each firm has an agent in Norway who purchases the barrels as the need arises. One packer will borrow from another when shortage occurs from time to time. Thus, no percentage is currently being paid to any company or individual in Newfoundland for these imported barrels to the best of our knowledge.

(d) There has been considerable research into the feasibility of the establishment of a barrel manufacturing facility in Newfoundland. Analysis has shown that a 100,000 barrel per year plant could be economical. Such an operation could manufacture at approximately \$11.00 to \$12.00 per barrel plus 15% gross margin (i.e. \$12.65 to \$13.80 total); therefore, a local operation could be very competitive with imported barrels.

It is felt that the Scandinavians purchase Newfoundland herring out of necessity; if there were an excess supply on the market then the Newfoundland product would be among the first to be dropped. Our product is not well accepted in the world market due to its inconsistencies in cure and quality. There are several reasons for this including:

- differences in brine and cure solutions
- not enough care in processing and packaging
- lack of controlled temperature storage

MAR 1 1 1976

This eventually leads to lower prices, higher cost and excessive handling; for example, one of the major processors has had to repack up to 40% of the herring that it receives from Newfoundland fishermen.

Consequently, the preliminary studies by the Newfoundland and Labrador Development Corporation Limited recommend combining a repacking operation with a 100,000 barrel per year manufacturing plant and storage for filled and unfilled barrels.

They also suggest a storage operation for both empty and full barrels along with inside controlled temperature storage. There would likely have to be 2-3 of these storage areas throughout the Island. These would have to be united by a transportation network. This would likely involve some co-operative effort of all the major processors.

This type of operation would definitely improve our products' quality and eventually its world-wide acceptance.

However, it should be noted that the Newfoundland and Labrador Development Corporation Ltd has nearly completed this study and the first draft should be ready in February, 1976. Such a document will be invaluable in determining Newfoundland's potential as a herring barrel producer and lead to cooperation towards the export of a first quality product by our herring industry.

QUESTION 623. CAPTAIN WINSOR (Foqo) - To ask the Honourable the Minister of Fisheries to lay upon the Table of the House the following information:

- (1) How many gill nets, salmon nets, cod traps, lump nets, and lobster pots were replaced by Government under disaster programmes in the year 1971, 1972, 1973, 1974, and 1975?
- (2) Give the names of suppliers and the names of the fishermen who received such gear.

ANSWER

	1973/74	1974/75
CODTRAP NETTING	190,000 lbs.	260,000 lbs.
GROUND FISH GILLNETS	6,600	18,000
SALMON GILLNETS	950	6,000
OTHER	600	1,200
LOBSTER POTS	101,000	138,000

The bulk of the gear was supplied by John Leckie Ltd., Bay Bull's Trading Co. Ltd., and Atlantic Netting, Rope and Twine Ltd., by direct sales to the Department and indirectly through retailers throughout the Province.

Recent staff cutbacks and the disruption of files as a result of the fire would make it impossible to list the figures for previous years or to provide the names of suppliers and fishermen involved in replacement programmes during the last two years.

M. Smith 11/76
[Signature]

QUESTION 624. MR. MOORES (Carbonear) - To ask the Honourable Minister of Fisheries the cost of construction of the Marine Landing in Carbonear South; the company who undertook construction of it; the amount of local advisory input as to its location, design and utilization; the number of full-time fishermen using the landing as compared to the number that was estimated to use it; the number of part-time fishermen or sportsmen who avail themselves of the facilities; and the amount of local manpower that was hired

ANSWER

1. Cost - \$ 37,500
2. Contractor - Quinlan Brothers Ltd.
3. Local Advisory Input as to Location & Design - Consulted fishermen
4. Full-Time Fishermen Using Slipway - 17
5. Estimated Users - 30
6. Part-Time Fishermen Using Slipway - 13
7. Amount of Local Manpower to Construct - 100%

Macmillan
2/26

C O N T E N T S

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<u>PRESENTING PETITIONS</u>		
By Mr. Neary in behalf of a group of residents of the District of Carbonear protesting any increase in electrical rates.	2803	
Spoken to by:		
Mr. Crosbie	2805	
Mr. Lush	2806	
Mr. R. Moores	2807	
Mr. Mr. Nolan in behalf of members of the Anglican Church Women's Association protesting the extensive showing of scenes on television involving social drinking and the serving of alcoholic beverages, and asking that their protest be forwarded to CRTC.	2807	
Supported by:		
Mr. Neary	2809	
Mr. Rousseau	2809	
By Mr. Coudie in behalf of the Power Consumers' Committee of Happy Valley-Goose Bay, North West River and Mud Lake protesting high electric rates.	2810	
Spoken to by:		
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Mr. Crosbie	2813	
Mr. Roberts	2816	
Mr. Peckford	2819	
Mr. Rousseau	2821	
By Mr. Callan in behalf of residents of Markland requesting the upgrading and paving of some six miles of road from the Markland Hospital to the end of the community.	2821	
Supported by Mr. White		2822
By Mr. Woodrow in behalf of residents of York Harbour seeking improved television reception.	2823	
Spoken to by:		
Mr. Neary	2823	
Mr. Nolan	2826	
Mr. Rousseau	2827	
Mr. Power	2829	
<u>NOTICES OF MOTION</u>		
Mr. Wells gave notice that he would on tomorrow move that a committee be appointed pursuant to Standing Order (84) to prepare and report lists of members to compose the various Standing Committees of the House.	2829	
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Mr. W. Carter tabled answers to Questions Nos. 351, 354 325, 342, 708, 623, and 624.	2830	

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Recommendations contained in the letter concerning special legislation. Mr. Neary, Mr. Crosbie.	2831
Possibility that government make payments to maintain the Come By Chance work force in case a new operator be found for the refinery. Mr. Smallwood, Mr. Crosbie.	2836
Possibility that the government maintain the work force with the money to be repaid over a period after the refinery resumes operation. Mr. Smallwood, Mr. Crosbie,	2839
Legal possibility as to whether the interim receiver may pay the Come By Chance work force more than is legally due them, and if so what indication the government has received that the receiver is prepared to be generous. Mr. Roberts, Mr. Crosbie.	2839
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Public meeting at Come By Chance to make available to the residents all information concerning the refinery. Mr. Neary, Premier Moores.	2844
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Query as to whom permanent receivers would represent should they be appointed. Mr. Smallwood, Mr. Crosbie.	2845
Query as to whether the House would have to ratify the terms of sale of the refinery. Mr. Flight, Mr. Crosbie.	2845
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