

PRELIMINARY
UNEDITED
TRANSCRIPT

HOUSE OF ASSEMBLY
FOR THE PERIOD:
3:00 p.m. - 6:00 p.m.
WEDNESDAY, MARCH 8, 1978

The House met at 3:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER: Order, please!

I wish to draw to the attention of hon. members and to welcome on their behalf students from a number of schools who are in the galleries today. There are twelve grade eleven students from Victoria School in Gaultois, accompanied by their teachers, Mr. Wayne Rendell and Mr. Frank Meady. Also from Hermitage nine grade eleven students from John Whitman Central High accompanied by Mr. Wesley Harris and Mr. Albert Loveless, from Dildo Woodman Elementary, sixty-nine grade five students with their teacher Mr. Harvey Reid and forty-two grade ten students from John Burke High School in Grand Bank, accompanied by their teacher Mr. Max Snook. Perhaps I should point out that the Gaultois students I understand left Sunday morning and had to turn back because of heavy seas and they left again Monday evening at 4:00 P.M. and arrived in St. John's yesterday afternoon at 4:00 P.M.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Pursuant to section (5) of the Internal Economy Commission I am required to report to the House of Assembly within a certain number of days after a new session, the appointment, in this case the re-appointment of the Internal Economy Commission and I now make that report.

The Internal Economy Commission consists of the hon. member for St. John's South, as Deputy Speaker and Chairman of Committees, the hon. Minister of Justice, the hon. Minister of Consumer Affairs and the Environment, the hon. Minister of Energy, and the Speaker.

MR. NEARY: You do not get any rights at all, do you, Mr. Speaker?

MR. SPEAKER: Hon. members will recall yesterday that I reserved decision on a point of order which I am now in a position to give. I mentioned yesterday that the specific point on which the decision was required was as follows, and I will repeat the wording that I gave yesterday.

MR. SPEAKER: "The specific point before the Chair is whether an hon. member, being of the official Opposition, starting off the debate on the Address-in-Reply and not being the Leader of the Opposition, and not making a motion of non-confidence, does have unlimited time or does have forty-five minutes in which to speak."

I have consulted the Hansards for the past five years and will make a review of what happened there. In 1973, the lead-off speaker for the Opposition was the then member for Bell Island, now member for LaPoile (Mr. Neary). The reference is Hansard, February 12th., 1973, page sixty-four. There was no amendment made. The hon. gentleman was informed by the Speaker that he had ten minutes left and he spoke his regularly allocated time.

In 1974 the same hon. gentleman was the lead-off speaker, the reference Hansard, February 4th., page sixty-three, no amendment was made. In reply to a question to the Chair the hon. gentleman was informed that there was twenty minutes left and he spoke for his regularly allocated time.

In 1975, a most unusual state of affairs; the first speaker in the debate was the then Minister of Municipal Affairs and now Minister of Energy, a government member. But he in fact spoke his regularly allocated time. Hansard, February 27th., of that year. The first Opposition speaker was Mr. Thoms. He adjourned the debate on that day. It was not called for a few weeks, on March 10th. and he continued.

He made no amendment. He was informed by the Chair that his time had expired. He requested unanimous consent to continue beyond his allocated time, which was not granted.

1976, the first speaker was the Leader of the Opposition who moved an amendment. And in 1977 the first speaker was the then Leader of the Opposition who moved an amendment.

MR. SPEAKER: So my decision with respect to the specific point to be decided is that an hon. member not being the Leader of the Opposition, who starts off the debate on the Address-in-Reply cannot speak in excess of forty-five minutes unless he moves an amendment which is a non-confidence motion.

STATEMENTS BY MINISTERS

MR. SPEAKER: The hon. Minister of Justice.

MR. T. A. HICKMAN: Mr. Speaker, it is with pleasure I announce the appointment of Mr. G. Frederick Saunders to the Board of Commissioners of Public Utilities. Mr. Saunders was appointed Executive Director of the Board of Commissioners of Public Utilities in 1968 and has served in that capacity since that time. Mr. Saunders during his time as Executive Director of the Board has been primarily involved in the regulation of Motor Carriers and the enforcement of the Motor Carries Act and regulations made thereunder. He has served on various federal-provincial committees concerned with motor transport matters, and is the Province's representative on the federal-provincial committee on the transportation of dangerous goods. He was also a member of the Provincial government's task force on transportation and communications. Since February 1974, Mr. Saunders has served in the dual capacity of Executive Director and Clerk of the Board of Commissioners of Public Utilities. He has also been very much involved in other regulatory functions of the Board such as Public Utilities and automobile insurance matters.

It is with pleasure I announce the promotion of this very competent Newfoundlander who is a career public servant to the position of Commissioner on the Board of Commissioners of Public Utilities.

AN HON. MEMBER: Whose place is he taking?

MR. HICKMAN: No one.

Mr. Saunders will be succeeded by Miss Carol Horwood as Clerk of the Board of Commissioners of Public Utilities. Miss Horwood has been employed with the Board since 1961 and has held the position of secretary to the Chairman of the Board since 1967. In 1974 Miss Horwood assumed the additional duties as Assistant Clerk of the Board. Again I am very happy that another competent and dedicated Newfoundland public servant has been duly promoted to a very responsible position with the Board of Commissioners of Public Utilities.

SOME HON. MEMBERS: Hear, hear!

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

MR. W. ROWE: Mr. Speaker, two finer public servants than these two mentioned by the minister are not to be found in the public service. Fred Saunders - I am speaking from personal knowledge and from firsthand experience - Fred Saunders as Clerk of the Public Utilities Board, and as Executive Director of that Board was invariably fair and impartial in his dealings with anybody appearing before the Board, exceedingly helpful, and a man who had acquired through experience, Sir, a professionalism, an expertise that I think will be a great benefit to the Public Utilities Board. I think he will do that job in a masterful way, and anyone appearing before him under any of the Acts administered by the Public Utilities Board will be well treated impartially, fairly, and in an equitable manner.

Miss Horwood equally, I am sure, will do an admirable job as Clerk to the Public Utilities Board. She, as the minister indicated, is again a career civil servant, a very fine lady, a lady who has always again in her dealings with the public and with lawyers and people, parties appearing before the Board, has been fair, equitable, unfailing in her courtesy, and in her consideration of all people who have to go before that Board.

I commend the minister on these appointments, Mr. Speaker, and I offer the congratulations of all my colleagues on this side of the House to Mr. Saunders and Miss Horwood on these appointments.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Before calling the next routine order, it has been drawn to my attention that we have some additional visitors in the gallery. An hon. members are aware this is International Women's Day, and there is a group in the gallery from the Newfoundland Status of Women. I am sure hon. members join me in welcoming them.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: From Ramea there are twelve Grade XI students from St. Boniface School, and their teacher, Miss Barbara Gellately, and from Burgeo Mayor Ann Calder, Councillors John Savoury and Llyod Walters and the Town Manager Doug Kendall, I know hon. members

March 8, 1978

Tape 53

PK - 3

Mr. Speaker: join me in welcoming them as well in hoping that their visit will be an interesting and instructive one.

SOME HON. MEMBERS: Hear, hear!

PRESENTING PETITIONS

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

MR. HODDER: Mr. Speaker, I beg leave to present a petition signed by sixty-five residents in the central part of the district of Port au Port. The prayer of the petition reads:

WHEREAS the district of Port au Port has one of the highest rates of unemployment in the Province: and

WHEREAS a garbage collection recently instituted in the central part of the district is costing residents of the area in excess of forty dollars per year: and

WHEREAS many incorporated areas are paying much less than this amount for the same service: and

WHEREAS it was suggested when the first meeting was held to form the committee that the fee would be \$2.50 per month, we, the undersigned residents of West Bay, Piccadilly, Ship Cove, Abrahams Cove, Lower Cove and Campbell's Creek request the Government of Newfoundland and Labrador to subsidize the waste disposal committee of that area so that the fee will not be over \$2.50 per month.

Now, Mr. Speaker, in October of 1975 a meeting was held in Piccadilly in the district of Port au Port to see if the residents of the area were interested in establishing a garbage collection. At that meeting it was decided unanimously that such a service was necessary and a waste disposal committee was elected to serve that area. At that time, Mr. Speaker, questions were asked by residents - I attended that meeting - as to what the cost would be. And the residents attending the meeting were told that the collection would be in the vicinity of \$2.00 to \$2.50 per month. Because of delays in acquiring land and getting approval of government departments and that sort of thing, the service was not instituted until just a couple of months ago and the cost to the residents was \$3.50 per month which works out to in excess of forty dollars per year. Now this may not seem like a lot of money to the hon. gentlemen opposite, but in an

MR. WODDEP: area where many people receive only \$115 per week from Canada Works and later, once they draw their unemployment insurance, roughly about \$80 per week, this is a lot of money, especially if you have a large family and you are trying to keep them adequately clothed and fed. It has been said, Mr. Speaker, that people in rural areas do not pay as much taxes as those in the city: however, this is changing and the people of this area, the widows, the old age pensioners, people on social assistance and those on unemployment insurance have to pay for services, maybe not in the same way as people from the urban areas, but certainly they have expenses and expenditures. There is the school tax which plagues them, there is the cost of transportation; in the particular area that I am talking about, all services are located anywhere from ten to thirty miles away and for everything they must drive into the town of Stephenville - if they have dental problems - everything is located away from that particular area. And in this particular area as well, Mr. Speaker, many of the people must pay to get their water brought to them, because in many areas there is hardly any water and they have a sort of system whereby people who do not have water have it brought to them in trucks, which is, to say the least, not normal in this day and age. But, Mr. Speaker, no one in this area would mind paying the fee if they had jobs. However, at the present time the majority of people are without work. In this particular area in my district I could safely say that there is at least a 65 per cent unemployment rate.

I feel that it would be fair for the government to subsidize the collection service in the area to alleviate the burden on the people until such time as the economy of the area improves. I believe, Mr. Speaker, that if jobs are provided for this area no one would have trouble paying their fees or would mind paying their fees.

I ask that this be tabled and referred to the department to which it relates.

MR. SPEAKER: The hon. minister.

MR. ABRAY: I can give the hon. gentleman no assurance that we could subsidize this waste disposal committee, unfortunately because we are not a funding department. But I would just like to say with regard to waste disposal committees and their function - they are purely autonomous Government does not interfere in any way, and I am speaking about unincorporated areas now, Sir, where certain people take on duties to take over the collection of garbage from their neighbours or whatever the case may be. They appoint a committee who in turn accept tenders for the collection and disposition of garbage and on the total amount that it cost then it is prorated for individuals.

Now I very much sympathize with the hon. member, quite frankly. We have ninety-eight such disposal committees in the Province and we serve 223 communities, Sir, and it gives me a chance to pay give some credit to these committees because they operate without a cent of pay. They are the first form, perhaps, of incorporated government that we have in the Province. And I will certainly look at what I can do, I can assure the hon. member, but quite frankly my department, as I say, is not a funding department in the first instance. We will help them select a site, and there is an initial grant to ready the site for it but from there on the committee themselves undertake the collection and disposition of garbage. So when I get a copy of the thing I can assure the member that I will have a look at the thing. It is the first time that government, to my knowledge, has been requested to subsidize garbage collection. It is a first and I can certainly accept the petition when it comes to my desk and I will see if there is anything we can do with it. And anymore than that, Sir, that is the only assurance I can give the hon. member.

MR. SPEAKER: Hon. member for Windsor-Buchans.

MR. FLIGHT: Mr. Speaker, I wish to rise and support the petition so ably presented by my hon. colleague. In doing so I want to support it by focusing attention on one specific point.

MR. FLIGHT: made by the petition. I know of what I speak because as the minister knows there is a waste disposal committee in my district that I have had some association with.

Now we have in Newfoundland waste disposal committees that have been set up with no funding at all. I do not care that the Department of Environmental Affairs is not a funding department. Is the Department of Municipal Affairs a funding department? Treasury Board decides what money is spent.

MR. MURPHY: They give grants to municipalities.

MR. FLIGHT: Within my district I have a waste disposal committee, a waste disposal area in which the residents are paying \$36 per year for garbage collection once a month or once a week. I am sorry, five miles away I have a community that is incorporated, a community council, in which the residents are getting water, garbage collection and snow clearing for less than \$40 per year. So there is a great inequality somewhere there. And I believe that if the Department of the Environment is not a funding department, I believe they are short-changing the incorporated communities who want the waste disposal committees. You know, \$36 per month for garbage collection only -

AN UNINCORPORATED MEMBER: \$36 a year.

MR. FLIGHT: -nonincorporated communities - \$36 a year for garbage collection - when we know in an incorporated area \$1.50 per month - the town of Buchans for years, the local improvement district of Buchans to name one, for years had a garbage collection for \$1.50 per month, \$18 per year. Why is it necessary in unincorporated areas? Why is the department not assisting those waste disposal committees? And how again can the department expect five or six men to serve as a waste disposal committee if they are given no funds, no administration at all? In most cases it costs them everything they collect in the community to pay for the garbage collection. They have no funds, no revenue to buy stationery to administer their programme, nothing; no enticement

MR. FLIGHT: to have people volunteering for waste disposal committees, and by in large it is double taxation. There are in this Province lots of small incorporated areas that are getting by far more community services and paying less than the waste disposal committees are. I think the minister should look at funding for those waste disposal committees.

MR. SPEAKER: The hon. member for Bellevue.

MR. CALLAN: Mr. Speaker, if there is no one else to speak on that particular petition I have a petition to present.

I beg leave to present a petition on behalf of 171 residents from the town of Hillview in the district of Bellevue. There are 172 signatures on the petition now, Mr. Speaker, including my own.

Mr. Speaker, yesterday in this House I presented a petition that had an awful lot to do with a partition, the imaginary partition lying between two towns, Deep Bight and Adeytown. Yesterday in presenting that petition I talked about some of the inequalities and the politics that were played there.

Mr. Speaker, this is the third time, three consecutive House sittings, three consecutive times that I have presented a petition on behalf of the residents of Hillview who are asking that their community get an upgraded and a paved road. Approximately two miles would pave every inch of it, Mr. Speaker. Three times!

Mr. Speaker, it is not because the people down there have not tried in other ways as well as asking me to present petitions in the House on their behalf. During this past Summer five ladies from Hillview got into one of their cars and they went down and they met with the then Minister of Transportation and Communications in Bonavista, in the town hall down there. They met the minister and he said yes, he would be glad to come up to Hillview and, of course, he made the same empty promise that he has made to hundreds of people in this Province, that he would be glad to meet with them. The meeting, of course, never took place.

MR. CALLAN: I was in Hillview two weeks ago to hold an M.H.A.'s clinic and it was then that these ladies, of course, again talked about the fact that this minister, the former minister had made so many empty promises.

Mr. Speaker, there is no prayer as such on this petition. All it says is: "A petition for the paving of the community of Hillview this coming Summer." That is what it says on one page and on the other page it says: "From the residents of Hillview for paving the road through the community this coming Summer." One hundred and seventy-one signature, 172 with mine.

Mr. Speaker, I could spend two hours - I am allowed five minutes to present a petition, and perhaps I will not use the five minutes, but I cannot help saying before I sit down that here is another example like the one I gave yesterday. Mr. Speaker, at this present moment there is a delegation of eight gentlemen in the galleries who will be meeting with the new and the fairer and the less partisan, the new Minister of Transportation and Communications, following Question Period today.

MR. SPEAKER: Order, please!
I think I should repeat for the hon. gentleman what I said yesterday and I would hope that he will - not only hope, require - that he abide by it.

MR. CALLAN: Mr. Speaker, following the little problem that took place in Adeytown this past Summer, the CBC did a television programme and in that television programme, Mr. Speaker, the impression was left by the member for Trinity North (Mr. Brett) that I as the member for the district of Bellevue was given so much money, say, a million or a half million dollars to

MR. CALLAN: be used at my discretion to pave what roads I wanted to have paved or upgraded in my district.

Mr. Speaker, I want to make it abundantly clear that this does not happen. An Opposition member does not have the opportunity to tell the Minister of Finance, or at least he did not, now what will happen in the future I do not know.

MR. NEARY: It only happens in Harbour Main.

MR. CALLAN: Mr. Speaker, it happens in the P.C. districts, I have been told by ministers. The Minister of Social Services told me.

MR. MURPHY: Not an inch in St. John's Centre.

MR. BRETT: Yes! Yes! Go away!

MR. CALLAN: No, because it is all paved in St. John's Centre, that is why.

MR. FLIGHT: Flower Hill is paved.

MR. CALLAN: Mr. Speaker, I want to go on record as saying that the Minister of Social Services, the member for Trinity North (Mr. Brett) who was on the CBC television programme the same night that I was on there in connection with Adeytown and Deep Bight, the grave injustice that took place there; he left the impression, and people in Hillview two weeks ago told me that they thought that I had decided that Garden Cove and North Harbour would be done, because it was in my district, rather than Southport. Of course I explained to them why North Harbour and Garden Cove were done and I told them that the Minister of Highways did not even know that it was going to be done and that tenders had been called and cancelled and called again.

MR. CALLAN: Mr. Speaker, if I were given the choice, and, Mr. Speaker, I do not know why government do not give me the choice, it would put me on the spot would it not? If I were given a million dollars for the district of Bellevue it would put me on the spot and the onus would be on me. Then if the people in Hillview said, Why did we not get pavement like they got down in Southwest Arm? then the onus would be on me to explain and, of course, I would be in a position to explain it. If it were my choice I would not pave some of the areas of my district that have been paved, I would have paved others where the need is greater, and Southwest Arm, Mr. Speaker, is a prime case in point.

The millions of pounds of fish that are trucked out of these communities over that twenty-one mile stretch; imagine hundreds of transport trucks and trailers having to go half way, or a little over half way to the last community, Southport, and then fish loaded in smaller trucks and then put on the larger tractor-trailers two or three miles out the road because the road was not reconstructed to the point where the tractor trailers could go right down to the last community where the fish plant was and turn around and get their load and then go wherever they wanted to go.

The hogwash that you see and hear talk of in priorities and the way things are done makes me angry. Mr. Speaker, I support the prayer of this petition. I hope that the people in Hillview do not have to come back another three or four times. This is the third time. I support the prayer of the petition and I trust, Mr. Speaker, that the new Minister of Transportation and Communications will be fair and square. If the money is there, let us do it.

MR. CALLAN: Mr. Speaker, I ask that this petition be placed on the table of the House and referred to the department to which it relates.

MR. SPEAKER: The hon. Minister of Tourism, and the hon. member for Conception Bay South.

MR. MORGAN: Mr. Speaker, just a few comments on the petition to point out that last year I did meet with the residents of Hillview who were asking for improvements to their roads by means of paving same, and I met with them in Bonavista on one occasion and a second occasion I offered to meet with them a second time in St. John's but they found that they could not travel to St. John's and shortly after the beginning of the New Year I mentioned to them then that - to the chairman, the man employed at Clarendville, I forget his name off hand, that I would meet with them in early Spring.

In reference to the comments and needs for roads in the hon. gentleman's district, I would like to point out over the past two years, as the minister responsible, that it was arranged to have a major reconstruction of a section of road on the southwest arm, towards Southport, to the point I think only approximately three miles remained to be done in reconstruction down to Southport, inside Gooseberry Cove. That is one section of road. The other in the Hillview area, we arranged to spend approximately \$250,000 on the construction of a new access road into the Trans-Canada Highway through Hillview. These funds were spent by this government and arranged by the minister responsible for the day. And I take exception to these comments saying that the funds are only being spent in districts with the government representation, etc., that is not true.

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

MR. CALLAN: It is true.

MR. SPEAKER: Order, please! I must point out to the hon. gentleman the same points I made to the hon. member for Bellevue (Mr. Callan),

MR. SPEAKER: and that these matters cannot be debated under petitions. There is no motion before the Chair. A person may speak on the material allegation of the petition. There can be no debate and that is straightforward, Standing Orders 92 and 97.

MR. MORGAN: Thank you, Mr. Speaker. Sometimes we tend to get political in the House.

Mr. Speaker, the fact is these matters, the residents of Hillview and in fact in the Southport area, today I saw a gentleman from Southport. I assume he is concerned with the road problem as well. These problems are recognized by government. There is a limited amount of funds each year and I am sure my colleague, the now new Minister of Transportation and Communications will give the same consideration to these problems that was given in the past.

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

MR. NOLAN: Mr. Speaker, I rise to support the petition as tabled by my hon. friend on behalf of the 178 citizens of Hillview and I do so as a member for the House of Assembly who probably has the worst transportation system on God's earth, this side of the moon.

AN HON. MEMBER: Hear, hear!

MR. NOLAN: For example, I would say that out on the Topsail Highway there are more divorces caused just during the slight snow storms we have from time to time, every evening they are trying to get back and forth, than any place in this world. And I am hoping that because we have a new minister now, who is familiar with the area very well, being from up that way and so on, that we can look to new things, new policies, and new programmes.

SOME HON. MEMBERS: Hear, hear!

MR. DOODY: Not the divorce problem.

MR. NOLAN: Not the divorce problem, no. But nevertheless the people who have put the petition in here do so to have it through their hon. member treated with respect. It is not a political ballyrag back and forth. There are 178 people out there who may or may not be in a position to make a television appearance, to appear in person here in this House of Assembly, or even to have the honour of sitting in the minister's office, or coming in with a delegation. And so what they have said to this member, as they have to others from time to time, other citizens, that is, that here is our plea, here is our prayer, here is what we are asking for and here is what we elect governments for. We are not asking for any luxury. We are asking for a simple, basic, necessity and if funds can be spent on so many things that you hear about in broadcasts and read in newspapers, which may not and in fact do not have any kind of reasonable, logical priority in the social needs of the people of this Province, then how can any Minister of Transportation, whether it be the new minister or the gentleman across the way who just attempted to address himself and to be so evasive on this issue -

AN HON. MEMBER: The reject.

MR. NOLAN: The reject, the dandy, whatever you call him, the Beau James of the House, but whatever, we think this is an important petition and we ask the minister to please look upon it with sympathy and respect and hopefully to address the problem with some real action as soon as the Spring thaw comes.

MR. SPEAKER: Are there any further petitions?

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

MR. SPEAKER: The hon. Minister of Finance.

MR. HICKMAN: Mr. Speaker, I beg leave to table the Financial Statement for the year ending March 1977 as prepared by the Auditor-General of the Newfoundland Legal Aid Commission.

NOTICES OF MOTION

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

MR. G. FLIGHT: Mr. Speaker, I give notice that I will on tomorrow ask leave to introduce the following resolution:

WHEREAS it is recognized by all that marriage is an equal partnership for all purposes;

AND WHEREAS the contribution in a marriage, in a home, and to the family is equal for both spouses;

AND WHEREAS to date the law does not recognize equal contribution by women to property acquired during marriage;

NOW BE IT THEREFORE RESOLVED that the House advise the Government of Newfoundland and Labrador to bring before this hon. House legislation incorporating the following: That in reforming the family property law we favour a system of community property with joint management by both spouses during the marriage, that the spouse by attributed a legal one half share in assets acquired by the other during the marriage, in other words by gifts or inheritance received by either spouse from outside sources, and of which they immediately assume co-ownership upon acquisition. That the married woman's contribution to the household be acknowledged as an economic one both during the course of the marriage as well as upon the dissolution of the marriage.

SOME HON. MEMBERS: Hear, hear!

ORAL QUESTIONS

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

MR. W. ROWE: A question, Mr. Speaker, addressed to the hon. House Leader on the government side, and the Minister of Justice, the Minister of Finance. The question is; will the House Leader tell the House if he intends to introduce legislation in the House during this

Mr. W. Rowe: session, and if so, when, or if not when concerning the substance of a brief received by the government from the Newfoundland Status of Women Council, such brief containing, Sir, a submission regarding matrimonial property rights in Newfoundland, in substance and very briefly indicating that matrimonial property acquired during a marriage be considered to be the property, equally of both partners to that marriage for all purposes during the marriage, and to be divided equally if that marriage should for any reason to be dissolved, for any reason, death, divorce or dissolution of any kind, a position, by the way, Sir, which we on this side of the House unequivocally support.

SOME HON. MEMBERS: Hear, hear!

MR. W. ROWE: Does the House Leader intend to introduce legislation during this session of the House on that very, very topical subject?

MR. SPEAKER: The hon. Minister of Justice.

MR. HICKMAN: I realize how topical the subject is. And may I say that the only party in Newfoundland, political party, so far has been the Progressive Conservative Party of Newfoundland which through the government of this Province in the last year's Speech from the Throne enunciated clearly and beyond all reasonable doubt that we will -

SOME HON. MEMBERS: Oh, oh!

MR. HICKMAN: - that we will bring in -

SOME HON. MEMBERS: Oh, oh!

AN HON. MEMBER: Order, please!

MR. HICKMAN: I see one or two hon. gentlemen over there now who are heading straight for the Hoyles Home but I cannot help that, that is their problem, Mr. Speaker. That we will bring before this Legislature very far-reaching and forward looking matrimonial property law. This was done after consultation not only with the Status of Women group, whom I met with again this morning; last year we discussed two items, one was the bringing of legislation on the Unified Family Court, which we did last year, and secondly, I advised them then, and we advised the public of Newfoundland through the Speech from the Throne, that we would be soliciting this year

Mr. Hickman: input from Newfoundlanders, all Newfoundlanders, who are at all interested in the kind of matrimonial property law that they envisage. In January of this year, pursuant to our commitment, an advertisement was carried in the press, and at the same time the Status of Women Council carry also a questionnaire they circularized throughout the Province asking -

AN HON. MEMBER: Views on the subject.

MR. HICKMAN: That is right. - asking for an indication from the people of the Province as to the kind of issues that they would like to have dealt with. The response has been overwhelming.

MR. W. ROWE: Yes or no would do.

MR. HICKMAN: The response has been overwhelming.

MR. HICKMAN: The response shows a third divergence of opinion, not the kind of emphasis on inheritance that I heard forthcoming from the resolution that was just given notice of -

MR. SPEAKER: Order, please!

MR. HICKMAN: - but certainly a very genuine concern, and I am hastening and rushing to -

MR. SPEAKER: Order, please!

AN HON. MEMBER: Sit down! Sit down!

MR. HICKMAN: If the hon. gentleman -

MR. SPEAKER: The hon. minister is no doubt aware that the general rules which govern the Question Period cover both questions and answers, and I realize the question was, in itself, somewhat long; however, I think the answer is perhaps become unnecessarily long to give the information requested.

SOME HON. MEMBERS: Hear, hear!

MR. HICKMAN: Mr. Speaker, I will restrict my answer as much as possible. I know hon. gentlemen opposite will not want to hear it and have the facts. I indicated today that it is the decision of government, the policy of government that as soon as we are able to correlate all the information that is still coming in that we will then follow the very democratic process of indicating in detail the legislation to be brought before this House by way of a White Paper so that we can have input, as was done by my hon. friend last year so successfully from all interested parties to insure that the legislation that we bring in will not run afoul of the many problems that have been encountered in legislatures and in jurisdictions where they brought it in in indecent haste -

MR. W. N. ROWE: Mr. Speaker, a supplementary.

MR. SPEAKER: A supplementary.

MR. W. N. ROWE: It may be useless to ask the question.

Sir, but I will try again. Will the minister answer 'Yes' or 'No'?

MR. W. N. ROWE: whether he intends, Sir, on behalf of the administration to bring in legislation during this session of the House to implement, to put into law, substance of the brief from the Newfoundland Status of Women Council? Yes or no, Mr. Speaker - a simple question.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: The hon. Minister of Justice.

MR. HICKMAN: Mr. Speaker, I do not propose to - you know, the hon. gentleman opposite is not going to dictate the manner in which I answer the question. I will repeat that this administration intends to bring before this legislature appropriate matrimonial property law legislation: secondly, unless there is a Fall session of the House, I doubt if we will have the kind of response to the White Paper that we need. But most assuredly, we are committed to bringing in legislation, not simply - and I am sure the hon. the Leader of the Opposition did not mean this - not simply based on one brief from one association, which is a well documented brief, but also bearing in mind the other responses that we have received to our invitation from the public to indicate the kind of legislation they would like to see. But it will be good. There will be no other province with better legislation.

SOME HON. MEMBERS: Hear, hear!

MR. W. N. ROWE: A supplementary.

MR. SPEAKER: A supplementary.

MR. W. N. ROWE: Sir, I think we may be zeroing in on the 'Yes' or 'No' position very slowly. Let me ask it again. Do I understand from the minister that he does not intend during this present session of the House to bring in legislation covering matrimonial property rights in this Province?

MR. SPEAKER: The hon. Minister of Justice.

MR. HICKMAN: It depends, Mr. Speaker, on the length of the session.

MR. W. N. BOWE:

One further supplementary, Mr. Speaker.

MR. SPEAKER:

The hon. member, a supplementary.

MR. W. N. BOWE:

When does the hon. minister, Sir,

intend to bring in this so-called White Paper, famous White Paper of his dealing with this important subject? - during this present session of the House? - or can he give us some indication in terms of some sort of a reasonable time frame when he is going to bring it into the House?

MR. SPEAKER:

The hon. Minister of Justice.

MR. WICKHAM:

Mr. Speaker, the returns and the representations are still coming in. In fact, I would anticipate a large number today after the very commendable activity of the ladies in the lobby today who have been circularizing these questionnaires. They will then be reviewed by the professional staff in my department, following which a White Paper will be prepared. And as soon as that White Paper is prepared, if this House is in session, it will be tabled; if not, it will be made public so that any interested Newfoundlander will have the opportunity of commenting thereon. And most assuredly, I repeat, this administration will bring in excellent legislation in the field of matrimonial property law.

MR. SPEAKER: The hon. member for LaPoile.

MR. NEARY: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary, followed by the hon. member for Bellevue.

MR. NEARY: I would like to direct my question to the hon. the Premier, Sir. About one year ago on television - and I think this is appropriate in view of the fact that Your Honour has brought it to the attention of the House that this is International Women's Day. And the buttons that we are wearing on this side, Mr. Speaker, for the benefit of members on the opposite side, and I do not see any buttons over there, is the emblem of the Newfoundland Status of Women. The question I want to ask - I want to direct the question to the Premier. About one year ago on television the Premier of this Province said publicly and later confirmed in the House on a question that I put to the Premier about appointing women to government agencies and crown corporations and so forth and so on. Now apparently this has not happened. Could the Premier tell us if instructions have gone out from his office to the various crown agencies and crown corporations and agencies of government that they are to take a look at appointing women as well as men to these boards when vacancies occur?

MR. SPEAKER: The hon. Premier.

PREMIER MOORES: Mr. Speaker, I think it is fair to say that it was almost traditional over the years, over the years since government has been in this Province that males have been appointed to commissions and boards certainly much more than women and that seemed to be the way to do it. But I think there has been a radical change last year, and I have contacted all boards and all agencies to the effect that people with ability should be treated equally. An example, I think, is that three of the five new Board of Regents at the university were women. Certainly it is the intention of this government to do everything in its power to

PREMIER MOORES: bring about an equitable position on boards and agencies to representing society as we have it today.

MR. SPEAKER: I have indicated that I recognize the hon. member for Bellevue next followed, by the hon. gentleman for Port au Port.

MR. CALLAN: Mr. Speaker, it seemed like all the supplementaries were used up so I want to move on to another subject, if I may. I would imagine that most of us watched the CBC programme The Fifth Estate last night, a very interesting programme and I think the Premier is to be congratulated and commended for the job that he did on the pro sealing hunt expedition.

SOME HON. MEMBERS: Hear, hear!

MR. CALLAN: Mr. Speaker, I want to refer in my question to the Premier, I want to refer back to perhaps three weeks or a month ago to the same programme where there was some talk of Petro-Can getting oil from Venezuela to open up the now defunct Come by Chance oil refinery. I want to ask the Premier what liaison if any, what liaison exists between the federal and the provincial government in efforts to get the Come by Chance oil refinery back on the rails? Is there a liaison there with the federal government, with Petro-Can? What efforts are being made?

MR. SPEAKER: The hon. Premier.

PREMIER MOORES: Petro-Can, as the hon. gentleman knows, is a crown agency, a crown corporation. The only liaison that we have had with the federal government regarding getting Come by Chance back on the rails, as the hon. member puts it, is through continuous discussions with the Minister of External Affairs, Mr. Jamieson, who happens to be Newfoundland's representative in the Cabinet. But as I explained yesterday, the federal government any more than ourselves can do nothing as long as the receiver is in place which is the case now and until such time as we have the receiver's recommendation.

March 8, 1973

Tape No. 60

AH-3

MR. DODDY: Petro-Can were approached by the receiver.

MR. MOORES: The Minister of Intergovernmental Affairs just reminds me that Petro-Can were approached by the receiver to ask if they themselves would take a position in Come by Chance, if they would show an interest in operating the old refinery in Come by Chance, and their reply to the receiver and to the interested parties was "No" they would not.

MR. SPEAKER: A supplementary.

MR. CALLAN: Mr. Speaker, would the Premier comment in any way on a rumour that at least one of the interested people, people interested in the Come by Chance operation has carried on negotiations with the federal government and with the idea in mind that if the federal government would sell a nuclear reactor to Kuwait, the country of Kuwait, that Kuwait in return for that sale would back this buyer up to the tune of \$600 million which of course is enough money to get the refinery on the go and to build the petro-chemical plant which was supposed to go there in the first place to make the operation viable which it never has been. Could the Premier comment on that? Is that a rumour or what?

MR. SPEAKER: The hon. Premier.

PREMIER MOORES: Mr. Speaker, it certainly is now

PREMIER MOORES: What we have to do with the reactor in Kuwait no, this is fairly new to me and I am sure that all the people who are interested in the refinery have had negotiations with the federal government because for one reason there is the wharf agreement that would have to be in place for it. But as regards any particular arrangement with the Government of Kuwait we have not been officially contacted on that in any way.

MR. SPEAKER: The hon. member for Port au Port followed by the hon. members for St. Georges, Lewisporte and Bay of Islands.

MR. J. HODDER: Mr. Speaker, a question to the Premier in the absence of the Minister of Education. What is the government's stand with respect to bringing in phase three in the reduction of the pupil/teacher ratio? Should I do that again, Mr. Speaker?

MR. SPEAKER: The hon. member for St. Georges, I presume.
The hon. member for Port au Port.

MR. HODDER: I had a question for the Premier. The question was, in the absence of the Minister of Education, what is the government's stand with respect to bringing in phase three in the reduction of the pupil/teacher ratio?

MR. SPEAKER: The hon. the Premier.

PREMIER MOORES: Well, Mr. Speaker, first of all that is a budgetary measure but it is the objective of the government, when we can afford it, to bring the pupil/teacher ratio as low as possible, and that is not just a political answer at this time. We all know we are living in a period of restraints. We all know that there is only so much we can do, but the objective is to lower the pupil/teacher ratio as much as possible.

MR. HODDER: A supplementary.

MR. SPEAKER: A supplementary.

MR. HODDER: In light of the fact that before when the Teacher Association, etc., asked for the ratio to be lowered the excuse was usually given that one of the problems was the increase in school

MR. HODDER: buildings and the fact that in order to decrease the pupil/teacher ratio then the government would have to build new buildings and new classrooms and that sort of thing. Has the government other proposals at the present time which may reduce the pupil/teacher ratio through the laying off of teachers and does the Premier not think that this would be a very good time to lower the pupil/teacher ratio because of the decreased enrollments?

MR. SPEAKER: The hon. the Premier.

PREMIER MOORES: If we had the money, Mr. Speaker, we most certainly would consider that. Unfortunately we do not.

It was a two or three part question; the other part that is ironic is that whilst the school population is lowering, and whilst we have more schools than in some places we have the need, the demand for schools have changed location, particularly in the city area here in St. John's, with the urban sprawl, the urban build up of people and the younger families moving in there. What has happened is that a lot of the schools in the old city are closing almost, or in the possibility of closing, and new schools are needed of course where the children live and this is an ironic and a very difficult problem but basically one which, as the hon. member knows, the grants to the school boards for school construction and this sort of thing has been increased just about each year and that carries on.

MR. SPEAKER: A final supplementary.

MR. HODDER: Could the Premier tell the House how many teachers will be laid off because of those government cut backs?

PREMIER MOORES: No, I cannot, Mr. Speaker. I will take notice of the question and get the answer for the hon. member.

MR. SPEAKER: The hon. member for St. John's West. Was it a supplementary on which he arose? No. Then I had indicated

MR. SPEAKER: previously I would recognize next the hon. member for St. Georges.

MRS. MCISAAC: Mr. Speaker, I would like to revert back with a supplementary on matrimonial property law if possible.

MR. SPEAKER: The hon. member might just ask a straight question. Perhaps I should explain. When there are no further supplementaries, or the Chair recognizes another hon. member, everybody has the right if they are recognized to come back to the original question. But it is not as a supplementary in the parliamentary sense, it is as if it were a new subject.

The hon. member for St. Georges.

MRS. MCISAAC: Thank you, Mr. Speaker. My question is for the Minister of Justice. Last year in the Speech from the Throne there was considerable mention about drafting up this legislation and it also mentioned that it was hoped to bring in legislation, you know, prior to closing of that session. That was in February of 1977, and now we are in March of 1978 and we still do not have the information to draft up this legislation, and I am wondering since it was not mentioned in the Speech from the Throne at all this year, is there a possibility that maybe it is falling by the wayside or could we get something firm on just when this legislation will be drafted up and presented to the House of Assembly.

MR. SPEAKER: The hon. Minister of Justice.

MR. HICKMAN: May I assure the hon. member for St. George's (Mrs. McIsaac) that there is no possibility of that great and excellent concept falling by the wayside. But the legislation, as I indicated before, will be drafted, will be brought before this House at the earliest opportunity.

MR. NEARY: Mr. Speaker, a supplementary.

MR. SPEAKER: One supplementary, and then the hon. gentleman for Lewisporte as I have indicated.

MR. NEARY: I would like to ask the Premier if the Premier is aware that the hon. the Speaker of the House of Assembly in this Province has recognized the Status of Women by appointing to his staff a very attractive young lady who is sitting out in the middle of the floor, Miss Duff, and I would just like to draw that to the attention of members. I believe it is the first time in the history of Newfoundland that that appointment has been made.

MR. SPEAKER: The hon. the Premier.

PREMIER MOORES: In reply to that question, I look forward to the day when we have the lady member opposite is Opposition House Leader as well. I think it would be a very major step forward.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. member for Lewisporte.

MR. F. WHITE: Mr. Speaker, my question is for the Minister of Municipal Affairs and Housing. Could the minister indicate to the House whether or not he has had a request from the Newfoundland Federation of Municipalities with respect to a meeting date with the Premier and Cabinet for the presentation of their annual brief?

MR. SPEAKER: The hon. Minister of Municipal Affairs and Housing.

MR. J. DINN: Yes, Mr. Speaker, we have.

MR. WHITE: A supplementary.

MR. SPEAKER: A supplementary.

MR. WHITE: Mr. Speaker, could the minister tell the House exactly what the situation is with respect to giving a firm date to the Federation of Municipalities for the presentation of their brief to the Premier and to the Cabinet?

MR. SPEAKER: The hon. Minister of Municipal Affairs and Housing.

MR. DINN: I will be communicating with the Federation tomorrow morning by letter and telegram, and it will indicate that there will be a meeting next week or the week after. I have to find out from them which will be more appropriate to them, but I believe it will be next week.

MR. WHITE: A final supplementary.

MR. SPEAKER: A final supplementary.

MR. WHITE: Mr. Speaker, could the minister indicate whether or not this meeting will be with the Premier and the Cabinet?

MR. SPEAKER: The hon. Minister of Municipal Affairs and Housing.

MR. DINN: No, Mr. Speaker.

MR. SPEAKER: I recognize the hon. gentleman for the Bay of Islands followed by the hon. member for St. John's West, and Fortune-Hermitage. Having recognized another hon. member, I can only permit that by leave.

SOME HON. MEMBERS: By leave.

MR. WHITE: Mr. Speaker, the minister indicated that the meeting would be held with the Premier and the Cabinet in one of his questions, and then I asked him whether or not this would be a meeting with the Premier and the Cabinet, and he said, No. Well, who will the meeting be with?

MR. SPEAKER: The hon. Minister of Municipal Affairs and Housing.

MR. DINN: Mr. Speaker, the Federation asked for a meeting with Cabinet as they always do every year. Every year we have a meeting of either Cabinet or the Social Policy Committee or whichever the brief that they present refers to. This year we are going to meet with them as a Social Policy Committee so we will have a group of -

SOME HON. MEMBERS: Oh, oh!

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

MR. WOODROW: Mr. Speaker, my question is to the Minister of Justice, and before asking the question I would like to say it concerns the Status of Women. I would like to preamble it by saying that I am delighted to see three ladies from the city of Corner Brook in the galleries today, who are really responsible for the questionnaire that

Mr. Woodrow: has been sent to the hon. Minister of Justice.

I would also like to say that I was happy to have them visit my office this morning on the 5th. Floor.

Now I would just like to ask -

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

I really do think that I should require that the hon. gentleman get to his question with alacrity.

MR. WOODROW: I am coming to it, Mr. Speaker.

I would like to ask the Minister of Justice, Mr. Speaker, if he has tabulated the number of replies yet received from the Status of Women in the city of Corner Brook or on the West Coast? If he has tabulated the number as yet?

MR. SPEAKER: The hon. Minister of Justice.

MR. HICKMAN: I have not, but there are a large number from the West Coast. Last Saturday I think it was or the Saturday before last under the leadership of the Corner Brook group as well as another group in Corner Brook there was a very excellent seminar held, representatives from the Department of Justice participated as well, and I thank the hon. gentleman for giving me the opportunity to commend these ladies for the excellent leadership they are showing in Western Newfoundland.

SOME HON. MEMBERS: Hear, hear!

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

DR. KITCHEN: Mr. Speaker, a question for the Minister of Municipal Affairs and Housing. Is it correct that water rates in the City of St. John's are about to be drastically increased by about four times, from thirty dollars a year per household to about \$120 a year? And is it that this increase is being brought in or will be brought in with the approval of the Minister?

MR. SPEAKER: The hon. Minister of Municipal Affairs and Housing.

MR. DINN: Mr. Speaker, the water rates of the City of St. John's are totally controlled by the city and what they set as water rates is entirely up to them.

MR. NEARY: No, it is not such thing. The minister has to approve these rates.

DR. KITCHEN: A supplementary.

MR. SPEAKER: The hon. gentleman for St. John's West, a supplementary.

DR. KITCHEN: I asked the question, is this increase being brought in with the approval of the minister? Or will it be brought in with the approval of the minister?

MR. SPEAKER: The hon. minister.

MR. DINN: Mr. Speaker, the Minister of Municipal Affairs and Housing does not approve increases or decreases in taxes in the City of St. John's as covered in the City of St. John's Act.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: A final supplementary. Then I had indicated that I would recognize the hon. member for Fortune - Hermitage.

MR. NEARY: Mr. Speaker, is it not correct that the Minister of Municipal Affairs has to approve the budget of the City of St. John's? And if so, in approving this budget would not one of the matters be the revenue, the increase in taxes and so forth? Would the minister not have to approve this? Is the approval in the hands of the minister?

MR. W.N. ROWE: Of course he would.

MR. SPEAKER: The hon. Minister of Municipal Affairs and Housing.

MR. DINN: Mr. Speaker, the answer to the hon. member's first question is no and therefore the other questions do not require an answer.

MR. SPEAKER: The hon. member for Fortune - Hermitage followed by the hon. gentlemen for Burgeo - Bay d'Espoir and Terra Nova, time permitting.

MR. J. WINSOR: Mr. Speaker, my question is directed to the new Minister of Transportation and Communications. No doubt the minister heard that the Gaultois students had to turn back on Sunday morning because of the fact that they were on too small a boat to get across Hermitage Bay. Would the minister tell the House if he would reconsider the position of the often asked for ferry between Hermitage and Gaultois, it being the only island in Newfoundland so sadly neglected in this respect?

SOME HON. MEMBERS: Hear, hear!

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

MR. DOODY: In answer to the hon. member's question, Mr. Speaker, the answer is obviously yes, we will reconsider and will continue to do everything we possibly can to remedy the situation. I am well aware of the unfortunate conditions. That was one of the things that struck me a little while ago in this hon. House, when

MR. DOODY: a question was asked. Or at least during support of a petition, the hon member for Conception Bay South (Mr. Nolan) mentioned his district as having one of the worst transportation problems in the Province of Newfoundland. The first thing that crossed my mind were the people from Burgeo who were visiting with me this morning, and the people of Gaultois who are here this afternoon. I think that their transportation problems are certainly a great deal more onerous. I certainly hope the divorce rate is not as great as the hon. member indicated it is so in Conception Bay South, but I do not think that that is really true either. It has not changed that drastically since I left the district.

To get more to the point and to be more direct in answering the hon. member's well placed question, the Province will do everything it possibly can, under the constraints that it faces; it will look again at the problem of that ferry service. I sincerely hope that something will be done. I cannot honestly say at this point whether it can or not.

MR. J. WINSOR: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary.

MR. J. WINSOR: I thank the minister for that reasonable reply. Further to that, will the minister tell the House if he would reconsider the burdensome retail sales tax imposed on vessels of 300 tons or less? They are also doing a ferry service in areas for freight and other things. In many areas, small communities, people have to be moved by that method. There are many areas in Newfoundland where boats in this category are doing a very important job and it is a rather burdensome tax on the small boat operators. Would the minister give me an answer to that, please?

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

MR. DOODY: I would certainly like to be in a position to give an answer to that. Obviously, as Minister of Transportation and Communications I have little or no control over the retail sales tax application. It gives me a great deal of pleasure to be able to say that after four years of involvement in that particular area. I am sure the hon. Minister of Finance and the President of Treasury Board and Cabinet generally will be looking at all these aspects of taxation and where they are most onerous and where they are most inequitable. And we will be looking at them during the forthcoming budgetary process and beyond that I certainly cannot go at this point, Your Honour.

MR. SPEAKER: I had indicated I would recognize the hon. member for Burgeo - Bay d'Espoir next.

MR. SIMMONS: Mr. Speaker, we have noted the continuing absence from the House of the Minister of Rural Development. I had a question for the Premier on the subject but we cannot seem to keep the Premier in the House either so I will go back to the subject which has just been raised by my colleague from Fortune - Hermitage, the question of the ferry service that would serve not only the community of Gaultois in my colleague's district, but also the community of McCallum. That proposed ferry service which the former, now deposed, Minister of Transportation approved and called tenders on, Mr. Speaker, that service is still not into effect, of course. Tenders were called, four tenders were received and no tender was ever awarded. That was two years ago. I wonder if the new minister, the new

MR. SIMMONS: bright, polished Minister of Transportation - I have no questions for him about Burgeo, as much as I would like to, today because he answered them all in very admirable fashion this morning; we had an excellent meeting with him - but I do want to put to him the question as it relates to my part of the district, McCallum, and, of course, my colleague's community of Gaultois. Will the minister - or is it the minister's intention now to call new tenders, to issue a new tender call for the service? It is my understanding that the service has been approved by his department, by his predecessor, the now deposed Minister of Transportation. Is it his intention to call new tenders on the project? And if so, could he indicate just how soon this could be done?

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

MR. DOODY: No, there are several areas here that the hon. member has brought to my attention. One of them is that my hon. predecessor is also going to be my successor, which is perhaps good news but nonetheless startling so quickly after my appointment.

The other is the announcement of the calling of tenders for the ferry service to McCallum. I have really no background knowledge on that and I would have to look into it and see what has been done and what plans are in progress in that area. I really cannot tell you anything beyond that at this point, I do not honestly know.

ORDERS OF THE DAY

MR. SPEAKER: It being Private Members Day, I call motion three.

The hon. Leader of the Opposition.

SOME HON. MEMBERS: Hear, hear!

MR. W.N. ROWE: I am started to get swell-headed over here, Mr. Speaker, at the tumultuous applause every time I spring to my feet. Great stuff!

AN HON. MEMBER: Beware!

MR. W. N. ROWE: Is that right? So you think I should keep my paranoia pills handy?

Mr. Speaker, before launching into the burden of this private members motion on a very important subject, Labrador and Labrador's development, I wanted to very briefly in thirty seconds or so just make sure that I confirm for the record of the House since there was no opportunity to do so, and this being International Women's Day, the unequivocal support of this side of the House for the concept expressed in the brief from the Newfoundland Status of Women Council to the effect that a spouse's contribution, particularly a woman's contribution, if she is in the home and not out working, for example, be economically recognized as a contribution to the matrimonial property of that marriage for all purposes during the marriage and if through some mishap or chance the marriage should dissolve by death, divorce, dissolution, that the matrimonial property acquired during the marriage be shared equally. We stand for that fair, equitable, reasonable principle, Mr. Speaker, and we urge the Minister of Justice to bring legislation before this House as soon as possible to implement that fair and equitable principle of social policy.

SOME HON. MEMBERS: Hear, hear!

MR. W.N. ROWE: Now, Sir, I have introduced a resolution before the House which in economic terms is the perhaps single most important resolution or policy which our party and this caucus stands for. There are a number, of course, of very important economic policies. This is one of the two or three most important economic policies. It deals with the integrated, the inter-locking development

MR. W.W. ROWE: of the resources of Labrador. Traditionally I believe for the last number of years, scores of years, couple of hundred years that portion of our Province of Newfoundland and Labrador called Labrador has been exploited and treated as if it were some kind of an economic appendage on the province, as if it were some kind of an economic colony to be exploited for the benefit of other people and not the people who happen to be residing in Labrador and in many cases not even for the people who happen to be residing in the province as a whole. It has often been exploited for the net benefit of other peoples living in other countries.

I will not read

MR. W. N. ROWE: the resolution, Sir. There are a number of points which I will be dealing with singly on the resolution, but before doing so, let me say that I raised the substance of this resolution with the Prime Minister of Canada about ten days ago and had a lengthy discussion with him on it together with the hon. Don Jamieson, the Minister of External Affairs, Newfoundland's minister in Ottawa. And the Prime Minister indicated to me that he considered this concept, Sir, this concept of integrated, total package development of Newfoundland and Labrador's resources - Labrador's resources for the benefit of Labrador and that part of the Province - he treated that as a very bold and creative concept which he would have no hesitation as a leader of the federal government in supporting wholeheartedly so far as federal jurisdiction exists in the area. And he confirmed this, Sir, at the National Policy Convention of the Liberal Party publicly on television for the nation when I put the same question to him in a public forum. I asked him if the Government of Canada would assist us in developing Labrador like that in the way I have mentioned, and he indicated without any equivocation whatsoever that he would support that concept.

Then, Sir, we put that resolution, a similar resolution to the one on the Order Paper today, put the resolution to the Liberal Party of Canada Convention in Ottawa and it was passed, Sir, unanimously, first of all by the Atlantic caucus in that convention and supported by the Atlantic caucus: it was then passed unanimously by a workshop of several hundred people who participated in the debate: and then, Sir, it was put to the plenary session of the National Convention and it was supported unanimously by all several thousand delegates present and has become part of the policy of the national Liberal Party of Canada. And, Sir, one of the proudest moments of my life, and I am sure, of the life of the member for St. John's West (Dr. Hubert Kitchen), the President of the provincial Liberal Party, was the way the Newfoundland delegation conducted themselves during that convention on this particular policy matter especially. There was no leadership question involved, it was policy - pure policy - and our

MR. W. N. ROWE: delegation of 100 or so delegates went to these workshops, Sir, and supported the resolution - this one particularly, and the other ones as well - supported them, spoke in favour of them, voted in favour of them, organized themselves into a very effective lobby and got this passed unanimously by the Liberal Party of Canada. And it now, as I say, has become part of the policy of one of the great political parties of this country.

Mr. Speaker, important points that are raised in the resolution I will deal with separately and briefly. One of the points mentioned implies that we should not be satisfied with merely looking at the feasibility of the Gull Island project and the Lower Churchill River - not to be satisfied with that - but that we should look as a nation and as a province at the feasibility of developing all the vast remaining potential and reservoir of hydro electrical energy in Labrador. The potential, Sir, is tremendous. The various rivers in Labrador, as my hon. friend from Naskaupí well knows, can be grouped I suppose into four major drainage regions - I think it is important that members of the House be aware of the facts of the case in Labrador if they are not already, and members of the press as well, and members of the general public - four major drainage regions that can be harnessed to produce vast quantities of hydro electrical energy. First of all, of course, is the great Churchill River, including the Upper Churchill Basin already developed and the Lower Churchill Basin which has not yet been developed and which is in the process of having its feasibility examined. In the Upper Churchill Basin, as is well known, the Churchill Falls plant is now in operation and is producing some 5,225 megawatts of electrical power, one of the biggest developments in the world, Mr. Speaker.

MR. W.N. ROWE:

Unfortunately the major portion of the benefit of the Upper Churchill power accrues to the province of Quebec at the present time. And I do hope that when the Premier of this Province meets with that shrewd and wily and cunning premier of Quebec, Rene Levesque, they hold a firm position on behalf of this Province with the intention of getting back - getting back because we have the power and the right, the morale right to do so, getting back our fair share of the value of the Upper Churchill power. In the Lower Churchill river basin, Sir, Gull Island for example has a potential as everyone knows of some 1500 or so megawatts and also of course included in the Lower Churchill river basin as potential hydro electrical sources are Muskrat Falls or the Pig River and the Minipi I guess is the pronunciation for a total of just over 3000 megawatts of potential hydro electrical power development from these sources in the Lower Churchill river basin, some three-fifths of the power presently produced by the Upper Churchill development. Then in the Southeast Labrador river basins including a number of rivers- five or six rivers there, some of the well-known ones being of course the Paradise, the Alexis and the Pinware and there are two or three others as well, the Eagle River for example, with hydro electrical power potential of some 610 megawatts or just over 600 megawatts.

North Labrador river basins include the Maskaupi for example, the Big and then a number of other rivers which I will have to ask the member for Maskaupi to pronounce. They are beyond my pronunciation capacity, I must admit. They have a total of some 700 megawatts of electricity.

And then, Sir, we come to the interprovincial river basins. Now these five river systems involving the Romaine and the Little Mecatina, St. Augustin, St. Pauls River and the Natashquan - is that the pronunciation? - all have a portion of their drainage basins located in Labrador, Mr. Speaker, but they

MR. W. N. ROWE: flow into the province of Quebec and the hydro electrical power potential of these interprovincial rivers is about - these figures are rough, obviously - is about 3350 megawatts. A very sizable, vast even hydro electrical potential there, again something over three-fifths the size of the Upper Churchill, one of the largest in the world.

Studies have been taken, I understand, and are in progress now to evaluate the possibility of diverting the headwaters of some of these rivers into the drainage basins of the Upper and the Lower Churchill, which is again a technical feature which gives us a measure of control over our own destiny when dealing with Quebec on the total development of the hydro electrical sources in Labrador.

The hydro electric potential, Sir, exclusively within Labrador of the Lower Churchill basin, the Southeast Labrador river basins and the North Labrador river basins which I have mentioned is about 4330 megawatts, or a little more than four-fifths of that of the Churchill Falls development. The potential, including the interprovincial rivers, the ones that flow from Labrador into Quebec that I have mentioned is about 7680 megawatts or just about half again of that produced by the Upper Churchill Falls. In other words, Sir, there remains, including the five great interprovincial rivers and the others that I have mentioned, there remains undeveloped in Labrador about one and one half or so - I am not quibbling about figures on this, but about one and one half times the potential of the vast, tremendous, historic and momentous in every way Upper Churchill development of several years ago. I just give these facts, Sir, to indicate to the House and to anyone else who is interested the tremendous reservoir and potential which still remains in Labrador to be tapped and developed and which can be tapped and developed. I hope the feasibility studies can bear this out for the benefit of this Province, at least most of it, with the exception of perhaps a shared portion of the interprovincial rivers.

Mr. W. Rowe: And we believe, Sir, in this party that the feasibility of developing the total potential of the Labrador hydro electrical sources as one vast interlocking system and project should be determined by the Provincial Government and by the Federal Government. Because the outcome of such a feasibility study of course could have great impact on other questions such as the financial feasibility of bringing power to the Island of Newfoundland as a part of such an overall development. It may not be feasible on the development of Gull Island alone, for example, to think in terms of bringing power across to the Island. Nobody knows the answer to that.

Perhaps with the overall interlocking development of the total hydro package, Sir, we could have a more feasible situation where a tunnel across the Straits or the new technological developments which you have all heard of of bringing the line across, not underground but in some other way, can be examined and made feasible.

Sir, the second feature of the resolution deals with a change in attitude towards the development of Labrador generally. We must have in this Province, this government, this House, the people of this Province must have a change in attitude regarding the use of Labrador power and the use of Labrador raw materials. Our attitude must move away from some kind of a hazy concept that some people have that hydro electrical projects are to be developed for the construction jobs which the project may produce during the term of construction, as important as that is, while the industry from the hydro development and the other jobs from the hydro development connected with other raw materials go elsewhere out of this Province altogether, and particularly out of Labrador after the construction phase is completed.

We believe, Sir, that this Province, particularly the Labrador section of the Province, must get the greatest possible benefit from hydro development both in the long term as well as the short term.

SOME HON. MEMBERS:

Hear, hear!

MR. W. ROWE: We believe that foreign capital by all means must be attracted in to develop the Lower Churchill and the other projects I have mentioned. By all means get foreign capital in, and Canadian capital, but we also insist, Sir, that when these negotiations are going on and these feasibility studies are taking place that the idea of foreign ownership or control of any aspect of these developments be rejected at the beginning, and that position be made clear at the beginning.

We believe that the hydro resources of Labrador must be owned by the people of this Province and nobody else, and that the people of the Province must get the fullest possible advantage from the ownership and control of the development. And we believe, Sir, that the hydro electrical developments in Labrador must be used to attract industry to Labrador as well as to the Island part of the Province, industries which use power, particularly industries based on the other natural resources of Labrador. I believe, Sir, we must change completely the attitude and the idea that raw materials can be dug out of the ground or developed otherwise in Labrador and shipped out of Labrador to some other place and processed, processed in some other place with the help of hydro electrical power from Labrador, and a finished product produced from the labour, from the jobs of people elsewhere with the economic benefit of those jobs going elsewhere.

We believe, Sir, that the primary jobs based

MR. GUY ROWE:

on the processing of Labrador materials must remain in Labrador and that the service jobs associated with any industries in Labrador must remain in Labrador. To me it is a ridiculous spectacle to see some minerals shipped down into New York State by a railway or a road leading out of Labrador, and at the same time, hundreds of miles of transmission line leading out of Labrador through Quebec down to New York State, and the raw material and our hydro electrical power used in New York State somewhere to produce a finished product.

That is something that we in this Province, especially we who are entrusted with trying to do what is in the public good, that is an idea that must in all feasible cases be rejected utterly, and we must replace it with the idea and the view of developing Labrador resources, Labrador raw materials, in conjunction with the vast hydro resources in Labrador. That includes minerals, it would include fish, forestry products and if, as and when commercial finds of offshore oil and gas are discovered - if they are not discovered already - at such time as they are put into some form of production or processing, that Labrador be the place where the processing is done if at all feasible in conjunction again with the vast hydro electrical resources which we have. And in terms of the service jobs, Sir, we must not allow again the situation to grow up where service industries for example can take place in Seven Islands and service an industry in Labrador West, Labrador City for example, and a city of 30,000 or 40,000 people grow up based on servicing one of our primary industries in Labrador. Let us make sure that as a Government and as a people all servicing jobs possible are located in this Province on the island portion or in Labrador.

Another point, Sir, contained and implicit in the resolution is that any power not immediately usable in Labrador or on the Island of Newfoundland can be exported certainly for the use

MR. WM. ROWE: particularly of other provinces of Canada. But, again, there must be an insistence on this basic concept that any such export contracts must be short term contracts. The contracts must be such that power can be recalled for use in the Province of Newfoundland and Labrador when necessary and to make sure that the price received by this Province for the sale of our electricity outside the Province is in accordance with the true market value and can be adjusted upward as time goes on so that, again, this Province will get the full financial value for all electricity which must be exported because it cannot be used at a particular time for industry, commerce or domestic use within this Province.

And we believe, Sir, that once this change in attitude from the traditional position that Labrador is an exporter of raw material and Labrador is an exporter of hydro electrical energy for use and benefit of people elsewhere, the public services and facilities necessary to develop Labrador economically and industrially will necessarily follow or be contemporary with such developments.

This would include, for example, the concept of developing a port - and I would like to hear the ideas of my honourable friend opposite - on the coast of Labrador called, for example, Port Labrador which could be kept open perhaps in the Straits area for most, if not all, of the year with facilities and services there, Sir, for shipping out processed materials and so on from Labrador, and also with a railway system and/or a road system, or both, or at least a road system or whatever is determined to be economically necessary.

MR. NEARY: Electric trains, and we can use electricity.

MR. WM. ROWE: Exactly! That is another concept as well. From the coast of Labrador to central Labrador, Happy Valley/Goose Bay area, Mr. Speaker, on to western Labrador, Wabush/Labrador City area, and on into central Canada and into the heartland of North America so that

MR. W. DOVE:

Labrador is linked up economically by a great transportation link which would bring it into the mainstream of North American life and get rid of this idea and this concept of it being the country that God gave to Cain, somewhere shoved off there in the North Atlantic Ocean to be exploited for the use of people elsewhere.

Sir, the final point that I would like to make about this total integrated concept, this interlocking concept of using the natural resources and the energy in Labrador in Labrador itself is that if, as and when this kind of a concept can be brought into operation, then it should only be done so after and with the full consultation of all peoples in Labrador, Native peoples, settlers there should be totally and completely involved. They should involve themselves and they should be involved by the government as groups, as individuals, as lobby groups, as various institutional groups and so on and so forth involved in this process and in the decision making so that they are genuinely and feel that they are part of the economic and political reality of this Province. And also there must be a full consideration, a full recognition of the need to protect completely so far as is reasonable, to the fullest reasonable extent, the natural environment in that, one of the most beautiful spots on the face of the earth, Labrador. The natural environment must be protected, not only for the use of people who might not necessarily be involved in the economic development but for people who want to admire again this vast reservoir of natural beauty represented in several great parts of Labrador.

Sir, I believe, as a person who has studied the situation and looked at the situation, that the economic center of gravity of this Province will of necessity move North and move towards Labrador. I believe that the Island portion of the Province will always retain its importance in forestry and minerals and so on and in the fishery. But I do believe that if the Labrador portion of our Province is fully developed in a rational and sane way as I hope I have articulated

MR. W. ROWE:

here today, that the economic center of gravity of this Province must of necessity and naturally move Northward and that to me would be one of the greatest things that ever happened in the history of this Province because it would have the effect of integrating the two areas of our Province. It would have the effect psychologically on the people of Labrador, and if this does in fact happen over the next number of years we can expect to have a much greater population in Labrador. If this does in fact happen, then for the first time in our history I believe the people of Labrador, a much greater population, will feel that it is really and truly a part of the political mainstream of the Province, the economic mainstream of the Province, a part of the Province which is deciding as a Province its own destiny as a region and as a Province.

Sir, I believe, and I do not think I am being an alarmist when I say this, I believe that unless something along the lines that I am talking about - and I would like to hear very seriously the remarks of my hon. friend from Naskaupi (Mr. Goudie) on this point - unless something along the lines of what I have talked about, this total package development, this involvement of the people, this integration of the two parts of our Province as one Province, one vastly prosperous Province, unless this takes place then I am afraid that perhaps the gentleman I referred to earlier, Rene Levesque, may not be far wrong when he said some time recently, and has been saying publicly and privately, something to the effect that Labrador, he says, will inevitably become part of Quebec because the people of Quebec will not be afraid to settle in Labrador and develop Labrador themselves. They will be settling there and moving in there and so on.

MR. PECKFORD: When did he say that?

MR. W. ROWE: I read it in one of the newspapers a year ago as having been said at some party function or other.

March 8, 1978

Tape 69

IS-3

AN HON. MEMBER: Shortly after he got elected he said that.

MR. W. RONE: That is right. It is inevitable, he was saying,
because the time will come

MR. W.N. ROWE:

when the people of Labrador will determine their own destiny, And I remember that was back in November after he got elected. They will determine their own destiny. I was in Labrador when Rene Levesque touched down in Wabush and said it, made statements along those lines.

MR. A.B. PECKFORD: Made statements along what lines? What the hon. gentleman is saying is damaging.

MR. F.J. ROWE: He said exactly what the hon. gentleman said.

MR. W.N. ROWE: What is the hon. gentleman - Wait - I am glad Rene Levesque, Sir, has an advocate in this House. Protecting that gentleman is a fine occupation for some member of this House. The hon. gentleman sitting there and seriously saying that Rene Levesque has not indicated by word and deed that he is casting, he and his party are casting a jealous eye on Labrador.

MR. PECKFORD: That is a lot different from what they were saying earlier.

MR. W.N. ROWE: Do not bore us with weasel words. The point of the matter is that he has said -

MR. PECKFORD: Words are very important. Now usually -

MR. W.N. ROWE: He has said, Sir, that it is inevitable because the people of Quebec will settle Labrador, are not afraid to settle Labrador. He made the point that the people of Newfoundland will not settle Labrador in sufficient quantities. The people of Quebec will settle Labrador in sufficient quantities and therefore and then when they come to decide their own destiny, as they may be allowed to do at some point, it is inevitable that Labrador become part of Quebec. Now what I am saying is that it is up to us in this House and this province to prove him as a false prophet. And this is the burden of all of my remarks here today, that unless Labrador is treated as the economic entity that it is and with the importance that it has, the potential that it has, then we may find that Rene Levesque's prophesy may be a self-realizing prophesy. I do not think it will be because I think we are going to have enough sense here in this Province on both sides of the House, if not this generation another generation of leadership, would have enough

MR. W.N. ROWE: sense to make sure that we do the proper things in Labrador and that Labrador and the Island part of Newfoundland become one great economic entity with Labrador no longer being exploited, with the people of Labrador involved in the political process and feeling that they are involved, not having the feeling that they are contributing far more to the economy and the finances of the province than they are getting back, which many have now. You cannot talk to too many people in Labrador West particularly who do not feel that there is more money going in, far more money going in to the provincial coffers than is coming back to Labrador, and it is not even a selfish feeling. They do not say that money from Labrador West should come back to Labrador West.

AN HON. MEMBER: (Inaudible).

MR. W.N. ROWE: Pardon? That is right. They are not saying that. They are saying that money going from Labrador West is not coming back into Labrador, period. It is not a selfish feeling. It is a regional feeling. A feeling that Labrador should be getting more for its contribution. What I am saying is that it is up to us to make sure that the Labrador part of our province does not feel like that any longer and no longer feels like it because they know and believe that they themselves are an integral part of this province and the question of contribution hardly even arises because they know that their voices are being heard. They know they are a part of the political process. They know that decisions are not going to be made in spite of them or without their knowledge and they are involved in the decision making. And once we arrive at that kind of a position, Sir, with the kind of integrated development I am talking about and people being brought into the mainstream of political and economic life of this province, then I think that we will have gone a very long way towards the proper destiny of this province. And if we do not do it then I am afraid that we may be facing if not disaster then something somewhat short of disaster - a province which will drag along at the economic tail end of Canada for

MR. V. N. RONE: another hundred years, not fully developing its economic capacity and potential, receiving handouts rather than, as I have mentioned many times before, being a province which has the prosperity and the pride and the dignity, regional and provincial, which comes from prosperity and the feeling that we are in charge of our own economic fate. We do have our destiny in our own hands and we can develop it properly for our own benefit.

And therefore,

MR. W. ROWE:

Mr. Speaker, I have no hesitation, in fact I enthusiastically commend this resolution to the House for passage and for consideration and I look forward to hearing the views, particularly of my friend from Naskaupi district (Mr. Coudie). Thank you, Sir.

MR. SPEAKER: The hon. member for Naskaupi.

MR. COUDIE: I am not quite sure where to begin. First of all, I think I should again congratulate the Leader of the Opposition (Mr. W. Rowe) for moving this resolution, for getting the topic on the Order Paper so that we can indeed have an exchange of words and thoughts and feelings about Labrador. We had a very interesting debate in the hon. House last year on a little bit of a different resolution, although I think perhaps that one and this one tie in together and I am looking forward to an equally interesting debate on the resolution which I have had placed on the Order Paper and hopefully will be called out before this sitting is through.

I think perhaps I might like to comment on some of the remarks put forward by the Leader of the Opposition (Mr. W. Rowe) when he introduced this resolution for discussion and perhaps deal with some of the implications of the resolution presently being discussed. The hon. gentleman mentioned that this is now the economic policy of the Opposition in this House and also made reference to the fact that it has been adopted, I believe, by their counterparts in Ottawa, the Government of Canada. The only question I have - and I believe this is a valid question in terms of that idea of an economic policy coming into effect - is whether or not this policy will be binding on behalf of the Government of Canada and if so, I wonder how quickly will this sort of thing fall into place? I certainly hope it is going to be quick. I am not saying this in a derogatory manner at all. I just hope and pray that this sort of a thing does continue to come into effect because I would also like to point out, and I will be pointing out during my few remarks, that we are trying on this side, we are trying to make some steps in terms of solving some

5

MR. GOUDIE:

of the problems that exist in Labrador today.

I had the pleasure of taking part in a seminar last week which was sponsored by the University of this Province, the Memorial University. I was a part of the panel, a panel of four, and the topic for discussion that night was Labrador in their continuing series of discussions on development within this Province as a whole. They passed out an information package at that seminar to try and highlight some points made by different groups within the Province, be it the University, be it groups within Labrador or whatever. So I would like to quote some of the information presented in that information package with the intent of making a point about some of the resources in the Northern part of our Province, about some of the sentiment of the people in the Northern part of our Province and then go on to try and make a few points of my own.

For instance, the Labrador Resources Advisory Council, as I think all hon. members are aware, was funded a little over a year ago initially by government and their funding was renewed when their first budget was presented and hopefully will continue to be renewed for years to come because I think they are performing a very valuable service in terms of, not only providing information to the government of this Province but also interpreting regulations and highlighting some concerns of regulations to the people, many people of Labrador who may not have a full understanding or even a partial understanding of regulations in terms of resource development. But for instance one direct quote - much of this was by the Labrador Resources Advisory Council, by the way - one of the concerns they brought up was, "Much of Labrador's wealth is the kind which tends to flow South in raw materials to feed the appetites of Southern industry and to leave behind it the kind of desolation we cannot blame on God. Labradorians have been saying for years that an attempt at solving the numerous social and economic problems in Labrador by unwisely encouraging quick development" - and I think

MR. GORDIE:

that is very important, quick development - "without an eye on the possible consequences will open a Pandora's box of sorrows and set backs for its people. A realistic approach to resource development, conservation, land rights and government representation," they assert, "is the basis for proper realization of Labrador's potential. The people have been saying Labrador is not a chilly warehouse of resources for the rest of North America but a home for 35,000 persons who want to be governed according to their wishes and to the realities of their life."

Okay! There are some things there which some members may wish to disagree with, "Governed according to their wishes", for instance, may not be something that we in Labrador can realistically expect to the nth degree as would be the case of, perhaps, someone on the Island part of the Province wanting the same thing and perhaps not being able to achieve it.

MR. GOUDIE: But I think development with or through consultation with the people of any given area of this Province is the way that our development should be approached, and that does not necessarily have to mean of course that I am talking of Labrador solely. The native peoples and the white settlers outside the main centers fish along the Labrador Coast and return to their villages in Fall and Winter. Those in the fishery also hunt, trap, cut wood and pick berries. Their way of life is dependent on renewable resources. Add to these concerns the temperatures of the North, the weather conditions, the climate, and you have a situation in the Northern part of Labrador, for instance, where you have permafrost, and the problems that that presents to industrial development.

So there are many, many concerns. The hon. gentleman, the Leader of the Opposition, made reference to the mineral wealth of Labrador West. And to quote again, "The mining industry of Newfoundland and Labrador is our leading resource industry, the other resource industries being fisheries, forest, and agricultural products as measured by the total value of all commodities produced and exported." The final Statistics Canada figure for the total value of mineral productions in this Province in 1975 was \$551 million, and perhaps during his comments, the Minister of Mines and Energy may be able to update some of these figures so that we are aware of the recent dollar values placed on the iron ore productions of Labrador West.

This paper deals with many different examples of the benefits accruing from that resource in the West, and I am sure that during his comments the hon. member for Menihek (Mr. Rousseau) will be enunciating government policy, and remarking on this type of thing since it concerns particularly his own district and the main resource which is being harvested by the people in that district.

I am particularly interested of course in the resource - I am sorry, the hydro development in Labrador because, well, the Churchill River is my district. It is as plain and as simple as that, it bisects it completely. Starting in the West what is now known as the Smallwood reservoir, formally the Lobstick Lake and

Mr. Goudie: Michilamau Lake area of Labrador, is the Westernmost part of district, and then the Community of North West River and the Community of Mud Lake, and Happy Valley-Goose Bay is on the Easternmost part, and that is where the Churchill River empties.

So hydro -

AN HON. MEMBER: (Inaudible).

MR. GOUDIE: I am sorry?

AN HON. MEMBER: (Inaudible).

CAPT. E. WINSOR: I suppose the member (inaudible)

Now I can go back twenty years or more living on the banks of that river; squatters rights we should probably be using

MR. GOUDIE: I think I might very well one of these days have certain squatter's rights to the Churchill River, yes. If you are living on the banks of that river since 1944, and prior to that, as the hon. member for Fogo (Capt. Winsor) is aware, my father and a great number of other trappers, be they Indian, Inuit or Settler, paddled that river every year. I will not, Mr. Speaker, get into my usual tirade of the stories about big fish and everything else that I used to do last year.

CAPT. WINSOR: That was good.

AN HON. MEMBER: Sixty pound lake trout.

MR. GOUDIE: That is right, sixty pound lake trout.

MR. PECKFORD: Forty pound last year; you do not know what the hon. member is going to say next.

MR. GOUDIE: They grow in leaps and bounds, Mr. Speaker. They grow in leaps and bounds.

But anyway if anyone has seen a little piece of paper that is put out by the Labrador Resources Advisory Council is an artist's description of the Labrador flag, and the rationale on the back of that piece of paper for what we call the Labrador flag - it is not obviously officially recognized by the government of this Province or the Government of Canada, either one, but perhaps it is rather an expression of sentiment of the people in Labrador. But that rationale explains the importance of the waterways, the Churchill River

MR. GOUDIE: being probably the more prominent in Labrador, and the sea, and of course the snow and the land and what that meant to us.

And I think that is a very important point for any legislator or any government to bear in mind in terms of the feelings of people in Labrador, and that is the pride that the people there have as the people on the Island have, of having settled a particular part of the country. There are something like 35,000 people in Labrador at this point in time, not very many when you consider the geographical size.

MR. GOUDIE: Prior to the development of the mines in the west, the hydro resources in the Churchill Falls area and the military operations at Goose Bay, how many people were there in Labrador? I do not have an exact figure but on the coast the population is something in the vicinity now, I think, of 6,000 and that, I believe, has grown a bit since Confederation.

In the interior, you had a few trappers from Mud Lake and North West River and the Traverspine River as well. There were four families there, I think, coupled with the Naskaupi and the Montagnais Indians who travelled in to the interior. My brother used to walk across the Labrador - Quebec border to have lunch from his cabin, that is how far inland he was. So the population was not all that great. It has increased only since the actual industrial development has begun and that monstrosity of an air force base at Goose Bay. That little move, the installation of the American, Canadian and the British air forces, caused a bit of a problem to us and I am an example of that problem, I think, as we were all of a sudden exposed to a society, - where traditionally we were used to living off the land, literally, there was no employment other than trapping or fishing unless you were lucky enough to get to work with the Hudson Bay Company or the French Trading Company in their days or the Grenfell Mission, and not all that many people were employed, so what do you end up with? A group of trappers and fishermen living off the land being exposed overnight to a society where you could walk into a personnel office, get a job, every two weeks huge sums of money in those days - or in

MR. GOUDIE: turns of the cost of living in those days - were all of a sudden put in your hands and away to go. There was no need to get an education other than high school. High school in the Goose Bay area when I graduated was equivalent on the Island to a master's degree in terms of finding work and getting paid, so as a result - and that is fine. There were 3,000 or 4,000 or 5,000 people employed at these military installations, but, when you look twenty-five years later at what happened when these installations closed down, and all of a sudden people were left in the situation where they had not received that piece of paper from a trades school or university or some other form of institute that says you are hereby qualified to fix an automobile or weld or whatever, these people, by the hundreds, were left without an income and without any alternative employment except, of course, the famous Labrador Linearboard mill.

There were not all that many people locally employed because there was a bit of an overlap between the close down of the base and the beginning of the woodcutting operations in that area. So, as a result, you have a more compounded situation, a more compounded problem in terms of unemployment when the mill closed down because so many hundreds of people came in from the Island part of the Province and settled in the Happy Valley - Goose Bay area to take part in that wood harvesting operation.

I am not talking directly, I do not think, on the honorable member's resolution but it is all related to development and all related to problems which currently exist in Labrador. I made reference to some material which was distributed by the University last week at their seminar.

March 8, 1978

Tape 73

DM - 3

MR. GOUDIE:

And one of the points that they raised was our native groups, if you will, the Naskaupi and Montagnais, Inuit Association or Inuit people and the Inuit Association and their people are centered mainly on coastal Labrador. We, when I say, we I am talking specifically of the current government of this point in time.

I have been dealing since last October with a problem which has plagued specifically the Indian people of North West River for a considerable number of years because it is related to a traditional way of

MR. GOUDIE:

life and thankfully this morning - as a matter of fact at a quarter past one today-the final, at least as far as I am concerned, the final meeting concluded which I think is going to bring about the rather major change and improvement in terms of hunting regulations as they relate to the Indian people of North West River. Prior to these dealings the Indian people of North West River were not entitled to any more than I am in terms of being able to go to the country and get a caribou, which is their traditional way of life. And their traditional way of life, depending on how you look at it, can go back as far as 50,000 years when the first East Asian set foot on this continent. Or perhaps it was just an extension of the other part of the world, I do not know. The Bering Strait, is it, Mr. Speaker?

AN HON. MEMBER: Yes, Bering Strait.

MR. GOUDIE: I do not know what happened to that over the last 50,000 years but they got across it somehow or other. But anyway in Labrador itself the Waskaupi and the Montagnais Inuit people are claiming that they have been in that part of the country for at least 7000 years; they can document that. The Inuit on the coast are claiming something in the vicinity of 3,000 or 4,000 or perhaps even 5,000 years of occupation, living off the land up there. So when this Province joined Canada game laws all of a sudden began to be imposed on people not only in Labrador but obviously in all parts of the Province. Prior to that people harvested wildlife based on practicality alone. When you need meat or you need fish you go catch it. If you want to hunt in the Spring because you do not have any food on the table, you go hunting for it. You are not allowed to do that anymore. However, there was an expression of interest by the Indian people specifically of North West River to get back to their traditional way of life but they could not do that under existing hunting regulations. You are allowed one animal per person over eighteen years of age and if you get ten or fifteen

MR. GOUDIE: people in the family living in a tent for three or four or five months of the year trapping, being hundreds of miles away from the nearest community it is a little difficult to get out to the nearest Hudson's Bay store or any other store to pick up your groceries for the weekend. So the solution is to accommodate that effort by the Indian people under existing regulations and that has now been changed to the extent where those people living off the land will be allowed to take one caribou per member of their family up to - well, there is no maximum. If you have twenty children in your family you can have twenty caribou.

MR. MURPHY: I thought it was a maximum of eight.

MR. GOUDIE: No. It used to be a maximum of eight up to last year but that was changed last year. The problem being the caribou herds in the Mealy Mountains and the Red Wine Mountains, which is nearer North West River than any other hunting area, are so depleted that you cannot get any animals there. However in the North there is anywhere between 150,000 and 200,000 caribou and these will now be harvested. So that step has been taken and hopefully it will solve their problem. Of course it will solve their problem initially although there may very well be other problems developing over the months ahead.

There was an exception taken by two groups on the coast of Labrador and by the hon. member for Eagle River (Mr. Strachan) and I do hope that that hon. member will be here to take part in the debate before the end. I understand there are -

MR. MURPHY: They have a big storm in Corner Brook.

MR. GOUDIE: There are weather problems on the coast.

AN HON. MEMBER: Eight days.

MR. GOUDIE: Eight days. Yes. I know of other people who have been out there trying to get in and we have been trying to get out to Makkovik for the meetings which were supposed to take place there.

March 3, 1976

Tape No. 74

Am-3

SOME HON. MEMBERS: Oh, oh!

MR. GOUDIE: Well perhaps with the combined efforts of the federal government, Mr. Speaker, and the provincial government some of the travel difficulties in coastal Labrador will be overcome with the installation of airstrips and beacons and improved aircraft, we hope by the -

AN HON. MEMBER: Government subsidy.

MR. GOUDIE: - government subsidy and a change in aircraft by the company involved. Anyway I had forgotten

MR. GOUDIE: where I was there for a second. There was exception taken to the slight change in policy in terms of hunting regulations as they relate to the Indian people of North West River. The thing is called a community council at Nain. I believe the Labrador Inuit Association - I could be corrected on that - but I do know that the member for that district himself took exception, but not necessarily exception to the idea that the Indian people be allowed to hunt with the same quotas they have in the Northern Zone; he supported that. What they were suggesting was that people from our area - when I say our area, the Happy Valley/Goose Bay, Mud Lake and North West River area - travel to Nain, acquire equipment from the community, and by equipment I mean snowmobiles, komatiks, and so on, and hire guides to take us in over the land to hunt the caribou. The argument being that the use of aircraft, which has become quite a popular means of travelling in across the country to get caribou in recent years, would be the beginning of the annihilation of 200,000 head of caribou in the Northern Zone.

One other factor to be considered, I think, is the fact that the caribou herd migrates between Labrador and Quebec, and that province is also harvesting a number of animals from that same herd each year. I took exception to that and I take exception to it again now. I do not believe that the use of aircraft is going to mean the annihilation of that herd, simply because there are existing regulations which govern the use of aircraft. For instance, one is not allowed to fly from a given area into a caribou herd, circle the country and try to locate that herd. When leaving their community they are required to get a fly-out permit from the regional Wildlife people in Labrador, and when that aircraft comes back with the hunters, whether they have or have not been successful in getting their caribou, the aircraft is checked, the sex of the animal is checked, it is checked for tags, and there seems to be a fairly efficient mechanism in place now to deal with that sort of a situation. I just wanted to clarify that position from my point

MR. GOUDIE: of view. I do not think that the recent changes or recent accommodations under existing regulations are going to be harmful in any way to the herd. I believe there may even, eventually, be an effort made at least to look at the idea of perhaps transplanting caribou from the northern herd into at least the Red Wine Mountains area with the hope -

CAPT. WINSOR: You are on a very interesting topic there, and judging from what one reads in the papers the people of Nain were complaining, and perhaps Hopedale and Davis Inlet. Would the member feel that they, too, should be given the opportunity to fly into the herd and transport their animals or carcasses back to Nain or Hopedale or Davis Inlet, or whatever? It appears now if this new regulation which is now in effect - you know, the Indians or - another thing I am not clear on, is it only confined to the Indians, or to all residents of that area? If they are going to fly directly from there in and land on a pond pretty close to the herd, how long or what is the size of the herd? Is there not a danger of killing off that herd? The seal propaganda will have nothing on it in a few years.

MR. GOUDIE: I thank the hon. member for his question. First of all, it is the choice of anyone of course in Labrador and, I assume, in any other part of the Province to select their own method of getting into an area to hunt. Anyone in any part of Labrador can hire a plane and fly in to an area and not hunt caribou from the aircraft. The aircraft has to land, drop off the people, the aircraft is gone, and then they walk from there on snowshoes to find the herd.

Now, as I pointed out earlier, it is contrary to regulations for a pilot of an aircraft to circle any area of land to try to locate a herd.

MR. SPEAKER: Order, please. I believe some

MR. SPEAKER (DR. COLLINS): hon. members are a little troubled by noise in the corridors. I would ask the constable if he could ensure that the noise is kept to a reasonable level.

The hon. member for Naskaupi.

MR. GOUDIE: Perhaps I am not speaking loud enough. Can every hon. member hear what I am saying?

MR. MURPHY: Do not be so polite, boy, be like the rest of us and shout out.

MR. GOUDIE: The microphone is working.

We were talking about the question of using aircraft and hunting caribou in Labrador. As I was mentioning, any person in Labrador can do that. I have forgotten now the second part of the hon. member's question. One dealt with the use of aircraft, and what was the other part of the question?

AN HON. MEMBER: Can the herds stand the hunting?

MR. GOUDIE: Oh. There are - yes, okay. Can the herds stand the hunting? As I mentioned, there is somewhere between 150,000 and 200,000 head of caribou in the Northern zone. Now according to our wildlife people the allowable yield per year is 10 per cent, which is what? 15,000 to 20,000 animals. In the Northern zone right now, these are not firm figures, but approximately 3,000 animals per year are taken; that is from the coastal communities of Labrador. I do not know how many animals are taken from the Quebec side, because they have a different set of regulations. In the community of North West River itself, assuming that every hunter or every family leader in the community were to go into the country and get his quota there would be no more than 500 animals killed at the most, because there are only 500 people there. I would suggest that there is going to be considerably less than that because not every one is going to be living off the land, and it is only the people, you see, who live off the land in their traditional way of life who are allowed to take that many animals. If you are living in the community and you have a job, for instance, working somewhere else then you are only allowed one animal. So the herd, yes, can stand the kill I think. But as I pointed out there

Mr. Goudie: the difference in regulations in Quebec is they are allowed to hunt the animals on a sports basis, which I think is unjust, should not be allowed to be done. In this Province there is no mechanism that I know of now under the existing regulations that allows any one to go in to that Northern herd and hunt on a sports basis only. I can give you examples of certain members of a certain Airforce stated at Goose Bay over the years who flew over the herds in the Mealy Mountains and killed the animals off with machine guns from the helicopters. One particular incident was related to me by a group of Indian people travelling out from the South of the Lake Melville area. They happened to be walking, hauling their sleds one Winter afternoon and heard a helicopter fly over, and then heard what they considered to be a large amount of firing, went over to have a look and there were thirty-three caribou on the lake dead, The aircraft had not landed, there was no mark in the snow, They heard the chopper, there had to be an aircraft there, The animals were left, thirty-three caribou, and nothing done with them; they were not even panicked to save the meat.

CAPT. E. WINSOR: I had a similar experience when the Americans were there; the antlers were taken, the carcasses were all left. I saw five, but that does not happen now I hope.

MR. GOUDIE: That is the type of thing which contributes to the decline of the caribou herd.

AN HON. MEMBER: The Premier of the Province does that.

SOME HON. MEMBERS: Oh, oh!

MR. GOUDIE: I am not going to deal with the activities of the Premier of the Province, but rather confine my remarks to -

SOME HON. MEMBERS: Oh, oh!

MR. GOUDIE: One of the problems of dealing with that type of a situation is the lack in the past of adequate checks being carried out by either fisheries officials or wildlife officials or whatever, but that has changed. I do not think there is an aircraft coming out of a lake in Labrador now for instance where sports fishermen are involved in the Summer that is not checked, their quotas are not

MR. GOUDIE: checked. As a matter of fact, the fish camp owners in Labrador, all I believe without exception, stipulate that you are allowed to take one fish out of the lake or out of the area back home regardless of whether you are there for an hour or a week. It really does not matter. So there is some self-regulating going on

MR. GOUDIE:

in terms of the fish camp owners themselves. Another deterrent, I think, to the removal of animals in terms of caribou and moose from Labrador, one practice which has been carried on in the past apparently by some people who were involved in transportation in Labrador was to get a caribou carcass for a bottle of rum or a case of beer, or something like that, and bring it on down home. But that has changed. The regulations now stipulate that you are now allowed to transport out of Labrador any more than twenty pounds of caribou meat. Of course, with proper enforcement of the law that is going to change the practices of the past.

MR. MURPHY: If you wanted to give me twenty-five pounds of moose, hon. member, to take home (inaudible)
I would not be able to bring it back to St. John's?

MR. GOUDIE: You would be allowed to bring back twenty pounds. That is all, no more than that.

In his remarks in opening the debate, the Leader of the Opposition made reference to a Port Labrador concept. Of course, that ties in with so many other transportation requirements in Labrador that it is certainly an integral, or should be an integral part of any policy by any government to institute a properly set up mode or means of transportation in that part of the Province. I pointed out earlier that there is something like 35,000 people in Labrador, and I posed the question in the House before: How does one go about getting improvements in transportation in Labrador with so few people? Do you have to get the people first, then bring the roads in; or do you bring the roads in, and then bring in the people and the industry? I do not know. I have never been given an answer and I am not quite sure what the answer is. That is changing a bit, I think, in terms of transportation. For instance, I now can get in a vehicle at Goose Bay and drive 315 miles in across the country to Esker to tie in with the railway that runs from Sheafferville down to Wabush and down to Sept Iles and there on through.

MR. GOUDIE: But that Port Labrador concept, I think, deals with an overall concern in relation to resource development, as at the moment one of the big drawbacks of the Linerboard harvesting of wood in Labrador was that you could harvest the wood all year round but you could only ship it for four or five months of the year. It had to be stockpiled, and the costs involved in that type of effort, as was pointed out in the remarks by various hon. members in debating that whole subject, clearly showed, I think, that the costs are quite high. So what does a Port Labrador concept do for that part of the Province? It opens up the country, providing there are roads or railways or whatever tied in to that port to get the raw materials or processed or semi-processed materials out. My own personal opinion, and this is based only on listening to other people discuss the topic, is that one of the better areas for Port Labrador would be the Rigolet area. The hon. member for Fogo may have some thoughts on that. I understand he has travelled considerably in Labrador and is fully aware of the implications of shipping and the problems of shipping, and so on.

Now, obviously, if Port Labrador were to be established at Rigolet, which is a community of 150 people at the most, I would say, right now, a very small community that relies solely on fishing of salmon and some codfishing as a means of livelihood, what sort of effects would a Port Labrador, I wonder, have on a community like that? With the proposed bridge eventually, hopefully, crossing North West River, that is the first step tied in with the concept of the Trans-Labrador Highway with getting access to the Rigolet area by land, by road, or by railway,

MR. J. GOUDIE:

and thus getting that much nearer to the Port Labrador concept I think. The hon. member, the Leader of the Opposition, made reference to the Straits of Belle Isle area in his remarks and there again you would have to be quite concerned I think about the use of ice breakers as that Strait of Belle Isle area is fairly heavily congested I think with ice in various parts of the year.

CAPTAIN E. WINSOR: (Inaudible) - as you already know a terrific current running down from the Hamilton Inlet there and the other of course is the Arctic drift ice which is almost continuously there from January until June, and sometimes late in June. And the insurance companies will not carry any insurance at all on ships unless they are properly reinforced for ice breaking. We do not have that many ships on the go today. It is quite a concept.

MR. GOUDIE: I agree with what the hon. member has said there. I think it is quite a concept now. As a matter of fact the Minister of Mines and Energy made reference to this a couple of weeks ago somewhere about the contracts being let or at least the idea now being fully developed in terms of a new ice breaker to handle heavier ice and of course there was a paper circulated, I am not sure whether it was by the University or some other institution, recently about the use of - what do you call these air foil -

AN HON. MEMBER: Hydrofoil.

MR. GOUDIE: No, I am sorry, not the hydrofoil the -

AN HON. MEMBER: (Inaudible).

MR. GOUDIE: Yes, whatever that is being used to break ice in some areas, ice of - what? - depths of twenty feet or something like that, I think. But I mean this province I think has the chance now and I would think that there would have to be certainly co-operation on the part of the Government of Canada, has a chance now to become, I do not know if you would say a world leader but certainly one of the world leaders in terms of ice handling capabilities or ice breaking capabilities and this all

MR. GOUDIE: ties in to the possibility of developing our offshore oil and gas resources. But that is another frightening thing to me.

CAPTAIN E. WINSOR: There are, I believe, plans now to construct a nuclear ice breaker which would be the most powerful thing in the world and she is going to be constructed for that specific purpose in the Arctic.

MR. PECKFORD: Semi-nuclear, but it is not public. It is half and half. Dome Petroleum are building it with assistance from the federal government.

CAPTAIN WINSOR: But that is not the difficulty. The difficulty is in the conventional ship, you know, the ordinary cargo vessel which is going to go into that port from all over the world, which are not (inaudible). The insurance is very high and the economics of it is what you have to bear in mind.

MR. PECKFORD: This new boat is one which can also (inaudible).

CAPTAIN WINSOR: Yes, then you are confining it to a very small capacity.

MR. GOUDIE: If I can just interject for a moment -

MR. MURPHY: Why do you not ask the Speaker if you can ask a question.

MR. GOUDIE: I have just been notified that I have five minutes left and if I could make a couple of more comments before the hon. gentlemen resume their -

SOME HON. MEMBERS: By leave! By leave!

MR. HICKMAN: Carry on, boy, I would like to hear the hon. gentleman tell us about an alternate port, Sept Isles.

MR. GOUDIE: An alternate port -

MR. HICKMAN: Sept Isles.

AN HON. MEMBER: Seven Islands.

MR. HICKMAN: Where will it be?

MR. GOUDIE: I am not sure what the hon. minister means.

MR. HICKMAN: You are talking about Rigolet, are you? Are you talking about Rigolet with a view to some day we might be able to export our products from Labrador West to a Newfoundland port?

MR. GOUDIE: I mentioned earlier in the debate that I hope the hon. minister, the hon. member for Menihek (Mr. Rousseau) will deal with that question there. But suffice it to say on my part

MR. GOUDIE: I am completely fed up with the way that that area of Quebec, Sept Isle, has benefited from the resources of Western Labrador and I think the problem should be corrected. And if the Port Labrador concept is a way of correcting that, I am all for it by all means.

MR. HICKMAN: (Inaudible) in the Rigolet area.

MR. GOUDIE: Well provided; that does not necessarily have to be in the Rigolet area. That is one area that comes to mind and I was going to comment on the hon. member for Fogo's remarks.

The tide, as the hon. member mentioned, is a tremendous problem there and from my own point of view I travel out in that area every Fall, or whenever I can, in a fifteen foot boat goose hunting, out in the Pottles Bay area as the member is familiar with and one of the problems that I am worried about is not only the tide but the rumpuses as well, these thirty-five and forty foot whales that would give a fifteen foot a little bit of a problem if they happen to surface at the same time the boat was passing over. But anyway, that is no great concern to shipping these days.

MR. GOUDIE: I am not quite sure what the ice congestion is out of the Hamilton Inlet because obviously the boats are going to have to come in through the Hamilton Inlet in order to get to -

AN HON. MEMBER: There is an awful lot of it there in the spring.

MR. GOUDIE: So again we resort back to the concept that an icebreaking vessel is going to be obviously the answer to year round snipping in Labrador and other parts of the North as well.

Protecting the natural environment was referred to by the Leader of the Opposition in his remarks and that again is one of the more important concerns, I think, of the people of Labrador. Let us use Nakkovik as an example, and I wish the Minister of Mines and Energy would correct me if I say anything wrong here. The potential for uranium development, mining and development in that area is obviously worth the effort of going ahead and the projected maximum time involved in harvesting that would be twenty years. Would that be close?

MR. PECKFORD: In uranium?

MR. GOUDIE: In the Kitts-Michelin and the Monkey Hill area.

MR. PECKFORD: Presently it would only be seven or eight years.

MR. GOUDIE: Okay. But that compounds the situation from my point of view again. If it is seven or eight years one of the big concerns of the people of Nakkovik is that there may not be sufficient safety requirements imposed on the company. I think it is a misconception because I do not think that the government would allow that development to go ahead without all possible safety measures being taken in terms of environmental damage and pollution. But one of the big concerns there is that if that uranium is developed it is going to be very near to the spawning grounds of the Arctic char and the salmon, which are the resource base of the community right now.

MR. GOUDIE: This is at Makkovik, coupled of course with the cod fishery and any other species of fish which they can take and - sorry?

CAPT. WINSOR: Salmon more so than char.

MR. GOUDIE: Salmon more so than char. And then of course you bring in the sports fishing aspect of it. But there are a couple of interesting things about the salmon and the char themselves which is not encountered on the Island part of the Province and that is, number one, salmon do not enter any rivers North of Davis Inlet so there are many rivers North of that which could accommodate all types of salmon if they decided to go in. And the other problem and interesting fact I think about the Arctic char is that they are not a migratory fish as are the salmon. Salmon wander all over the ocean, I am told, but char do not, they stay within reasonable boundaries of the river mouth. So what you have happening is if there

are too many fishermen involved in catching char in one given area they can literally fish out that species of fish while another river fifty miles North of that or South of that might still have all kinds of Arctic char to be harvested. These are the two concerns there. Coupled with that, if there is pollution to kill off the resource or spoil the spawning grounds - let us just assume for a moment that everyone in Makkovik is involved in mining uranium. What happens in eight years time if by some reason or other the spawning grounds are spoiled? If men are out of work, where do they go? Most of their fishing equipment by then is probably either outdated or thrown away or not in any shape to be used again. So that is a concern I think in terms of resource development, in terms of protecting our environment and in terms of a well-planned development scheme for our resources during the development stage and afterwards

MR. GOUDIE: Protecting the natural environment: One of the Naskaupi Montagnais Inuit association of North West River had been involved for two years in a fact-finding venture in the Lobstick Lake area near Churchill Falls. They were proposing a white fish industry. That is one thing that not all that many people, Mr. Speaker, I do not think, have concentrated very much effort on and that is establishing or trying to find out if there is a potential in inland Labrador for an inland fishery as opposed to the offshore fishery or the sports fishery.

MR. GOUDIE: I mentioned to hon. members last year in a debate about the size of the fish that the sportsmen take in the various lakes. I drove from Churchill Falls to Orma Lake last Fall, about eighty miles in a northerly direction, a general northerly direction, and stopped at one place to boil the kettle and have a mug-up with a couple of the boys. And the first thing I saw when I got out of the truck was a couple of the biggest otters I have ever seen in my life swimming around this culvert that ran under the road, and I was not quite sure what they were doing that close. They did not mind me and they did not mind the truck. So I walked over to the other side of the culvert and had a look, and all you could see was fish - tails and fins - just like that.

AN HON. MEMBER: When are we going up there?

MR. GOUDIE: This was the spawning time for the white fish and the lake trout and they were just going up through here. And I had never seen that occurrence before, and the two people I was with suggested that is the common occurrence. It was even greater than that a few years back before there were all that many people moved into the Churchill Falls area and became involved in the sports fishery.

So the Indians in North West River carried out and invested money in this two year experimental programme to find markets, to find methods of catching white fish. They were primarily concerned with the white fish, but then, of course, if you put a net in a lake you are going to end up with more than white fish, so they were looking for markets for lake trout, for pike and whatever other

MR. GOUDIE: species they were able to catch. But then all of a sudden someone or other, I think the federal government, came up with a finding that there was mercury pollution so that curtailed everything. I think .5 is the allowable maximum that a person can consume before his life is in danger. So talking again with Chief Bart Jack of the band council in North West River, he indicated that in their recent correspondence with the federal Department of the Environment that the mercury level has now dropped. It appears they have not been able to find the source of the mercury pollution, but the level has dropped and they are now considering the possibility of going back in again this summer season to fully explore or finish exploring the possibilities of an inland fishery. And I think that is a pretty fresh, new concept to prosecuting the fishery in this Province. I do not know if that has ever been done on the Island part before or not. Was there an inland fishery on the Island part of the Province?

MR. ROBERTS: A what kind of fishery?

MR. GOUDIE: An inland fishery.

AN HON. MEMBER: No (Inaudible).

MR. GOUDIE: Okay. So hopefully there will be some breakthroughs there.

The point made by the Leader of the Opposition, I think, was certainly well made, that if there is not consultation, if there is not proper thought given to rational planning of our resource development, concern shown through legislation for the protection of our environment and so on, then where will sentiment in Labrador lie?

March 8, 1978

Tape 80

EC - 3

MR. GOUDIE:

And the hon. gentleman suggested that we must move in this Province to settle Labrador. I cannot agree more. The Premier of Quebec, Mr. Levesque, has made certain overtures in various ways to Labrador indirectly, suggesting a few things which may happen if Labrador were to join Quebec. That puts us in a little difficult situation. There are seventy-nine miles of water separating Labrador from the Island part of the Province; however, there is nothing separating Labrador from Quebec, nothing physical other than that boundary that runs down between the headwaters of the height of land.

MR. GOUDIE:

So people in Labrador wonder. They have asked me the question, 'Would we be better off by joining with the Province of Quebec? There was no thought given to the actual technicalities or the problems involved in doing that under our constitution. But the idea - and that is what people deal with I think more so than anything else is the idea of a certain thing either happening or not happening. They asked me the question. All I could do was give them my opinion and that is that first of all there is no way I would become involved in an attempt to join the Province of Quebec in any way. Then the question of the separation of Labrador from the Island part of the Province as a province was brought up and I do not think that should happen either. There are a number of reasons for it, the size of our population to begin with. Granted, Prince Edward Island, the birthplace of our Confederation, could fit into Lake Melville and still leave room enough to steam around in a punt or a motor boat or whatever. That is just one little lake in Labrador.

So it is not the geography or the geographical size of an area which dictates whether or not it can become a province. But my belief is that we have a fairly good situation right now in our provincial makeup. The only problem being, as I have been told by my constituents and other people from all over Labrador, is a lack of understanding of ethnic lifestyles, both traditional and contemporary, and the lack of understanding of many things. But it is my contention that we can deal with these misunderstandings be they in terms of resource development, in terms of their culture, in terms of any aspect of lifestyle in Labrador and lifestyle on the Island part of the Province. They can be dealt with. They must be dealt with. It is this type of debate, and hopefully the type of policy formulated from such debate, which is going to deal specifically with problems as they exist between the two parts of the Province currently. And I cannot argue with

MR. GOUDIE:

one item which the Leader of the Opposition (Mr. W. Rowe), the hon. member for Twillingate, has put forth in his resolution and I am not going to try to argue with that. I do not think you will find any other member from Labrador or any other member on this side of the House who can argue with the concepts put forth here.

I like to think that we are presently doing something about some of the problems in Labrador. Regional government is a concept which has been discussed by the former Leader of the Opposition and by many other members of the hon. House of Assembly. That will probably be dealt with at some other time, but if we can begin steps such as setting up administration centers, such as is being done right now in the Goose Bay-Happy Valley area of Labrador to bring the services of government closer to the people and thereby a better understanding of government policy, of government services and on the other hand a better understanding by government of the problems which exist in a specific region. That is the type of thing I believe that is going to relieve the whole problem we have of misunderstanding in this Province today. If we can continue to do that and show by example that there is concern in this end of the Province for problems in that part of the Province, and vice-versa, I think the first major step has been taken if we can accomplish or communicate that to each other, that we are concerned about each other and that we care about how each other live, that we care whether or not one part of the Province has or does not have services which they feel, and rightfully so, they are justified in having be they water and sewer services or be they some other type of service.

I support this resolution put forth by the hon. member for Twillingate (Mr. W. Rowe).

SOME HON. MEMBERS: Hear, hear!

MR. ROUSSEAU: And I hope that the brief remarks I have had to make have contributed something or other perhaps to a better understanding in some ways of some of the problems which exist.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, I do not know whether the hon. gentleman who just took his seat was speaking on behalf of the government, speaking on behalf of his colleagues when the hon. gentleman said that he was going to support this resolution and I certainly commend him for having the courage to take that position. I hope that all members on both sides of the House including the member for Menihek -

MR. ROUSSEAU: The government will support it.

MR. NEARY: The government will support it. Well, Mr. Speaker, that is indeed good news. I must say I congratulate the members opposite. I do not think this is a first but certainly it is unique in this hon. House when you get members on both sides on the same wave length, when their hearts are beating as one. And I am glad to get the indication from the member from Naskaupi and the member from Menihek that the government will support this resolution that was moved by my hon. colleague, the Leader of the Opposition.

This is a nonpartisan issue and my hon. friend in his opening remarks asked whether or not the resolution that was adopted recently at the convention, the great Liberal convention that was held in Ottawa, if the resolution was binding on the part of the Government of Canada. Well, Mr. Speaker, let me put my hon. friend's mind at ease;

the matter does not come under the jurisdiction of the Government of Canada. The matter comes under the jurisdiction of the province, under the Provincial Government.

PREMIER MOORES: Crossing borders.

MR. NEARY: No, no, not crossing borders. The matter of the development of the Lower Churchill and the energy policy, the Upper Churchill and minerals come under the jurisdiction of the Provincial Government and what we are looking for is support and assistance from the Government of Canada and that is what the resolution is about.

MR. W.N. ROWE: But the direction has to come from here.

MR. NEARY: That is right. The plans and the direction have to come

MR. NEARY: from the province.

Now, Mr. Speaker, I must congratulate the hon. gentleman from Naskaupi. You know, when the hon. gentleman was talking there and he made such great common sense, such a great deal of common sense that my hon. colleague and myself said, would it not be wonderful if the member for Naskaupi were on this side of the House. And I would like to extend an invitation, Sir, to the hon. gentleman that any time that he feels disgruntled with the policies of his own administration especially as far as Labrador is concerned and gets sloughed off every time there is a Cabinet reshuffle, and we have projects moved around from one portfolio to another, then my hon. friend is welcome to come over on this side of the House any time. We would be glad to -

MR. A.J. MURPHY: It would be a wonderful thing for that side of the House.

MR. W.N. ROWE: It would, Sir. It would be a wonderful thing for this side of the House.

MR. NEARY: Well we would certainly be very glad to have him at any time, Sir, -

MR. A.J. MURPHY: A sterling gentleman of Newfoundland and Labrador (Inaudible).

MR. NEARY: There is not a nasty bone in the hon. gentleman's body, unlike the hon. member, unlike the hon. bigot from St. John's Centre the hon. gentleman from Naskaupi is a thorough gentleman. Not a nasty bone in his body, not a vindictive man -

MR. A.J. MURPHY: We would not have him if he were not.

MR. NEARY: He talks common sense, knows what he is talking about, knows his subject, knows Labrador and, Mr. Speaker, we would give anything to have the hon. gentleman sit over here on this side of the hon. House.

MR. MURPHY: It would be a vast improvement.

MR. W.N. ROWE: We will exchange Woody Philpot for him. He can have Woody.

MR. NEARY: Mr. Speaker, while the hon. the Premier has returned to

MR. NEARY: his seat now with his 'Newfoundland Status of Women' button in his lapel -

MR. W.N. ROWE: Forced on him.

MR. NEARY: Forced on him by the delegation that -

PREMIER MOORES: Humber West.

MR. NEARY: Humber West. Well, I understand the hon. gentleman is not going to run in Humber West any more. The hon. gentleman is going to move over in Conception Bay somewhere. Probably in the hon. Premier's home town of Carbonear or Harbour Grace.

PREMIER MOORES: Humber West.

MR. NEARY: Humber West. Is the hon. Premier confirming now that the hon. gentleman is going to run, seek re-election in Humber West?

PREMIER MOORES: That is right.

MR. NEARY: Well, the hon. member for Carbonear, where is he, can relax now. The hon. gentleman has been challenging the Premier now for the last year or so to go over to Carbonear to his own home town.

PREMIER MOORES: That is right. The challenge would be very minute.

MR. NEARY: But while the hon. gentleman has returned to his seat, Sir, on a more serious note, I wonder if

AN HON. MEMBER: Who would be running for the nomination in Carbonear after -

PREMIER MOORES: No, I would not know of it, no.

MR. NEARY: I hear that Morrissey Johnson will be the hon. gentleman's standard bearer in Bonavista-Trinity-Conception. Is that the case?

MR. W.N. ROWE: Poor old 'Morgan' rejected again.

PREMIER MOORES: (Inaudible) said you preferred the bench.

MR. NEARY: No, I am looking at the hon. Premier for reaction there. Is there any foundation to the rumour that Captain Morrissey Johnson will run in Bonavista - Trinity - Conception?

PREMIER MOORES: Not to my knowledge.

MR. NEARY: 'Not to my knowledge.' But, Mr. Speaker, to get on a more serious note here -

MR. F.B. ROWE: 'Lundrigan' is working on him up at the icefields now.

MR. NEARY: That is what 'Lundrigan' has gone to the icefields for.

MR. F.B. ROWE: Yes.

PREMIER MOORES: I hear Ray Elliott is going to take on Rooney in the dumping procession.

MR. NEARY: Mr. Speaker, I could be unkind but, Sir, I will not. That protestor has been amply taken care of. I do not know how the rest of the world will react when they hear that protestors in Newfoundland are remanded to the Waterford. I would certainly like to hear the Minister of Justice tell us, tell this House why there was a ban put on the publicity of that trial. That would be interesting to find out, why the Minister of Justice's representative down in the court asked, Mr. Noel Hurley, who was representing the minister, and the magistrate, who is a servant of the minister, put a ban on the publicity of that trial.

MR. FLIGHT: That is not funny.

MR. NEARY: That is not a bit funny. That does not happen in Russia. Why did it happen in Newfoundland?

MR. HICKMAN: What is the hon. member

MR. HICKMAN: talking about?

MR. NEARY: What am I talking about?

The minister always pretends. He is so innocent when he gets caught with his hand in the cookie jar. He always pretends that there is a halo over his head. The minister's representative, just to show you again about the administration of justice in this Province, the minister's representative down in the court -

MR. HICKMAN: To a point of order.

There is a matter before the courts and when a matter is before the courts even the simplest person knows that it cannot, cannot be discussed in this hon. House.

MR. W.N. ROWE: That is not right.

MR. NEARY: That is not right, Sir.

SOME HON. MEMBERS: Oh, oh!

MR. HICKMAN: I understand that we are talking about a case that is before the courts, a gentleman who has been charged and remanded. Most assuredly that matter is not permitted to be discussed in this House, The rules are clear, unambiguous, once again.

MR. W.N. ROWE: Mr. Speaker, that has been argued by the hon. the House Leader on the government side of the House for years now. He seems to forget that this is the highest court in this Province -

SOME HON. MEMBERS: Hear, hear!

MR. W.N. ROWE: - the House of Assembly. The Parliament of this Province is here, the highest court. His own party in Ottawa, Sir, has argued time and time again with some success that, in fact, members of the Parliament or the House of Assembly can, in fact, comment on things which may be before the courts and cannot be muzzled simply because the Minister of Justice sees fit to lay a charge. If that were the case, Sir, then we

MR. W.N. ROWE: could be muzzled any time at the whim of the Minister of Justice.

Now I do not know what the hon. Speaker will rule in this particular case. He will probably go along with wrong tradition that has been followed in this House but, Sir, I would like to say for the record that it is wrong and we believe it is wrong for every single matter that happens to be before a court, magistrate, district court or supreme court in this Province, thereby takes it out of the realm of debate forever or until that matter may be resolved by the court. That is a wrong principle for this House to proceed on.

SOME HON. MEMBERS: Hear, hear!

MR. HICKMAN: Mr. Speaker, to that point of order. I can scarcely believe my ears.

MR. W.N. ROWE: Well, you can believe them.

MR. HICKMAN: The hon. gentleman, who is an officer of the court, knows, number one, that when once a person has been charged or even when a person is in on a civil action the rights of that person are paramount and they cannot be in any way jeopardized by comments made in any forum. That has nothing at all to do with the responsibility of parliament to make laws. But when it comes to the interpretation of the laws, the courts are then supreme; they are not subject to direction from parliament, they are not subject to direction from anyone. A magistrate is not the servant of the Crown, the Provincial Court Act makes that very clear.

One minister, Mr. Speaker, in Ottawa, to his chagrin commented on a decision that was made by a court judge in Quebec.

MR. W.N. ROWE: Outside. Outside parliament.

MR. HICKMAN: He commented on it in parliament in answer to a question. We know what happened to him, we know how Mr. Speaker Jerome upheld that great tradition. And, Mr. Speaker, there is no question about that. It is not a muzzling of anyone, but the courts cannot be subject to direction from anyone and I just simply say it because I would hope there is no one under the mistaken impression that any judge, any magistrate is subject to direction from the Crown, subject to direction from anyone, or that the rights -

SOME HON. MEMBERS: Oh, oh!

MR. HICKMAN: The hon. gentleman from LaPoile (Mr. Neary) referred to a provincial magistrate as taking direction from the Minister of Justice.

SOME HON. MEMBERS: No, he did not.

SOME HON. MEMBERS: Yes, he did! Yes, he did!

MR. HICKMAN: Yes, Mr. Speaker, yes he did.

MR. NEARY: A point of privilege, Mr. Speaker. Mr. Speaker, if the hon. gentleman is going to quote me he has to quote me correctly. I said the Crown Prosecutor, in this case Mr. Hurley, was taking instructions from the Minister of Justice.

MR. HICKMAN: And the magistrate.

MR. NEARY: All we are asking is why that ban was put on publicity.

MR. HICKMAN: What did you say about the magistrate?

MR. NEARY: No, I did not say anything about the magistrate.

MR. HICKMAN: Yes you did.

MR. SPEAKER (COLLINS): Order, please!

MR. W.N. ROWE: To respond, Sir.

MR. SPEAKER: Order, please!

I have to respond to the point of privilege in the first instance.

MR. MEADY: Sorry, Sir.

MR. SPEAKER: The point of privilege involves the point of what was said and I think that this point has arisen a number of times. What one hon. member interprets another hon. member's remarks to be, this, I do not think falls into the area of privilege. This is understanding or representation of what was said and it is not a point of privilege.

In terms of the point of order -

MR. W. ROWE: If I may, Sir.

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

MR. W. ROWE: Fresh points were raised by my friend across the House.

MR. SPEAKER: Are you referring to the point of order?

MR. W. ROWE: Yes.

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

MR. W. ROWE: Mr. Speaker, first of all, Sir, let me make this clear because the hon. minister in his usual mealy-mouthed way dragged a red herring straight across the whole issue before Your Honour at this moment. Nobody is trying to give the courts directions, Mr. Speaker. Magistrates or district court judges, supreme court judges, any judge in this land does not take directions from this House of Assembly or any person in the House of Assembly or any other person. They have security of tenure and independence and nobody on a bench in this Province takes direction. That is a point completely apart and distinct from the point that was raised here.

The point that was raised here was that we are muzzled as a Legislature and as the traditionally historical highest court in this Province simply because a charge or a case may be brought before a court in this Province, a high or a low court. That is what I am disputing, Sir.

AN HON. MEMBER: This is not a court.

MR. W. ROWE: And I am saying - read a little history every now and then, you might get rid of some of your ignorance. The Parliament of England is the highest court in England and this is the highest court in Newfoundland.

Mr. Speaker, what I would like to say is this, that if we are talking about the rights of the individual being paramount then that is exactly the point that is being made by me and my colleagues on this side of the House. Where a person can be charged and a muzzle can be put on the court, or a crown prosecutor can ask for that and have that request acceded to, and then somebody tries to raise the question of individual liberties in this Province, in this House, that particular individual and has the mealy-mouthed Minister of Justice (Mr. Hickman) stand up and say, 'Oh no, we cannot talk about that', that is violating that gentleman's civil liberties.

What I am saying, Sir, is the complete opposite. We are protecting that gentleman's or any gentleman's or any person's civil liberties by raising it on the floor of this House.

SOME HON. MEMBERS: Hear, hear!

MR. W. ROWE: And here this kind of red herring and wishy-washiness, Sir, is a discredit to this House. And I ask Your Honour - I know what Your Honour will rule, Sir, but we want to go on the record as saying that this side of the House, Sir, believes that just because a matter is before a court does not mean that we are no longer able to say a word of any kind about it. That is a ridiculous principle which should be thrown out the window.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

This matter, this point of order has come up before and the rulings have been made on it. However, I think at this point in the session it would be useful to hear any opinions that hon.

MR. SPEAKER:

members have to make on the point and I would recognize the hon. member for St. John's East (Mr. Marshall).

MR. MARSHALL: Mr. Speaker, I would not rise except the point happens to be a fairly important one and the Leader of the Opposition (Mr. W. Rowe) is really misinterpreting by merely saying that this is the highest court of the land so that we can discuss whatever we want. There are certain rules that are set down, I suggest not for the protection of us in here but for the people who are involved. One of the rules that have been set down on parliamentary privilege is contained and is in Beauchesne, that we have to refer to and we do refer to as a guideline, on page 127, that no member may refer to any matter on which a judicial decision is pending.

Now the reason for that is - you know, maybe we just should not take Beauchesne and say, you know, that is the gospel and we will comply with it because it is in Beauchesne - but there is a real reason for it, that if a judicial decision is pending, particularly in a criminal matter, an individual's rights are at stake and he is to be tried in accordance with the manner that has been set down by the state. The state does not set down that he be tried in this particular forum because he is not present to give his defense or what have you. I think that that is a sacrosanct right and despite the way of the Leader of the Opposition (Mr. W. Rowe) appeals to the emotions of persons in the House on his own side that this is the highest court in the land and what have you - so it may be. But there is an individual - when a judicial decision is referred to there are individuals concerned who are not here present and that is the real reason for this rule and I do not think that we can go off - the hon. member's former leader used to say from time to time that the House is master of its own rules and this is the highest court of the land and that we should be able to discuss whatever is brought before us. But I think that we have to go by the rules that have been established over the centuries for a very

MR. MARSHALL:

good reason, that no matter who the person is, no matter whether we agree with what the person did or what he did not do, whatever our subjective views are, this is not the place for individual trials of people who have been charged before the courts. And for this reason there is a very good reason why we should not refer to a matter on which a judicial decision is pending.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, my hon. friend has joined with the weak-kneed Minister of Justice (Mr. Hickman) in dragging another red herring into this matter. What I said - and I was the one who raised the matter, Mr. Speaker - and the matter that I raised was a matter of procedure, not whether or not the individual should be brought on trial before this House. It is a matter of procedure over which that gentleman who is on trial has no control, over which this House has every control and the Minister of Justice (Mr. Hickman) has control. And that is, Sir, placing a ban on the publicity. That is the question, Mr. Speaker. Can we refer to procedures? And I submit, Sir, that we can. Mr. Speaker, the procedures are laid down, the law is made in this House, the Minister of Justice (Mr. Hickman) is asked to enforce the law, to carry out the law of the land. And in the carrying out of the law of the land if the minister abuses his privilege, Sir, then it should be raised in this hon. House.

AN HON. MEMBER: That is different.

MR. NEARY: That is not different. That is exactly the point that I am raising.

MR. W. ROWE: That is the point.

MR. NEARY: That is the point, Sir. The minister has abused his privilege. The minister has abused the human rights of an individual of this Province in carrying out the law that was made in this hon. House.

MR. HICKMAN: That is not the point of order that the hon. member has already made.

MR. NEARY: That is the point of order, Sir. That is the point of order, the question that was raised -

MR. HICKMAN: A flagrant misuse of the immunity of this House, that is what it is.

MR. NEARY: Mr. Speaker, the hon. gentleman obviously is smarting under the -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. NEARY: - the injustice that is being done -

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

I think the House does recognize that there are aspects of this point of order that should be settled. There are certain interesting and very important aspects to it and the Chair is certainly willing to listen to views expressed before making a decision. But in speaking to a point of order the hon. members should not enter into debate. They should state their position but not engage in debate as such. And on that understanding I would ask the hon. member to continue.

MR. NEARY: I appreciate Your Honour's ruling and just for the benefit of Your Honour I just want to repeat the point that I raised at the start of this whole debate in the first place. It was the fact that there was a ban put on the publicity by the magistrate down in the court at the request of a representative of the Minister of Justice (Mr. Hickman). There was a ban put on the publicity and it is the procedure -

MR. W. ROWE: And if we cannot comment on it, it is pretty bad.

MR. NEARY: Mr. Speaker, Your Honour is asked to rule on a procedure that has been used by the Justice Department that we, on this side of the House, disagree with and disapprove of. It is the procedure and not the case that we are talking about.

MR. W. ROWE: Not the merits but the procedure.

MR. NEARY: The procedure is unique, Mr. Speaker. It is unique. It is very seldom used in the courts of this land. I do not know when was the last time it was used but that is the point, Mr. Speaker, and I am asking Your Honour to pay attention to the point in dispute and that is a matter of procedure that was used in the courts that is most unusual, unique. The people of this Province could hardly believe, Mr. Speaker, that the courts would be asked by the minister's representative to use such a procedure causing such a grave injustice to an individual and to the human rights of an individual in this

MR. NEARY:

Province. It has nothing to do with the trial, Sir.

MR. W. ROWE: It is not the merits of the trial.

MR. SPEAKER: The hon. member for Kilbride (Mr. Wells).

MR. WELLS: What has just been said to Your Honour is not correct and I think I have to correct the record. What happened down here was that an individual was charged not under laws made in this House but under the Criminal Code of Canada which is a federal statute made in Ottawa and very properly so. That federal statute which governs the criminal law of this country sets out certain procedures which either side can apply for in certain circumstances. Now I think we have to remember that a crown prosecutor down there under the authority and direction of the Minister of Justice (Mr. Hickman) but in between the minister and that man is the Director of Public Prosecutions. He is down there not to tie a noose around anyone's neck but to see that justice is done and a proper case, if there is a case, is presented.

Many, many times the court is asked to order no publicity. And to say that this is a rare occasion and a rare thing is absolutely not so. There are many, many times, Mr. Speaker, when a crown prosecutor will ask that publicity not be given. And the reason is very simple. It is that any kind of publicity given before a trial could be prejudicial to the accused and that is what -

MR. NEARY: This case has been completely misconstrued and misunderstood and the gentleman himself wanted it publicized.

MR. WELLS: What is misunderstood by anybody else, that I do not know and none of us here, I suspect, know. But the point is that here is a man who is charged. The procedure is if there is any thought that psychiatric evidence should be obtained, that psychiatrists give evidence as to whether or not the person should go in for thirty days for an examination in the Waterford Hospital.

MR. WELLS:

And in the course of satisfying the magistrate that the thirty days is necessary, the psychiatrist gives evidence.

Now the crown prosecutor, if he has any thought that that evidence if published could prejudice the accused, asks that - because as I understand it this man was not represented by counsel -

MR. NEAPY: (Inaudible)

MR. WELLS: Yes. But just a minute, this man was not represented by counsel as I understand it -

MR. SPEAKER: Order, please!

MR. WELLS: - and therefore the crown prosecutor -

MR. SPEAKER: Order, please!

I do have to bring to the attention of the House that the hour is six o'clock. If the House would like the hon. member to finish his remarks one would need consent of the House. Do I have the consent?

MR. WELLS: I was simply going to say - and I will finish very quickly, Mr. Speaker if it is allowed - the man was not represented by counsel. If he had had a lawyer there, that lawyer would have said, look it may be prejudicial to my client if any of this is published, please do not publish it. The man himself obviously did not know his rights. The crown prosecutor did the obvious and sensible and proper and prudent course to safeguard the man's rights by saying, do not publish. And the magistrate went along with it because when the trial comes, whenever that is, everything then will be published and that is the proper time for it but not to prejudice the man in the eyes of the community beforehand.

MR. HICKMAN: A remand can only be made if there is psychiatric evidence.

MR. WELLS: That is right. There has to be psychiatric evidence for the remand. I think it is absolutely erroneous to give this House the impression that we ought to be able to debate even the procedures which are set down in the Criminal Code of Canada.

MR. SPEAKER: Order, please!

The points that have been made will of course be substantial in making a decision. I will reserve that decision until the House meets on the morrow.

The hour now being six o'clock the House is now adjourned until tomorrow at three of the clock.