

PRELIMINARY
UNEDITED
TRANSCRIPT

HOUSE OF ASSEMBLY
FOR THE PERIOD:
3:00 p.m. - 6:00 p.m.
TUESDAY, MARCH 18, 1980

The House met at 3:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER (Simms): Order, please!

STATEMENTS BY MINISTERS

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

MR. L. BAFRY: Mr. Speaker, it gives me great pleasure today to announce the approval of funding for Memorial University's Industrial Peat Demonstration Project. My federal counterpart, the hon. Marc LaLonde, joins me in this announcement.

This approval comes under the provisions of the Newfoundland/Canada Agreement on the Development and Demonstration of Renewable Energy and Energy Conservation Technologies which is a five-year agreement signed in 1979 between my Department of Mines and Energy and the federal Department of Energy, Mines and Resources and which provides up to \$11.25 million for demonstration projects in the energy conservation and renewable or alternative energy fields.

Under the agreement, \$600,000 will be made available for equipment and labour costs on the peat demonstration which Memorial and its partners, Lundrigan's Newfoundland Limited and Algas Resources of Alberta, already have underway on a peat bog just East of Bishop's Falls. The remaining project costs of \$612,474 will be shared by Memorial, Lundrigan's and Algas.

This demonstration involves harvesting peat from the bog and transporting it for burning in an existing hog fuel boiler at the Price Company Pulp and Paper Mill in Grand Falls. The peat to be harvested is not the agricultural type familiar to many Newfoundlanders, but a humified variety formed from the gradual accumulation of partially decomposed plants

MR. L. BARRY: and inorganic minerals in wet ground. Fixed carbon within the peat provides much of its combustion energy.

The purpose of the pilot programme is to demonstrate the technical and commercial feasibility of using peat as an industrial fuel in this Province.

This project represents only one area of the many alternative energy sources my Department will be involved with over the course of the next four to five years. As oil prices climb, other forms of energy such as solar, wood and other biomass, wind and even possibly wave power could become economic. Because the Province has an excellent peat regime, this project will give us information, particularly economic information, which can be applied to other alternative energy sources.

MR. L. BARRY:

We intend to closely monitor the results of this demonstration. Both Memorial and the management of the Price Paper Mill will be submitting technical and cost reports to us throughout the peat mining and burning operations.

Representatives from Mines and Energy will be directly involved in the management of the project. To assess the environmental impacts of harvesting and burning peat in the Province we are planning a co-ordinated environmental monitoring program with various provincial and federal departments.

The production of fuel peat for industrial or commercial use can decrease Newfoundland's reliance upon imported petroleum supplies, would cost less than conventional fuels, would create jobs within Newfoundland and would help Newfoundland's and Canada's balance of payment situation. For the period of the demonstration project, Price Mill at Grand Falls has agreed to purchase at least 10,000 tons of peat which could displace almost 30,000 barrels of oil at the Mill.

Hon. Members, I should also point out that this project has the full support and interest of the federal government. And there are certain comments that Mr. Lalonde will be making in this respect.

This project could enable Newfoundland to move to a leadership position in North America in terms of peat harvesting, transportation and burning technology. Two methods of harvesting will be demonstrated at the bog site. Both a vacuum harvester which passes over the peat field, pulling off thin layers and passing the dust through a cyclone to separate the peat from other dried particles, and a ridger harvester, which pushes the peat into ridges for drying before compressing with a roller, will be demonstrated at the site.

Memorial intends to harvest 400 of the 1500 acres available on the bog site. Work is now in progress

MR. L. BARRY: to drain the bog for mining in July and August. The harvesting will continue the following summer, with ShawMont Newfoundland Limited supervising the field work.

This project represents as well this government's commitment to energy conservation and inter-fuel substitution by renewable or alternative energy sources. Already figures for 1979 show that Newfoundlanders burned 15 per cent less home heating fuel than in the preceding year. This figure was attained both by homeowners being more energy conservative and by a large switch to woodstoves and furnaces. It is a conclusive demonstration that greater energy self-sufficiency can be attained in this Province and that the government's commitment to energy conservation and renewable energy is justified. In the long

MR. L. BARRY: term, when all our Hibernias and Ben Nevises have run dry - it is a little premature to be saying it and talking this way yet conservation and the Province's renewable energy resources will ensure that Newfoundlanders enjoy a high degree of energy self-sufficiency. Thank you.

SOME HON. MEMBERS: Hear, hear!

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

MR. D. JAMIESON: Thank you very much, Mr. Speaker.

In joining to very briefly welcome this announcement I probably cannot be forgiven for saying that there is a sense of déjà vu about this for me. I remember the very first job that I had with the old Commission of Government down in the Colonial Building, as it was then the headquarters of the Department of National Resources and Rural Re-Construction, I believe it was called, one of the first jobs I had was co-ordinating a Peat Development Committee. So there is nothing new under the sun, apparently. And I believe even before that there were those in Newfoundland who were convinced that peat, in the huge quantities we are said to have, could be used economically and the like. In those days, by the way, our ambitions were decidedly more limited, perhaps relatively speaking the problems of the public were not any greater, but it was primarily designed to see whether it could be, from a rural point of view, used as fuel as indeed was the case particularly in Ireland and in other parts of Europe. Beyond that, I can also recall, and I welcome the co-operation of the federal government in this, the long arguments or struggles that I had over a number of years with regard to seeing whether something along this line could not be done. But I take it up until fairly recently neither the economics nor the technology were of such a nature as to really justify it, although there have been, I suspect, in almost every year since the 1930's some people who have reasserted this belief.

MR. D. JAMIESON: in the future of peat as a substitute fuel. So that it is a good piece of work, I think, as the hon. the minister has said, it is another example of good federal/provincial co-operation on something worthwhile, And we will look forward to it and see with, I hope, optimism the results of these experiments. Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Simms): Order, please!

I am sure hon. members would like to join me in welcoming to the gallery today the Mayor of Centreville, Mr. Tom Pickett, from the district of Bonavista North and the Mayor and Town Manager from the Town of Baie Verte in the district of Baie Verte -White Bay, Mayor Bill Dixon, and Town Manager Norm Genge.

SOME HON. MEMBERS: Hear, hear!

ORAL QUESTIONS

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

MR. D. JAMIESON: Mr. Speaker, I have a question for the Premier. Setting aside all of our fond hopes for the future, either as he described on Friday, short-term, long-term and medium term, but dealing expressly with the short-term, and in his capacity as Inter-Provincial Relations Minister, given the very worrisome situation with regard not only to the economy of Newfoundland but Canada, and the very disturbed state of the world which I am sure is causing all of us deep concern, could he give us any kind of progress report at the moment on what has been happening with regard to the study initiated by the Economic Council of Canada? Is there any kind of interim material likely to be available which might give us some indication of where we are going to be,

MR. JAMIESON: and I do not mean ten or twenty years down the road, or five or six for that matter, but something that would give us a fix on what looks like the quite precarious position that we may find ourselves in over the next twelve to twenty-four months?

MR. SPEAKER (Simms): The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, over the last number of months I have had talks with some of the people who are involved in the study to which the Leader of the Opposition refers, and I do not have off the top of my head the date of which that report is due to be in but I think it is sometime this Spring and I will check that today just to make sure of the date and make sure the Leader of the Opposition knows, so we have been talking to them. Secondly, on the whole planning for the five year plan thing which has been ongoing and for which a lot of the ministers have put a lot of time and a lot of people internally into government, and now in the short-term for the next twelve months as it relates to the budgetary process. We will be able to show or demonstrate where we think the direction of the economy and so on of the Province, particularly within the Canadian context, is headed over the next year to eighteen months to which the hon. the Leader of the Opposition refers. Number one, the economic council study is, I think, due in in a few months time and I will term up the specifics of that later today. And secondly, we have done two or three run-throughs, if you will, of the five year plan for the Province on as many fronts as we can identify. The one snag in it has been the oil thing because it is hard to know and get a handle on that and it is one of the reasons why the plan has been delayed. We are in the final throws of making major budgetary decisions relating to the next twelve months.

MR. JAMIESON: A supplementary.

MR. SPEAKER (Simms): A supplementary. The hon. Leader of the Opposition.

MR. JAMIESON: I hope I can phrase this question in a sufficiently non-complicated way to have it fit the rules of Question Period. But I would be curious as to how any kind of five year planning of a realistic nature is possible, not through any fault of the government in that sense, but given the mercurial nature, for example, of interest rates, of the remarkable worry that has been generated by the shift in mortgages and the number of people who are in that kind of position? In other words, what kind of bench marks is it possible for the government to employ or does it have to be done on certain kinds of hypotheses which may in fact be completely out of date before the ink is dry on the document? I do not say that argumentatively, I am just curious as to how it might be possible to proceed with five year planning in the present circumstances.

PREMIER PECKFORD: Well, what we are trying to do, Mr. Speaker, is to show some direction, first of all as it relates to capital construction for the next few years so that we can get a handle at exactly what we are going to do even though we do not know what the final cost figures might be on any given project because of escalation of one sort and another. So it is difficult, and what we are looking for are directions over the next five years in major expense and revenue fields so that that can then be modified and upgraded each year within that five year plan. So it is not written in stone, obviously, and each year would have to be amended due to what has happened previous to that. We have talked a fair amount in the last number of weeks with people in the financial communities from the dollar side of it, with both our own fiscal agents in Toronto and in New York, and I will be travelling there in the next two or three weeks to get a first hand look at it myself.

PREMIER PECKFORD: myself. So we are trying to get a handle on it. We have talked to Alberta as well to get some ongoing kind of dialogue there as it relates to financing. And as the Leader of the Opposition says, everybody has his own little theory on where it is going to go and where it is going to end. So within the context of the best anybody knows within a North American context, we are in touch and talking to them, and it is on that basis that we are trying to project our revenues, project our expenditures, look at the big things we have to get involved in over the next five years and try to build a direction for a number of major sectors, knowing full well that as each twelve month period passes by, or even before that, amendments to it will have to be made to reflect a new reality that we might have in 1981 that we do not know about now.

But it is very difficult. And on the housing side for example, it is extremely difficult. Things are really moving fast and the whole question of the cost of money now is causing a lot of problems for us just in our own budgetary thing for this year. But we are using the best advice that is available both from our fiscal agents and from other people in the marketplace who know and are trying to - for example, our own borrowing programme for this year and over the next number of years to try to get a handle on having the right kind of mix for that kind of borrowing. Right now, the marketplace is a very dicey situation. We thought, for example, a week or so ago that it would have been possible to move into the marketplace as it relates to money and that closed as quick as it opened, just closed right off completely, and it is very difficult now for us to get in the marketplace, as it is for almost any province, anything less than 13.5 per cent or 14 per cent money.

MR. E. ROBERTS: something, is it not?

It is 14.75 per cent or

PREMIER PECKFORD: Well, the borrowing we did from the Heritage Fund is on a triple A rating and it is somewhere around 11.63 per cent, which is, you know, very, very favourable rights, and we want to exercise some additional negotiations there with Alberta and see if

PREMIER PECKFORD: we can get some mix, both Canadian and American markets as well as the Heritage Fund. The overall thing is very much up in the air now, but we have tried to get as many bench marks as we can from as many sources as we can. But as the Leader of the Opposition knows so well, this whole business, almost every week it changes. Now with the floating bank rate and what that will do and as things change almost weekly it is a very, very difficult game we are involved in and projections are really out the window. I think last year - and the Budget will reflect this - some of our predictions were fairly accurate and some were not. And we, of course, rely heavily on the federal government in some sense as it relates to income tax generation, given certain numbers of people, because they do most of the collections and then reimburse us on it. So it is a difficult kind of situation. But we are trying to use whatever means we can use to come up with something which is realistic and will not put our whole Budget system out of whack, given six or eight months down the road from the day you deliver it.

MR. D. JAMIESON: A final supplementary, Mr. Speaker.

MR. SPEAKER (Simms): A final supplementary, the hon. the Leader of the Opposition.

MR. D. JAMIESON: Given the difficulties which the Premier has outlined, would it not be a wise idea - or perhaps it has already been thought of by the government - to have what I might describe as a short-term approach, particularly one of advice or judgement or the like to convey to the federal government or federal authorities with regard to the Budget making process? In other words, we have a twelve month period staring us in the face now in which all the indicators for Newfoundland except for one or two are -

MR. D. JAMIESON: let us say, at the very best one can describe them as being modest and quite a few of them are gloomy. Parenthetically, I learned just yesterday, for instance, that some of the potential fish markets are very soft, with regard to squid as a case in point. I have no doubt that a lot of people are predicating their incomes this year perhaps on very uncertain kinds of grounds. On those matters, therefore, where the federal position is important to Newfoundland with regard to interest rates or to things of that nature which involve statutory payments, is the government thinking in terms of some kind of advice or proposals, not necessarily for a full-fledged First Ministers' Conference because that may not happen in time, but to give a lead, at least, to planners as to how Newfoundland at least feels the budgetary process nationally ought to be structured?

MR. SPEAKER: (Simms)

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, over the weekend

I had an opportunity to talk to some people in the federal government and we are doing it now on a fairly regular basis only since the new government has got established and the ministers got put in place, and we want to see as soon as we can, and we have already communicated this to a number of the ministries in Ottawa through our senior civil servants on both sides who know one another pretty well, of just what, for example, as it relates to Newfoundland on the DREE side, just what kind of funds the new government is talking about on that. There are approximately, in round figures, about \$80 or \$90 million which could do an awful lot for the economy of Newfoundland over the next year or so if these are signed and all the t's have been crossed and the i's have been dotted from everybody up to and including the Treasury Boards. And we are ready for our part, for example, as a Province to move ahead on these. And if these do not come off in the next two or three weeks, it is going to be difficult to charge up and call tenders on some of them. So it is very important

PREMIER PECKFORD: just from the provincial standpoint and also to get some reading on just how the fiscal policy is now going to be operated and the energy pricing and the whole works.

MR. D. JAMIESON: Do you have a view on fiscal policy with regard to interest rates?

PREMIER PECKFORD: We have indicated on a number of occasions, you know, our concerns in a number of areas especially, for example, in the housing area, one area I can think of off the top of my head where it is very, very important. But our own provincial outlook, if we do not get those DREE agreements signed early is that it is quite likely that this year the cash flow through on DREE will be the lowest of any year on record. And that is a very major concern because you have got the window of time in which nothing has happened and it just drags everything down. Add to that that we will be ready and we have already submitted to DREE an ongoing - the Trans-Canada Highway Agreement now is in the last, the third year of its life of three years

PREMIER PECKFORD: in which now we are paying 75 per cent of the cost and the Federal Government 25 per cent of the cost. I am getting the rest of the projects committed that tenders were called on last Fall. And here again we are into a time period where it is very, very important, not only from the Trans-Canada Highway and ongoing improvements to that which are necessary-if anybody has driven over it recently, it is just terrible - but also other secondary roads in the Province which we want to start, and start negotiations on the Trans-Labrador Highway, for example. There is a whole bunch of issues there. But on just this side of fiscal monetary policy, we have great difficulty very often in our communications with the Federal Government because very often it is late before we get any idea of what our response should be to something.

And I do not know what, for example, on the Bank of Canada thing now and how that will impact upon us, and that was done without any consultation. And I do not know how Mr. MacEachen intends to proceed whether he will call early a meeting of Ministers of Finance, that is the usual way it has been done over the past while to get a global or a global national picture on the whole question of monetary policies, financial policies, economic policies, it has been done through the Finance Minister.

But we are willing and able right away, and as I say over the weekend I had a fairly lengthy discussion with Mr. Rompkey, the Minister in the Federal Cabinet, and expressed our concerns for him on a whole range of things -

MR. THOMS: (Inaudible)

PREMIER PECKFORD: -relative to that. No, I said he should have had a bigger job.

MR. THOMS: Oh, I see.

MR. SPEAKER: (Simms) The hon. the member for Lewisporte.

MR. F. WHITE: My question is for the Minister of Finance (Dr. J. Collins) and it has somewhat to do with the exchange

MR. F. WHITE: from the American bonding houses that there might be a movement in our rating and why the minister has waited this long before preparing some documents to try to get our rating up?

MR. SPEAKER (Simms): The hon. the Minister of Finance.

DR. J. COLLINS: Mr. Speaker, on the first point, we have had indications from our own fiscal agents in the United States that clearly, in their view, this would be a positive feature. As I mentioned when I answered the previous question, we have not had anything on a formal basis from the credit rating agencies.

In terms of why we have not already made initiative to them, we have, up until very recently - and I do not know but it is continuing at this moment - up until very recently anyway, one would not want to go to the U.S. market for borrowing; it was much better to go to the Canadian market in view of the exchange rate situation. In the last few days there is some indication that the U.S. bond market may be opening up and there may be opportunity there, but whether that will persist, whether it is just a very brief window or not, I cannot say. But we had no intention, up until very recently anyway, of even looking at the U.S. market because of the interest rates there and also because of the exchange situation, and there was not that urgency to do anything about making application. But I do want to reiterate that we have not been idle in this regard. We have, in actual fact, been getting together the information that we think will be necessary when we do go. We are already preparing ourselves for such an approach from them or an approach that we will make ourselves to them.

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

MR. S. NEARY: Mr. Speaker, I would like to ask the Minister responsible for Intergovernmental Affairs, who I believe is the Premier at the moment, a question. It has to do with a half million dollar grant that was given recently to Fleetline Bus Company. I would like to ask the Premier if the Province was consulted on this \$500,000 grant to

MR. S. NEARY: Fleetline Bus lines to build a new depot and buy new buses or if the provincial government had any input into arriving at the decision of who should get this grant?

MR. SPEAKER (Simms): The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, I am not right now familiar with that grant at all. I will take the question under advisement and get some information for the hon. member. I am aware that there is a federal programme in existence dealing with some transportation as it relates to an agreement some time ago, and I do not know if it is under that programme or not, so I will have to get the information for the hon. member.

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

MR. SPEAKER: A supplementary, the hon. the member for LaPoile.

MR. S. NEARY: Would the hon. the Premier also undertake to find out if the people in Conception Bay - I think Fleetline Bus lines are being upgraded from here to Carbonear - if the Premier would undertake to find out if the people in the area involved from here to Carbonear had any input or whether they made any recommendations as to what this money should be used for? Fleetline

MR. S. NEARY: received the money. Did the people have - were they consulted or did they have any input into what this grant could be used for?

MR. SPEAKER (Simms): The hon. the Premier.

PREMIER PECKFORD: Yes, Mr. Speaker.

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

MR. J. HODDER: Mr. Speaker, a question for the Minister of Fisheries (Mr. Morgan). As this is the first year that quotas have been placed on the inshore herring fishery, and I believe that these quotas were drawn up somewhere around October or November of this year and made available to the fishermen a couple of weeks ago, did the minister have any input into the drawing up of those quotas or was he advised as to what the quotas would be?

MR. SPEAKER: The hon. Minister of Fisheries.

MR. J. MORGAN: Mr. Speaker, no, we did not have any input as such in the establishment of the quotas, it is a federal responsibility. However, we did express some concerns to the federal authorities over the estimates being done by the scientists and researchers doing the work on the herring stocks. And that was primarily in connection with the Northeast Coast, but I understand from telegrams this morning in my office from the Western part of the Province, from the different areas in the Western part of the Province, in fact, that they are concerned and the fishermen feel that the quotas are too low. I had a meeting just last week, in fact, on the Northeast Coast had a conference out there, there were some changes made in midstream to the quota system whereby they increased the quota for the fixed gear which is normally the nets used by the fishermen in the inshore fishery. They increased the quotas from 200 metric tons to 500 by reducing the purse seine quotas.

MR. J. MORGAN: So they are changing things in midstream and the fishermen are very concerned. We have meetings now planned with the federal authorities to discuss the overall system they are using in establishing quotas. But to answer the question, there is no input, no consultation with us. It is based on information that they receive from the scientists and the researchers doing the work, but we are not convinced that the scientific information given these people making the final decision is accurate.

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

MR. SPEAKER (Simms): A supplementary, the hon. member for Port au Port.

MR. J. HODDER: As a preamble to my question, I might point out that the fishermen on the West Coast are in a state of near panic in that the quotas from Cape Anguille to Cape St. Gregory for the inshore fishermen have been - I think in 1979 they were 3,915 metric tons and they have been reduced to 2,030 metric tons, which is a reduction by 1,885 metric tons in that particular area from Cape Anguille to Cape St. Gregory. And this is very bad for the fishermen because they were encouraged last year to get into the fishery and many of them, after the success of their fellow fishermen, have gone out and bought nets and gear preparing themselves for this fishery which they were not prepared for - in other words, they were not prepared for the quotas - and they are now faced with being able to catch less herring than they did last year. Now I was wondering if the minister would take this up with his federal counterparts in Ottawa since the averaging of the

MR. HODDER: herring quota for some areas might be accurate but in this particular area they were new entries into the fishery.

MR. SPEAKER (Simms): The hon. Minister of Fisheries.

MR. MORGAN: Mr. Speaker, yes, I will undertake to discuss it further; in fact, we have already made plans for a meeting to discuss it. However, I will say again that we do have some concerns over the method of allocation by means of quota to the different types of gear for the first time this year - that was done without any consultation with the Province - whereby they allocated the quotas for herring to different types of fishermen using different types of licenses, and the fact that the quotas are reduced this year and over and above the fact that last year they were issuing more licenses to fishermen for to fish the herring stocks and the herring species. So less than a year ago they were encouraging the fishermen to get more involved, as you mentioned, in buying more gear by the issuance of more licenses, and now suddenly the information from the scientists doing the work for them indicates that the stocks are not there. We do not want to see an overfishing of the stocks as occurred on the South Coast of the Province a few years ago. We want to make sure the stocks are properly conserved, but in the meantime, as I mentioned earlier, we are not convinced that the information being used to make the final decision in establishing the quota, that this information is accurate and I will be pursuing it with the federal authorities. In fact, I have already assigned an Assistant Deputy Minister of the department to deal with it almost exclusively over the next few days because right now the establishment of herring quotas is a major problem all over the coastline of the Province, let alone the West Coast.

MR. HODDER: Mr. Speaker, a supplementary.

MR. SPEAKER (Simms): A final supplementary, followed by the hon member for Torngat Mountains followed by the hon. member for Terra Nova.

MR. HODDER: A final supplementary, Mr. Speaker, and a short one. Since the mobile fleet can take in in about nine days what the inshore fishermen take three weeks to catch, and the inshore fishery is very labour intensive, would the minister support lifting the quotas for the inshore fishery?

MR. SPEAKER: The hon. Minister of Fisheries.

MR. MORGAN: Well, I will say that when you say supporting 'lifting the quotas' or raising them, we already - in fact, it was prior to last week's announcement when they raised the quotas for the inshore fishermen in Bonavista Bay, that we had put forward a lengthy telegram to the federal authorities, pointing out our concern that we felt the quotas should be higher but the only thing is we did not have any scientific evidence to back up what we were saying. Their argument against us was saying, 'If you can prove to us that the stocks are there we will raise the quotas.' This puts us in a very unfortunate situation because we are basing our information mostly from the fishermen themselves, the fishermen who are using the sonar gear, etc., indicate to us that they are convinced that the stocks can take a higher quota but, of course, they have a bit of a conflict of interest situation; they want to see the quotas increased with higher catches, the licensed fishermen who have licenses to fish for herring. But we did express concern in our viewpoint earlier, we held a meeting in Corner Brook on Friday - when I say we, the Department of Fisheries, provincially, and the federal authorities, with the

MR. J. MORGAN: local operators in the area, the processors in this case, and the purse seiners, and they have what they call - in fact, I think they call it the herring club. It is a club of all the local processors in the Western part of the Province, particularly in the Bay of Islands area and the purse seine operators, and it seems that unless the quota problem is resolved in the next number of days that that local club they have formed - which is working quite well, working with Nova Scotia and sharing the herring stocks in that general fishing area - that that club will break up and there is going to be total chaos. So we are hoping that the scientists who have done the work will review the whole situation as soon as possible and hopefully reassess the quotas and maybe increase them. That is all I can say.

MR. T. LUSH: Mr. Speaker, a supplementary.

MR. SPEAKER (Simms): Does the hon. the member for Torngat Mountains wish to yield?

MR. G. WARREN: Agreed.

MR. SPEAKER: A supplementary, the hon. the member for Terra Nova.

MR. T. LUSH: Mr. Speaker, the problem in my district is somewhat similar to that outlined by my hon. friend, and as he so ably put it, it puts the fishermen in an awkward position where they have invested so much money and then find out that the quotas have been reduced. I do not know whether this is unique to my own area in Bonavista Bay, but an additional problem, of course, along with reducing the quotas, is that people from other areas come in to fish. And it is not that we are concerned about that, to be so narrow-minded as that, the people in Bonavista Bay, but the thing is, when the quotas have been reduced, to find other people coming in does cause some sort of aggravation.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. T. LUSH: My question to the minister is he alluded to the fact that the quotas were increased in Bonavista Bay. I wonder if the minister has that information, just what they were

MR. T. LUSH: increased to? Secondly, in this whole process of arriving at quotas, is there not some place where local fishermen can have some input?

MR. SPEAKER (Simms): The hon. the Minister of Fisheries.

MR. J. MORGAN: The first part of the question in connection with the details of the change, the change was announced by the federal authorities at a conference in Wesleyville last Friday morning. They have not increased the overall total quota for the stocks in Bonavista Bay, but they have caused, I think, a chaotic situation where they have taken away from the purse seiners, reduced their quota now which was earlier established, and added it on to the fixed gear fishermen, because this year it is divided up among different types of gear. And they have increased the quota for herring in Bonavista Bay from 200 metric tons, the earlier allocation, by an additional 300 metric tons for a total of 500. But they have taken the extra 300 metric tons away from the purse seiners and now they are complaining loudly.

The second part of the question, the input from fishermen, that was mentioned at the fisheries conference as well and many fishermen, I think, put forward their views, the same as I did earlier as the minister responsible in the Province here to the federal authorities, that we felt there was a need to increase the quota, and they put forward their views at this conference. Two gentlemen from the opposite side, the member for Bonavista North (Mr. L. Stirling) and the member for Fogo (Mr. R. Tulk) were there as well and put forward their views that there is a definite need to look at the stocks because the fishermen are convinced that the overall total quota should be much higher than it is.

AN HON. MEMBER: Hear, hear!

MR. SPEAKER: The hon. the member for Torngat Mountains.

MR. G. WARREN: Mr. Speaker, my question is addressed to the Minister of Mines and Energy (Mr. L. Barry). Recently, I understand, BRINEX have reverted back to the Crown some holdings of land in Labrador. I understand further that it is open now for staking. Before any potential companies are going to Labrador for future staking, is the

MR. G. WARREN: minister considering the land claims issue that is on the minds of all Labradorians at the present time?

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

MR. L. BARRY: Mr. Speaker, government is developing its policy -

SOME HON. MEMBERS: Oh, oh!

MR. L. BARRY: I am Irish all year round, Mr. Speaker -

SOME HON. MEMBERS: Hear, hear!

MR. L. BARRY: - and proud of it.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

The hon. minister.

MR. L. BARRY: I think the word is omaghaun in Ireland, or is it omadhaun?

AN HON. MEMBER: Omadhaun.

MR. L. BARRY: What was that? I cannot hear it.

MR. SPEAKER: Order, please!

The time for Oral Questions has expired.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Does the hon. minister have leave to answer the question?

MR. L. BARRY: The term 'slieveen' might apply occasionally too, Mr. Speaker, but I will not direct it to any particular -
Mr. Speaker, the government is developing its policy with respect to native land claims, but the decision was made some time ago that development in the Province could not cease while this problem was being dealt with.

MR. L. BARRY: So all I can say is that no, there has been no decision to suspend exploration activity in Labrador because if there is a one year hoist in exploration, well then that will mean at least a one year delay in any mineral development getting underway there. But it is recognized by government that the native lands claims matter must be dealt with and dealt with quickly.

MR. SPEAKER (Simms): Order, please! Time for Oral Questions has expired.

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

MR. SPEAKER: The hon. Minister of Justice.

MR. G. OTTENHEIMER: Mr. Speaker, I am pleased to table what purports to be a poll and referred to in paragraph 27 of the Auditor General's Report.

NOTICES OF MOTION

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

SOME HON. MEMBERS: Oh, oh!

MR. L. BARRY: Mr. Speaker, my colleagues are trying to get me in trouble again.

Mr. Speaker, I give notice that I will on tomorrow ask leave to introduce a bill entitled, "An Act To Amend The Mineral Act, 1976".

PRESENTING PETITIONS

MR. SPEAKER (Simms): The hon. member for LaPoile.

MR. S. NEARY: Mr. Speaker, it is a great pleasure and a honour for me today to be able to table a petition on behalf of 332 residents of Pouch Cove in the District of St. John's East Extern.

SOME HON. MEMBERS: Hear, hear!

MR. S. NEARY: These 332 citizens, all voters in the municipality of Pouch Cove, are protesting the way a by-election was conducted on February 23rd of this year. The good residents of Pouch Cove are claiming that a number of irregularities occurred in that by-election and they are asking the people's House, the minister responsible, to set aside the by-election and have the election conducted in a proper, democratic manner.

Now the minister, I know, Mr. Speaker, will brush these people aside by telling them that under the act they can petition to the Supreme Court. Well, my answer to that, Sir, on behalf of the residents who have signed this petition, 332 of them, is why should the minister abdicate his responsibility and force these petitioners to have to solicit the services of an expensive lawyer in order to take this matter to court? I say, Mr. Speaker, that the minister should deal with this matter head on. The minister should not abdicate his responsibility. I am happy to say, Mr. Speaker, that quite a number of the people who signed this petition, and quite a number of the people who did not sign the petition, who never had an opportunity to sign it, are seated in the galleries of this House today. And I would like to welcome these residents of Pouch Cove to the people's House.

SOME HON. MEMBERS: Hear, hear.

MR. S. NEARY: Who else, Mr. Speaker, can they turn to in their hour of need? It is not a matter of sour grapes,

MR. S. NEARY: it is not a matter of one candidate winning over the other; that is not the issue, Mr. Speaker, not the issue in this case at all. Let me give the House a few examples of what the issues are in this controversy that sprung up as a result of this by-election.

First of all, Mr. Speaker, there was an insufficient number of ballot forms printed. There were only 300 ballots printed in Pouch Cove where you have 800 electors. The town clerk, Mr. Speaker, who is not eligible as Your Honour knows and as the minister knows and anybody who has read the Local Government Act, knows the town clerk is not permitted to participate in an election. The town clerk is not allowed to act as a returning officer or a poll clerk. The only time the town clerk participates in an election, whether it is a by-election or a general election, is in casting the deciding ballot under the Local Government Act. In this case, the town clerk at two o'clock in the afternoon decided to open up a second polling station in the town hall and appointed herself returning officer and one of the town council employees as poll clerk - at two o'clock in the afternoon! - and had people come in and vote.

This was set up, Mr. Speaker, while the election was in progress. It is unheard of! Now, Mr. Speaker, there is a little more to this petition than I am saying at the present time. This is a matter that has been

MR. S. NEARY: seething beneath the surface in Pouch Cove now for the last three or four or five years. There is a great principle involved here, Mr. Speaker - this petition, I am hoping, will bring it to a head - which a contractor, Metro Engineering, bid on a contract in Pouch Cove for water and sewerage, was the low bidder and was awarded the contract and then all of a sudden pulled out of Pouch Cove. And the government refused to call the bond and they let Metro Engineering off the hook through political interference -

MR. W. MARSHALL: On a point of order, Mr. Speaker.

MR. SPEAKER (Simms): A point of order, the hon. the President of the Council.

MR. W. MARSHALL: Mr. Speaker, the hon. gentleman is obviously not speaking to the petition. The petition is with respect to a complaint by residents of Pouch Cove concerning the election of their local government. Now the hon. gentleman is getting into areas, peripheral areas, for his own purposes, albeit, but still against the rules of this House.

MR. SPEAKER (Simms): With respect to the point of order, I must point out first of all that the Chair does not have a copy of the petition so it is difficult for me to determine whether or not what the hon. member is referring to is material allegations of the petition. But I would ask him to restrict his comments to the material allegations contained in the petition and ask him to conclude his remarks. The hon. the Member for LaPoile.

MR. S. NEARY: Well, Mr. Speaker, the people of Pouch Cove are being asked - they are being punished - they are being asked to pay for government mismanagement. They are asked to pay for political interference in the awarding of a contract for water and sewerage in Pouch Cove.

AN HON. MEMBER: He is out of order.

MR. SPEAKER (Simms): On a point of order, I believe the hon. member is now beginning to drift more into the area of debate. I would ask him to conclude his remarks. His time has just about expired

MR. S. NEARY: Well, Mr. Speaker, let me conclude by saying, Sir, that I support this petition and I support the residents of Pouch Cove who are protesting \$300 connection fee for water and sewerage that they have to pay because of government mismanagement.

AN. HON. MEMBER: (Inaudible)

MR. SPEAKER (Simms): Order, please! Order, please!

MR. S. NEARY: I hope, Mr. Speaker, that when I lay this petition on the table of the House that the Minister will not just shrug off his responsibilities by referring the petitioners to the Supreme Court of this land, that the minister will deal with this matter head on.

MR. SPEAKER (Simms): Order, please.

MR. S. NEARY: These are just ordinary people and I table the petition, Mr. Speaker, and I ask that if be referred to the Department to which it relates.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Simms): The hon. the Minister of Municipal Affairs and Housing.

MR. N. WINDSOR: Mr. Speaker, I agree with the hon. gentleman indeed, that this matter should indeed be referred to the department to which it relates. The department to which it relates is clearly set out in the Municipal Elections Act, Section 62, which states, and I quote "A petition complaining of an undue return or undue election of a councillor or of no return or double return or of any unlawful act committed by any candidate not returned by which such candidate is alleged to have become disqualified to serve on the council may be presented to the Supreme Court, hereinafter called the Court ." In other words, Sir, it is very clear who -

MR. NEARY: That is what I said.

MR. SPEAKER (Simms): Order, please.

MR. N. WINDSOR: - is responsible for this. It is very clear as well, Mr. Speaker, that I, as Minister, have no authority to act under the Elections Act and that the recourse is through the Courts. To deal more specifically with the question at hand, the hon. gentleman states the town clerk apparently did set up a polling booth because there was a very large turnout, there was a great interest shown by the people of Bouch Cove in this particular election. A large number of people came out and in an effort to expedite matters, she did apparently set up an extra polling booth and did indeed act as a poll clerk. And it is fairly clear that under this Act she was outside of her authority in so doing. However, in matters such as this the courts, we understand, would look at, particularly, Section 94 which I shall refer to, and I shall quote, in fact; "In case a corrupt practice or practices is or are committed an agent without the knowledge and consent of the candidate, if the corrupt practice or practices was or were of such trifling nature or extent that the result cannot have been affected by such practice or practices." In other words, if something takes place during an election which it is in the opinion of the courts, which did not significantly affect the outcome of the election, then the courts under this section would not declare the election invalid.

And it is our understanding that legal advice has been sought and that it is understood, as well, that this particular section would be applied in this case and that the courts may not overrule it. Nevertheless, the courts may. We cannot prejudge the courts. And the people are entirely free and it is entirely under their right under this Act to appeal to the Courts so I would suggest that that is the proper course of action for them to take.

MR. SPEAKER (Simms): The hon. member for Bonavista North.

MR. STIRLING: I rise to support the petition of the people from Pouch Cove. I think my colleague, in the couple of minutes that he had available and in accordance with the rules of the House, could not bring out all the points that he wished to bring out. But I think it is a very significant thing that the 332 residents decided to come to this side of the House to have that petition presented. Three hundred and thirty-two people is a very significant number. We have places all over Newfoundland where people are just appointed to fill town councils and in Pouch Cove obviously there is a great deal of interest, as has been said. But there can be no doubt, Mr. Speaker, that where there is such interest and people go out of their way to contest a by-election, then the rules must be fair, must be set out in advance, must be well known to everybody, and you can not make these kind of ad hoc attempts and you cannot let the minister just brush it off by saying, "Oh, it may be minor and anyway there is the Supreme Court and we do not want to get involved."

MR. NEARY: Who is paying the legal fees?
Will the minister pay the legal fees?

MR. STIRLING: I think that the point made by my colleague is that these people want to have that examined, and it is a very important point. The other points that he was getting into were points that he did not get the opportunity to bring forward. But this was not taken very lightly. Three hundred and thirty two residents went around, took up a petition, many of them present today -

MR. NEARY: One hundred per cent would have signed but they did not have time to bring it around.

MR. STIRLING: On the question of the principle, Mr. Speaker, there is no question that it is a very easy answer

MR. STIRLING: to say. "Oh, look up the act and go to the Supreme Court." But this is a very serious request made on behalf of all these people in Pouch Cove. I would certainly implore the minister to go that little bit extra, to show a little bit of concern preserving democracy and not forcing people into a court, and have his people investigate whether or not some action should be taken by the government and maybe some financial assistance, as my colleague is suggesting, should be taken to follow through to the Supreme Court. I would hope that people all over this Province are encouraged to take the kind of enthusiastic action that the people in Pouch Cove have and that they should be given the opportunity to make sure that the rules are fair to all concerned.

SOME HON. MEMBERS: Hear, hear!

ORDERS OF THE DAY

MR. SPEAKER(Simms): Order 11, Bill No. 13.
Second reading of a bill entitled,
"An Act To Protect The Environment Of The Province By Providing For Environmental Assessment".

The hon. the member for the Strait
of Belle Isle.

MR. ROBERTS: Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: I thank my colleagues for the carefully spontaneous applause, as careful and as spontaneous as the applause we have drawn accustomed to hearing from the other side. I think the Whips ought to paid a little something extra for being cheerleaders this session of the House.

MR. STAGG: Irrelevancy.

MR. ROBERTS: The hon. gentleman from Stephenville
(Mr. Stagg) inserted himself into the debate, speaking of irrelevancies.

MR. STAGG: (Inaudible).

MR. ROBERTS: Mr. Speaker, I would say to the hon.

MR. ROBERTS: gentleman from Stephenville that relevancy is not his strong point. Since I am in a very moderate mood and I wish to make what I think is a constructive suggestion, perhaps the hon. gentleman from Stephenville could listen and learn. Or at least listen, he is not capable of learning.

When we had adjourned, Sir, we had had some speeches on the second reading of this bill and my friend from Lapoile (Mr. Neary) had spoken and set forth the position which we on this side have adopted with respect to this bill and that is, in very short and simple words - I am thinking of my friend from Stephenville - that we support the principle of this bill and without any hesitation or any reservation we shall vote at second reading to give this bill its second reading and then carry it on through the legislative stages.

It is a good bill and I think it is fair to congratulate the minister and those of her officials and others who worked with her in preparing the bill. It is a bill really that represents an idea whose time has come and, in fact, whose time may be a little more than come because I suspect, and I have not checked this out, but I think I am on sound ground or safe ground when I say that every other province in Canada adopted this type of legislation a year past, two years past, three, four, five years past. So what we are doing is welcome but it is hardly trail blazing, it is hardly pioneering, it is hardly a radical reform. But that does not take away from the merits of it, and I do not intend to. I do not want to derogate the good that is in it. There is no question of a need for this kind of legislation, Mr. Speaker. There is a growing awareness across Newfoundland and Labrador as there has been across

MR. ROBERTS: North America these last - I suppose it is only ten or fifteen years ago questions on the environment just did not come up in this type of context, or if they were raised by anybody, the proponents of those questions were derided for being either impractical or being malevolently motivated. But these last ten or fifteen years questions affecting the environment have become very central. People are coming to realize here in Newfoundland and Labrador, as they have throughout Canada and throughout North America, two things; that our environment is fragile, that we who live in this world as human beings are but part of the ecosystem, that we function as part of the environment and that we change the environment at our peril and that any impinging upon the environment, upon the whole ecosystem in which we do live, in which we do exist, that any impinging upon that environment will have some effect somewhere else and that we must take these into account.

The second concept that we have come to accept as being true is that industrial development projects - and that is a wide term in the sense in which I use it here. Perhaps the word 'undertaking' as defined in the Act reflects it: mining projects, oil field development, any kind of development of this type - must have effects upon the environment and in many cases not only wide-ranging effects but effects that are not seen for many years to come.

We have only to think in this Province of the situation we saw at St. Lawrence. When the mine started there nobody gave thought, I venture to say - but even if they gave

MR. ROBERTS: thought, nobody would have come to the realization that the men working in that mine were being exposed to terrible hazards that caused and exacted a greivous price in human suffering.

At Baie Verte, where I say as I have been saying for ten years in this House, we are facing potentially a worse situation because asbestosis is just as insidious and just as cruel in its effects as the radon radiation that we saw at St. Lawrence. Again when the asbestos mine at Baie Verte was developed - in the early 1960s, I guess that mine came on stream - these types of questions just were not raised and were not considered; and it is not that anybody was being heartless or cruel, it is just that this was the kind of idea that was not in the common currency; now it is. We have come to realize that jobs at any price are not worth it, and I think that is a valid concept.

The government, if they adopt that as their philosophy, will get out enthusiastic support. If they do not adopt it, we say to them they should adopt it. A job at any price, and I say that in economic terms, and I say that in social and cultural terms, a job at any price is not worth it. Jobs are important, but we must look at the balance, we must look at what we give or what we have to give up or the harmful effects that may arise before we take any project.

Traditionally benefit cost assessments only took into account the dollars - what came into the treasury, what went out - and sometimes they were beneficial and sometimes they were not. Now we have come the stage further and

MR. ROBERTS: this bill represents a putting into context of that idea and so we welcome it.

But having said that, Mr. Speaker, I must go on to say, as did my friend from LaPoile (Mr. Neary), that while this is a good bill, I would say to the Minister and to her colleagues, it is not good enough. The bill does not go far enough. The bill leaves much, too much power in the hands of the minister and then, at one stage removed, in the hands of her colleagues, the Cabinet, the Lieutenant-Governor in Council.

I would think the minister would be well advised to rethink that for her own protection, for her own safety and ease of mind. And when I say safety and ease of mind, I mean politically and publicly. I am not so sure that any minister would want to have these powers.

You see, Mr. Speaker, the weakness in this bill is not in the concept, not in the idea it attempts to advance and attempts to embody, the weakness in this bill is that there is no requirement laid down in this bill, and there will be no requirement in the law of this Province if this bill is enacted into law, as it will be but hopefully with amendments, but if it is enacted without amendment there will be no requirement in the law of this Province that there must be a public assessment process before an undertaking as defined in this bill can go ahead.

MR. FLIGHT: This is the clause here that says there need not be.

MR. E. ROBERTS: My friend from Windsor - Buchans (Mr. G. Flight) has read the bill with care and attention and he has made the point that I was about to make, that the minister has it within her power - that is the trouble, Mr. Speaker, with telling these guys things in caucus, you see.

SOME HON. MEMBERS: Oh, oh!

MR. E. ROBERTS: However, it is a solid point and I know that my friend from Windsor - Buchans, who is perhaps even more intimately concerned with the environment and has shown it by a most magnificent and grandiloquent position on a number of issues which have had, I think, great effects.

MR. J. HODDER: Would the Minister of Mines and Energy (inaudible).

MR. E. ROBERTS: Well, I am feeling benevolent towards the Minister of Mines and Energy (Mr. L. Barry) today. I had to deal with Greenpeace yesterday in another place, and after Greenpeace, Sir, even the Minister of Mines and Energy with his green shamrock is a welcome sight.

MR. L. STIRLING: The shamrock would be welcome. The point is, Mr. Speaker - and I would say this to the minister in all sincerity - that this bill -

MR. L. BARRY: Go home, boy!

MR. E. ROBERTS: If my friend from Bonavista North (Mr. L. Stirling) and the member for Mount Scio (Mr. L. Barry) are finished their speech, I will carry on with mine.

This 'wearing of the green', you know, these fellows - John O'Hong, a well-known Irishman on the 17th of March, and others.

Mr. Speaker, I was saying to the minister really that the bill is deficient and I would urge her to amend it, to lay down a positive requirement, to lay down a specific requirement in the law of this Province that no 'undertaking' as defined in this bill - and I think the word 'undertaking' is comprehensively defined - that nothing shall go

MR. E. ROBERTS: ahead without a public process being undergone. Now, I have no problem with the concept of different stages in a process. If a bill sets up quite a complicated regime it will be a bonanza for lawyers, and I suppose that is welcome in a sense, but, you know, you have an impact statement - I think that is set forth in section - well, first of all, you register it and then you are screened and then you get, presumably, an impact statement and then you get, conceivably, a preview report, and then you may or may not have a board - you know, there is quite a complicated regime being set up. But the important point is that the minister may abort the entire process right at the start, because Section 6 requires that anybody wanting to go ahead with anything of this nature send some information to the minister in the prescribed form, whatever that may be - that may be a little or it may be a lot; it may simply be a line saying, 'Dear Minister: Please take this as advice I want to build a uranium mine in Makkovik. With every best wish, Love and kisses, John Doe.' or it may be a very detailed requirement, we do not know; that is being left in the hands of the Lieutenant-Governor in Council. And then the minister may, at that stage, end the entire process if she wishes. Now I am sure she would not do it lightly or without coming, in her own mind, to grips with the issues, but I would say to the minister that that is too much power for her to have for her sake and for the Province's sake. And I think that it should at the very least be laid down as mandatory that the process be made public right at that stage. Under this, it is conceivable that the very first we and the world know about it is when the uranium mine starts up.

Let us assume the minister - we will talk about the uranium mine because that is not covered by this act; it is specifically excluded, in fact. The proponent sends in a design to the minister, the minister considers it and she comes to the conclusion that an environmental impact statement is not required - that is the end of it there and then. And I think the minister would concur that she has that power. And that could be done secretly, that does not have to be public. And the next thing we know would be when the bulldozers arrive

MR. E. ROBERTS:

on site to begin the work.

Inconceivable, no - unlikely, perhaps yes; but certainly not inconceivable and certainly not unlawful. I think the minister, Sir, is ill-advised to ask for that kind of power and I would suggest to her in all seriousness that she ought to reconsider it. I think that those sections - and I do not pretend to be drafting - but those sections ought to be reworked to require that that stage in the process becomes public. As the bill is now drafted, Mr. Speaker, the public are not involved until well down in the process or well up in the process, however you want to put it - well along in the process.

Furthermore, there are a number of other things in the bill. It leaves too much in the hands of the industry and not enough in the hands of the public. The industry draft the terms of reference. Now I know the minister has to approve or disapprove, but the minister, who is a wise and experienced lady and has been very active in public affairs for many years, will agree that, you know, the old bureaucrat's trick - I am sure my friend, the Leader of the Opposition has seen it a

MR. E. ROBERTS: hundred times - whoever gets to write the memorandum, the position paper that starts off the meeting, is three stages home before the thing even starts, because the discussion centers around the framework in which the author of the paper, the author of the terms of reference, puts it. I say to the minister that her officials should draft the terms of refernece. By all means let the proponent - to use that phrase - the would-be developer, let the proponent comment upon them and examine them. I am not suggesting that it be done in isolation, but I do not like this idea of the outside - the person coming in, the person whose conduct is being examined - it is a little like if we were going to court, not in a civil matter but in a criminal matter, letting the accused write the terms under which he would like to stand trial. I do not think that is the way to go. I think the minister should, and I am sure, the minister has competent officials and if she needs more then I would have no problem in doing my part as a member of the House to provide her with the funds to enable her to get whatever advice she needs to enable her to draft the terms of reference. If we are going to go through a public hearing, let us, let the public body set the framework and let it set it ab initio and not in response to the cleverly worked out schemes. I do not think would-be developers are Machiavellian, but I will say they will have access to the very best advice they can get, cost being of no concern at all to them, millions being no object to them, you know, they will build it into cost of the project and Cape St. Mary's will pay for it because, of course, it is a tax write-off and as always Cape St. Mary's pays for all, we the taxpayers will pay for it. And I have no doubt that that highly paid counsel that these people will get - and I do not use counsel unless somebody is a lawyer - the highly paid advisors these proponents will get will very skilfully draft terms of reference and not in the public interest.

MR. E. ROBERTS: That is not their concern, that should be our concern and it should be the minister's concern.

I think furthermore that there ought to be a strengthening of the powers under which a public board may be set up. Section 36 deals with this and - I am sorry. I will come back to section 36 - section 24 deals with this and it says, 'Where the minister receives indication the Cabinet may, on the advice of the Minister, appoint an environmental assessment board.' I would like to see that strengthened. Again, I think that a misguided government - governments can be misguided. I would suggest to the minister; she may feel that she and her colleagues could not be, perhaps they could not but I would differ with that, but governments can certainly be misguided particularly on environmental issues where the framework in which these have evolved over the years, is inevitably citizen groups. If a government wants to stop a proceeding, an undertaking, it will stop it without any need for any environmental impacts or anything else. If the government of this Province felt that the Uranium mine ought not to go in Makkovik, the Kitts Makkovik project, they could stop it without any hearings by boards or any new staff or anything else, Right? No question about that. They have 1,000 ways legitimately to stop it and 20,000 illegitimate ways if they want to use those. But where the issue arises is when public groups voice their concern, that is where it comes out, and I think that there ought to be a stronger provision. I think that the people of this Province, the people who would be concerned about it ought to have a far more significant lever in their hands than the power conferred by section 24, which really is not anything new. Section 24 adds not a jot, or a tittle to the powers the minister has now because the minister has already set up a public board

March 18, 1980

Tape No. 436

DW - 3

MR. E. ROBERTS: but she has no legislative authority specifically to do it except the Inquiries Act, but she is asking for this section 24 which adds nothing to her power, in fact, in my view, derogates from it because this is the one that will be relied upon in the future. So I would counsel the minister and say to her that she should go further, that there ought to be a provision ~~Heavens!~~ in the Public

MR. E. ROBERTS:

Utilities Act there is a provision that when five customers - we have three utilities in this Province now - four, I guess; IOC is a utility in a sense, we have Newfoundland Telephone, Newfoundland Light and Power, Power Distribution District and I suppose CNT, although they are federal. They have changed their name now like leopards change their spots. Terra Nova Tel or Terra Tel or something like that they are called. It sounds like the one on TV advertising records. But, you know, there is a provision in the Public Utilities Act that where I think it is five customers submit a complaint to the PUB, they shall cause an investigation to be made. And that is just something as simple as, 'My telephones are not working,' or, you know, 'How come I am only getting 100 volts when I should be getting 110 and it is burning out the motors in my machine?'

The minister is not asking for what I believe she should ask for, a grant of power not to the minister but to the people of this Province that where, for example, 1,000 people sign a petition or, you know, I do not care what the number is, where one person raises a legitimate point, let us go ahead and have the inquiry. And that is not so here. Section 24 really adds nothing; in fact, the situation that would result from Section 24, as I see it, is less than we have now. It is not a step forward, it is a step back.

And then I also would urge the minister to have another look at Section 36. That is the sort of Section that just causes shivers to go up and down my backbone. 'Where the minister is of the opinion that it is in the public interest, she can exempt any undertaking from the Act.' Now I say, Mr. Speaker - and there is no requirement she can even do it, that she must even make that public, you know. Under Section 36 as it now stands, as I read it, the minister could exempt another uranium

MR. E. ROBERTS: mine. And by the way, you know, the minister might have a look at uranium mines too because the federal government thinks they have uranium mines. You know, and there is a Section 92 (10) (c) under which they have exerted their jurisdiction without challenge at this stage. Alright, let us take a fluorspar mine because we have had a horrendous, if there is such a word, a horrible experience with the mine at St. Lawrence, the fluorspar mine there. Under Section 36 the minister could decide to waive completely and totally any requirements that a proposal to open a new fluorspar mine be assessed under this Act. And she is not even required to say so. You know, when you wire tap in this Province you at least got to go to a judge to get some authorization. All the minister has to do here is in the dead of night go to Cabinet, a body properly bound by secrecy, no idea what her reasons would be, she is not required to say anything, as I read it.

We talked of freedom of information and I happen to believe in the concept of freedom of information, those Clauses 36, I say to the minister, are offensive in principle. I do not see why they are necessary, I do not think they add anything, I think they hurt the public interest, they give the minister a power to act secretly without even giving a reason, without even announcing her decision. And I can not conceive of any conceivable situation, the minister may be aware of some, but I say I can not conceive of any conceivable situation in which those powers will be needed.

I will venture to suggest something to the minister. She is new to the ministry, a welcome addition. I would suggest to her, and I do not ask any comment from her on this, but I would say to her as somebody who is not all knowing - far from it - but who has been around a bit, been up and down a bit, in and out a bit, that that clause did not come from

MR. E. ROBERTS:

any instructions the Minister gave or any of her political colleagues gave. That clause came as a result of the drafting process, that is where these clauses always come from, the clauses that abound in the legislation of this Province, and the Minister of Justice, I know will concur that we ought to have a serious look at some of the powers that we have given officials.

You know, we think a man's home is his castle? Try saying that to an inspector under the Labor Standards Act sometime. You think you have a right to your own papers, unless a court orders them to give them up? Try saying that to one of these inspectors sometime. Just try saying it and see what happens, you know. And there are hundreds of inspectors who have power to come into your home day and night-and these are not police coming in in hot pursuit of a murderer. These are men coming in seeing if you paid the minimum wages.

You know, no court gives a subpoena or anything for that. They simply come in and seize your papers and take them away.

The Minister of Manpower or whatever it is called - Labour is it? They keep changing it. anyway the gentleman from Pleasantville (J. Dinn) might have a look at it too, because these powers do not come from any conscious decision by the political masters. I am sure they can be found in acts which were brought in when we were in the Ministry. You know, just the draftsman, the nice tidy draftsman who believes in the rack, you know, and who exemplify, -I do not mean this of any individuals, but exemplify the concept once expressed me by a lawyer now gone to his eternal reward, whatever that may be, "Why do we bother with criminal trials?" he said, "If they were not guilty the police would not have charged them," you know, and this Section 36 is that kind of provision.

MR. E. ROBERTS: I would say to the Minister, have a look at it. You know, it does not cost anything of the Minister in political terms, in fact she will gain if she comes in and says, "Look, I have had a look at it. There is a reason for it," if so let us state it and let us have a look at it. But if there is no reason, let her be - I am in trouble with the next phase - let her be man enough, let her be person enough to simply say, "Look, you know, we have had a look at that and it is not such a necessary thing after all."

But it is a very broad grant of power, a very broad grant of power, and I do not see any reason for it and unless I can be shown a reason I think it is a highly offensive one that really goes against what I understand to be the policy of this administration of freedom of information, access and everything else. It is a Star Chamber, it is something that can be done in the back rooms in the dead of night. I do not like that and I would say to the Minister, have a look at it, please. Maybe there is a reason, I do not know, but unless there is an awfully strong reason, I am not going to be convinced on that one.

Mr. Speaker, I do not know how much longer I have, time goes by; I have the magic five minutes. Well, now let me move to one other point that I want to make and I shall try to make it within my five minutes. I want to say that this act is significant in another sense because it is an example of a shared jurisdiction, where this legislature has the power to make laws respecting the environment, and we are doing it, and the government of Canada has powers to make laws respecting the environment. And I think that that is just another example. We had an even better one on the weekend when the Labour Relations Board of this Province gave a decision, a judgement; I do not know what they use.

MR. ROBERTS:

a decision, in any event, with which I happen to agree. And some of my professional colleagues in the legal world, I believe, represented the Seafarers International Union before the board, and in fact the minister might want to have a look at the companies that opposed it because they are the companies that talk about Newfoundland preferences and they were trying - legally and properly, within their rights - but trying to put the blocks to Newfoundland ; you know, this same crowd of companies who wrap themselves in the regulations and say, "We would not exist without the protections of the Newfoundland regulations," were the very first people to be heard before the Labour Board, saying, "We are against it," you know, "Newfoundland's writ does not run to the Grand Banks." Well the Labour Board, as we know, made a decision, the writ does run to the Grand Banks; there will doubtless be appeals. I mean, this could conceivably go right to the Supreme Court of Canada. We will see what happens. The fact remains that the first blow is a blow for the right side, for the side that I happen to think is the correct one in this particular argument. And that just goes to show what can be done even within our present jurisdiction. You know, all this talk of ownership is interesting and it is important, but it misses a great part of the issue on the offshore and that is that we have a great deal of jurisdiction now. I have heard the Premier, for example, on a number of occasions complain about the cost of housing, and well he might - his knowledge may be hearsay, I have to say - but the cost of housing is rising astronomically. Land is going up, we all know that, any real estate agent will tell you. The Province can control housing now. They do not need any agreement from anybody. They do not need any act from Ottawa, they do not need any decision from any court. We control rents. In fact, we control rents so effectively in this Province that I understand from my

MR. ROBERTS: friends in the renting building business that there are no new apartments being built because you cannot get your return out of it. But that is another story and I do not know whether that is right or wrong but that is what I am told. We can control the price of housing. If the government does not have the powers now this legislature can give them to them and will. So we have these powers now, let us use them. If this is an example of them, let us use even more of them. And let me make one final point, Sir, I want to welcome the Premier's speech on Friday. I am glad it was not the one that was distributed because that would have touched off an unholy row because whoever wrote that speech-and I do not think it was the Premier who wrote the text that was given out.

AN HON. MEMBER:

When was that?

MR. ROBERTS:

On Friday. The text was offensive as well as inaccurate and incorrect. The Premier quite properly, and in my view quite wisely, choose to ignore the words that the author of that speech, whoever it may have been, put in or sought to put in his mouth. I thought the Premier's speech, Sir, was a significant step forward and I am sure I speak for all of us on this side when I say we welcome it. He moved towards what I believe to be, what we believe to be, the realistic position on this offshore issue. There is no question of ownership. I dragged out the journals, you know, the thing we do not read each day but which are the official records of this House, Mr. Speaker, and I have here the one for Wednesday, March 5, 1975. Some of us were here then. The Premier was here then. The gentleman for St. John's East (Mr. Marshall) was a member then. I am not sure that he was in the ministry at that point or not but he was certainly in the House. He was a member. The gentleman who now sits for Waterford-Kenmount, I believe was in the House. A number of us were.

MR. ROBERTS:

Let me just read two sections from a resolution that was moved by the Minister of Mines and Energy (Mr. Barry) who was then as now, you know, the present minister was the minister then - there was an hiatus in between courtesy of the electorate but he is back with us - and seconded by the then Leader of the Opposition, who is not the Leader of the Opposition anymore. He had a hiatus too. But let me read just two:

"AND WHEREAS the Continental Shelf and margin adjacent to Newfoundland and Labrador extend beyond 200 miles and the Province has a pre-Confederation legal claim to the mineral resources thereof; and

WHEREAS such resources still belong to the Province of Newfoundland and Labrador; and

WHEREAS that portion of the Continental Shelf and margin beyond 200 miles contains valuable mineral deposits" da, da - da, da - da, da and so forth. That resolution was adopted unanimously. It was an agreed upon resolution that arose out of a debate which I

MR. E. ROBERTS: initiated on that 200 mile limit.

My friend from St. George's is shaking his head.

MR. W. MARSHALL: (Inaudible) the Throne Speech now.

MR. E. ROBERTS: No, I am speaking on an environment bill -

MR. D. JAMIESON: If you had been in all the time you would have heard.

MR. E. ROBERTS: - and I think I am speaking very much to the point of the bill, but my friend from St. John's East (Mr. W. Marshall), I know, cannot understand some things. But I cannot understand some things he says either, so that is fair trade, is it not?

The point is, Sir, that ownership is not what has been at issue. What has been at issue is the methodology, the approach, and I think the Premier's speech on Friday is a significant step forward. I want to say that we on this side, Sir, welcome it and we on this side now, as always, are quite prepared to respond in kind. Our dedication to the people of Newfoundland and Labrador is no greater than gentlemen opposite.

DR. J. COLLINS: (Inaudible).

MR. E. ROBERTS: I have this terrible problem - when the Minister of Finance (Dr. J. Collins) says something, I know it is interesting and I just want to hear it, and when he says it so loudly that I cannot avoid hearing it - I do not know what he said, but I could not avoid hearing him mumble.

DR. J. COLLINS: I am sorry.

MR. E. ROBERTS: The hon. gentleman does not need to be sorry, I am sorry I did not hear what the minister said, because it is always a contribution of some sort to what is going on.

But I want to say, Mr. Speaker, what we on this side have no greater dedication to the interests of the people of Newfoundland and Labrador than do gentlemen opposite and we have no lesser a dedication.

SOME HON. MEMBERS: Hear, hear!

MR. E. ROBERTS: You know, I have been called a lot of offensive things, perhaps some of them justified, but to be called a traitor for saying what I think, I find to be just as offensive as anything can be. The gentleman withdrew it - not gracefully - he withdrew it, and I will leave it. But I want to say, Sir, that we think the Premier's speech was a significant step in the right direction. He was talking about negotiating a settlement - not the place to go into it in detail because it is not the Throne Speech. But I think, Mr. Speaker, that that is the approach we take. And I think this bill shows the kind of thing that can be done and I would hope the minister will get together quickly, if she has not already, with the people in Ottawa, the minister and the officials in Ottawa who are responsible for this branch of the Government of Canada, to work out some joint approaches. Because, you know, we are not far away from the day when we may see development go ahead out there. And as my friend from LaPoile (Mr. S. Neary) and as the Leader of the Opposition and many others have said time and time again and as the Premier has reflected, the oil, in itself, is not as important as the fisheries.

MR. SPEAKER (J. Butt): Order, please! The hon. gentleman's time has expired.

MR. E. ROBERTS: May I have a moment or two to conclude?

MR. SPEAKER: By leave?

SOME HON. MEMBERS: By leave.

MR. E. ROBERTS: I thank hon. members. I will only be a moment or two.

The fisheries - you know, we have seen in the Bay of Mexico what can happen in relatively calm waters, relatively shallow water, nothing compared to the North Atlantic -

MR. D. HOLLETT: Warm waters.

MR. E. ROBERTS: - and warm waters, as my friend from Burin - Placentia West points out - nothing compared to what we must contend with off our coasts. So it is crucial that there be in place environmental regulations. And I do not care who owns what, I say to the minister -

MR. E. ROBERTS: and she cannot deny this - that that is a shared jurisdiction out there, that the federal people under the constitution have a degree of authority just as the Newfoundland Government, in my view, have a degree of authority. So we ought to move quickly to get some regimes in place. This bill will not do it, it is not intended to do it. In fact, the bill has a defective definition of water in it, as I think the gentleman from Mount Scio (Mr. L. Barry) picked up. It is quite defective in that sense, it may be defective in other senses.

Mr. Speaker, let me conclude by saying again that the Premier's speech on Friday, I think, was a statesman-like speech. I have not said that about all of

MR. ROBERTS: his speeches, but that one was. I think it was a step forward and that we on this side are more than prepared to respond in kind and to work towards what we believe is the best interests of the people of this Province. We want to make sure that our people get what is theirs. God, we represent most of us, rural constituencies, how could we not want it? When we talk of the lack of services, as the Premier did on Friday, it is our constituents. Your Honour's constituents have many needs in Conception Bay South but nothing compared to the needs of the people who live on the Northern Peninsula. The people in Pleasantville have many needs, but nothing compared to the people who live in Port au Port district. More than anybody else, we are aware of the needs constantly, continuously, effectively, forcefully. So I thank the Premier on this new approach, and I take it his speech on Friday was a significant change and I welcome it, and I want to say, Sir, since it is the first opportunity any of us on this side have had to respond in the House - we have responded outside - that we welcome it and we will work gladly towards that end. Ownership is not the issue and those who think it is, in my view, are a little off base, and let me leave it at that. That issue is long ago decided in this House, long ago resolved insofar as the fifty-two of us go, but the real issue, the real question, is how do we go about making our ownership effective? How do we go about accomplishing what we want? How do we get the money that we must have? How do we get the social and economic controls we must have? This bill, to conclude on the second reading, as far as I am concerned, this bill, Sir, is a good bill but it is not nearly good enough, I point out to the minister in what I hope is a positive sense. I assure her I could have been, I think she will concede, far more devastating. I have an ability, perhaps, to that extent sometimes. You know, I think the bill is a good bill. I think her heart is in the right place, but I think that there are some changes which ought to be made and I suggested to her the areas where I think those changes should come and the types of changes which I think should be made. We will vote for the bill because it is better than what is there now, which is nothing, but

MR. ROBERTS: we would vote for it a lot more enthusiastically if the minister can respond to some of the points that I have raised, hopefully make some changes, but it may be that she will have considered them and decided not to make changes, but I hope that she will because I think the changes which we have suggested are good ones. As I said earlier - that terrible mixed metaphor; the language really is sexist, you know, and I do not know what we can do about it. We will just have to use the metaphors that have been developed over the centuries - for the minister to amend the bill in response to suggestions of members of the House is not a backing off in any way. It is not a matter of confidence in the government or anything else. It is a matter of the minister being man enough or person enough to rise to the occasion. I believe she is and I hope she will on this matter.

Thank you very much, Sir.

MR. SPEAKER: (Butt)

The hon. member for Placentia.

MR. THOMS:

We only got to the 1960s last time.

MR. PATTERSON:

The sixties? No, we will not blame that on the past administration. We will let them off the hook today. God knows they will pay. They have sins enough on their platter.

Mr. Speaker, I would like to congratulate
the minister

MR. PATTERSON: for this very fine bill. I think, as the member for the Strait of Belle Isle (Mr. Roberts) said, it is long overdue. I think we should possibly listen to a little of what the hon. member had to say with regard to putting our heads together on this particular bill. It is a very serious bill, it is a serious matter and we should not just let this bill go through the House possibly this evening.

SOME HON. MEMBERS: Hear, hear!

MR. PATTERSON: I think we can all add a little to it. There are certain things in it possibly that could be deleted and certain things that could be added. I was very much pleased the other day when the member for the Strait of Belle Isle spoke with regard to the possible threat of icebergs in the North Atlantic and the great threat it poses to the offshore drilling. I think with regard to that we could learn a little from this little book here, Decks Awash. It is the last edition there and that deals with the movement of icebergs in the North Atlantic and if you will bear with me I will just read a little from it. It says, 'Prior to exploration for oil and gas there had been no pressure on the scientific community to collect extensive environmental data'- explains Denner. He is a Professor at the university. 'Furthermore, studies made of the Gulf of Mexico, the North Sea and other offshore regions are really not very transferrable to offshore in Newfoundland and Labrador. The environment here is not only unique, but also unstable and very harsh, especially considering the unpredictability of ice drifting', according to this gentleman. He says, 'There is a need for a

MR. PATTERSON: co-ordinated research programme to assemble a body of local environmental knowledge regardless of the cost involved and regardless of how much it might inconvenience the oil companies'.

What about icebergs?

There is a question that the member for LaPoile (Mr. Neary) asked in his speech last week. He said, 'Could they cause a disaster?' Doctor John Jones of the Centre for Cold Ocean Resources Engineering says, 'The Hibernia well site is certainly in the area that is likely to be affected by icebergs'-

MR. NEARY: Iceberg Alley, is what they call it.

MR. PATTERSON: Yes. -'particularly from February to July. To date exploration has been carried on during the Summer and Fall when hazards presented by icebergs, pack ice, waves and weather are likely to be minimal. This year, however, exploration is to be active during the hazardous Winter period but ice difficulties are periodical. Some years ice is more prevalent than in other years and there does not yet appear to be any accurate way of determining in which year or month hard ice conditions might be experienced'.

One of Jones'

solutions is to use platforms that could easily be disengaged and moved in the event of hazardous ice conditions.

MR. NEARY: Right on 'Bill'.

MR. PATTERSON: So I would warn the government that we should tread very softly. Find out if the oil is there and if we have all the environmental controls in place to bring it in,

MR. PATTERSON: full speed ahead.
If we have not, leave it there, use it as collateral. We will get just as much out of it under the ground as we will get on top of the ground.

I think the fisheries should be given first priority. The oil is an non-renewable resource whereas the fish is a renewable resource.

I was very much impressed the other day with the member for Burin - Placentia West (Mr. Hollett). He was concerned over the definition of the Northern cod stock. When does it cease to be the Northern cod stock? When it leaves the Hamilton Banks some of the fish will go down the Strait of Belle Isle, others will come on down onto the Grand Banks. Is it the Northern cod stock then? And are we prepared to give it the same protection? These are things we must look at and not shove under the table.

And he goes on to say here, 'As far as oil pollution on the Labrador, investigations show that ocean currents would tend to keep oil away from the coast' - explains Leslie Rowe, a marine biologist with the

MR. W. PATTERSON:

Department of Mines and Energy in Ottawa. 'Off Newfoundland, however, there is another problem. The Hibernia well is located in a prime fishing breeding ground and if anything happened to those fish the future of many fish stocks would be in danger. Mobil therefore has to submit its drilling programme to the Newfoundland government for approval including detailed plans for oil spill clean-up.' And then he goes on to say that there is very, very little known about the clean-up of huge oil spills.

MR. S. NEARY:

Right on.

MR. W. PATTERSON:

And then the member for LaPoile (Mr. Neary)-

I think he must have read this book.

MR. S. NEARY:

No, I did not.

MR. W. PATTERSON:

He said about the money-bags coming in with all of their money and buying off people and there are none of us - what is your price? There are none of us immune to that.

MR. S. NEARY:

No, wait until the money starts to get moved around.

MR. W. PATTERSON:

So he gives us a bit of advice on that, he says -

MR. S. NEARY:

Just wait.

MR. W. PATTERSON:

- "There is a tendency for oil companies to be paternalistic. Mr. Clark recommends that a community should not put itself under the obligation by accepting favours or gifts from companies. No hockey rinks, town halls or hospitals"-

MR. S. NEARY:

That is the Liberal party talking.

MR. W. PATTERSON:

- that is right. "Instead, communities must demand that they be treated on an equal basis. Many people are overwhelmed by the oil industry. They maintain that the attitude of the oil industry will control it. Shetland took the opposite position, they decided to control the industry and if 17,000 people could do it, Newfoundland is in even a better position

MR. W. PATTERSON:

to do so."

AN HON. MEMBER:

Hear, hear.

MR. W. PATTERSON:

So I think it is very important that we have our clutches into the oil companies and into the control of the leases and into the management of the operations otherwise we are going to wake up sadder but the wiser people.

Then he says here, "The world is energy hungry, particularly the Middle East. Supplies have become so unstable there. If a commercial oil find offshore, it will be developed and Newfoundland will have to cope with the impact of such development like it or not."

Now the member for the Strait of Belle Isle (Mr. E. Roberts) mentioned about real estate there and he deals with it here.

AN HON. MEMBER:

The member for LaPoile.

MR. W. PATTERSON:

The member for LaPoile (Mr. S. Neary.)

He says, "Notably the most visible area of impact will be the cost of living." According to this gentleman in Edmonton the Real Estate Board there he said, "In Alberta the living costs have risen dramatically. For example, an average building lot in Edmonton today costs about \$35,000 but one nearer the inner core of the city could run as high as \$60,000. Duplexes cost \$180,000 and land four years ago was selling for \$100 per acre. In some parts of Alberta it is now selling for \$30,000 an acre. Taxes however are not high although real estate prices are; for example, on a house valued at \$105,000 taxes are approximately \$320 per year." So I would advise all members of this House to read this little book. There is a lot we could learn from it.

Whether we represent coastal areas or inshore areas, you know, there are none of the districts safe from pollution and I saw this in the Christian Science Monitor. It says, "Sulphur dioxide pollution is caused mainly by power stations burning coal and oil. Britian's policy of dispersing air-borne pollution by means of high stack chimneys

MR. W. PATTERSON: has, in fact, relieved pressures on the local environment but it has also lead to the export of pollution to other countries including Scandinavia. A report published by a group of Scandinavian scientists claims that acid rain has caused the destruction of fish in 2,300 lakes in Norway and Sweden and that forests and crops are also in danger."

So no matter where we live on this planet, this globe, we are in for trouble and it would be useless for us to think that pollution can be controlled where it would not have any effect at all.

According to this company, it estimates that the removal of sulphur pollution at the source would cost something like \$6 billion a year compared to the economic loss of \$1.2 million in the fish. So, you know, I have talked so much about pollution here sometimes it is a bit boring but I am genuinely concerned with the effects of it and I have seen the destruction and the misery it can cause and I think now that we can take the proper precautions.

The Canadian federal government officials watch activities with much concern about Canada's uncertain territorial rights in the region as about the possibility of oil pollution. The latter problem, however, was dramatized toward the end of August when a supply ship and

MR. W. PATTERSON: barges on the way to one of the drilling stations were trapped in ice with a possible loss of 400,000 gallons of fuel oil," That is a fair amount of oil to be dumped into the ocean. "Shortly afterward the 950 foot converted tanker S.S. Manhattan came along with an icebreaker escort, crunching through the passageway at a record pace to test the feasibility of a route into Alaska. Pollution danger that parallels the all-out drive for oil is summarized in the following items:- one, shipping and port activities release at least one million tons of crude oil into the sea each year,"-so assuming we never had a spill from a well there is that much oil pumped each year into the oceans- "plus oil spilled from shore installations, offshore drilling operations and other sources may be comparable to the entire production of the hydrocarbons by plants and animals in the ocean. Number two, additional volumes of petroleum products find their way into the sea from bilges ; and fuel tanks of oil burning ships, from engine compartments of pleasure crafts and from sunken ships and from shore activities. Number three, although the short-term biological effects of crude oil appear to be limited except for the destruction of waterfowl, chronic pollution poses a threat to marine life, the fishing industry, recreation and the habitats of animals and plants in the tidal zone and along the shore. And some of the most beautiful and popular beaches in the world have been invaded by sheets of crude oil in the past few years that have marred natural beauty and sent their acid stench miles inland. The methods to counteract oil spills are inadequate, and in the case of certain oils, cause more damage to marine life than the oil itself." So, while we are all hypped up on this oil bit I think that we should be very cautious and be very careful and what we have we should protect and what we are seeking be very cautious in persuing it. Thank you.

MR. SPEAKER: (Butt) The hon. member for Windsor -
Buchans.

MR. G. FLIGHT: Thank you, Mr. Speaker.

The first thing I want to do in speaking to this bill is to compliment the minister, Mr. Speaker. It is, I agree, a very important bill. As the hon. House Leader, (Mr. Marshall), said it certainly is a first step. Now, Mr. Speaker, I am sure the minister is one of the first people to realize that with all the talk we had today of oil, how one day we are going to be rich with oil coming out of our ears, and dollars flowing out of everywhere, electricity coming down from Labrador Cadillacs all over the place, well the good life will not be very good, Mr. Speaker, if we have to look at a Province that is barren and devoid of wildlife, and has dead rivers, dead trees, polluted air. The dollars that come from the flow of oil will not have bought very much because, given their choice, the Newfoundlanders who have enjoyed the kind of heritage we have had up to now would rather be in Toronto—at least the weather will be better there. So the minister has started on what is obviously a very, very important first step. Now, I have to agree with the speakers before me, that it is the weakest bill. It is a good step but it is a weak bill. There are so many flaws in this bill, Mr. Speaker, that it is not going to serve the purpose that the minister had hoped it would. Mr. Speaker, this act, as the hon. House Leader mentioned, need not apply. There can be all kinds of projects go on in this Province with all kinds of environmental implications and it need not apply, and I will not say any more. Our House Leader (Mr. Roberts) indicated that. The power is in the minister's hands and if she so desires she need not have any kind of an environmental impact assessment or hearing. Mr. Speaker, it is a little worse than that; there are two clauses in this bill by way of setting up apparatus that bother me. One is in the first

MR. G. FLIGHT: instance the minister (Mrs. Newhook) has only got, under a clause in this bill, to set up an assessment committee, and that committee is to be made up of civil servants. The minister appoints civil servants, and a civil servant must be the chairman. Now, Mr. Speaker, our history is full of cases where the civil servants did what they believed the minister wanted them to do, they made the recommendations that they thought the minister might have wanted. And, Mr. Speaker, if while that assessment committee is having their hearings or whatever they do, if the general public does not get involved, if somebody from the general public does not write the minister and indicate a concern for what might happen from a given subject, there is no reason for the general public to ever have any input. The old saying, Mr. Speaker, 'Out of sight, out of mind,' applies very much in this. If you try to put something that is going to pollute the air in the center of St. John's or on the outskirts of Corner Brook, or in the middle of Gander, I will guarantee you will get a good crowd jumping up and the minister will have her impact board set up and the committee of civil servants that she talked about will not last very long. She will have to go into an impact board, an assessment board and have the public hearing that goes with it. But what about if that project is taking place somewhere isolated, somewhere in the interior of Newfoundland where nobody gets to see it in the first place, nobody is aware of what is happening until it is half done? If somebody is not aware, some concerned citizen, or some environmentalist, if you want to call him that, is not aware that a given project is going on, that there is a diversion of a river or a damming of a lake or some surface stripping going on and, therefore, the minister has not received in writing a concern by a citizen, will the minister then on her own set up the assessment board or will she maybe act on the advice of the assessment committee, the civil servants who

March 18, 1980

Tape 444

ME - 4

MR. G. FLIGHT: said, "look, there does not seem
to be any concern with this. We do not find any danger
any problems. Go ahead." Mr. Speaker, let us look at what

MR. G. FLIGHT:

has happened this last twenty years in this Province. You know it is this bill - where I compliment the minister is the very real possibility if this bill had been in place ten or twenty years ago we would not have been looking at some of the environmental disasters that this Province has been subjected to.

SOME HON. MEMBER:

Hear, hear!

MR. G. FLIGHT:

Let us look at it, let us look at the

Bay d'Espoir, the original Bay d'Espoir development, the hydro, the old Newfoundland Power Commission, a disaster, hundreds of thousands of acres of land desecrated, timberless, standing free, land flooded, wild life destroyed. No environmental concerns in that particular project. What about the mining companies Mr. Speaker? This bill might have averted, when we had for forty years a major mining company in this Province was polluting Red Indian Lake, putting the tailings right out of the lake. And then ten years ago, and not at the insistence of this Province, at the insistence of the Federal Government out of a concern for the fish life of the lake, they had to stop and they put in tailing ponds. And as the minister may well know now, she has probably had representation on it, but given the right weather conditions now the dust of those tailing ponds is choking the people of Buchans on any given day. So, maybe if this bill had been in place maybe somebody would have seen the possibility of what would happen. And I would like to hear the minister tell me, when she gets up to reply, what she purposes to do about that environmental situation in Buchans, where, by way of trying to clean up their act in Red Indian Lake, the company concerned created tailing ponds that given the right weather condition -

MR. BARRY:

Nothing to brag about anyway.

MR. G. FLIGHT:

No, I realize that, I am just pointing

out what this bill might have avoided had this bill been in place six or seven or thirty years ago or six or seven years ago. What about the logging companies? What about, again, Bay Verte streets built from rock,

MR. G. FLIGHT: crushed rock from the mining sites contains asbestos; children played in it up to a year or two ago. Maybe this bill might have avoided something like that. What about the Erco situation, Mr. Speaker? I have not heard tell of that report that was supposed to have been presented to this House, What is the storey on the deformed rabbits? Are there any still left around the Long Harbour area? What is the environmental situation in Long Harbour right now as a result of the Erco operation? That died. It was a big deal for a while, everybody was concerned - and I do not say that in a facetious way, I say it seriously. There was some discussion as to whether you could grow vegetables in the area, whether it was safe to grow and eat the vegetables, and that died. Maybe in this particular debate the minister will give us an update on exactly what is happening environmentally in the Long Harbour area. How about the power lines that are built in this Province, Mr. Speaker? The minister should be aware that a mainland company came in, Chico, and built a power line across the Province to hook most of the Province into Bay d'Espoir. Their employees rode shot gun on the muskegs with a rifle strapped around each shoulder in the most populous in the area of Newfoundland that has got the biggest moose population in Newfoundland, or had it. The foreshoulder that got the bullet, that got you a bottle of cheap rum; the foreshoulder that was not hurt very much got you a little more expensive rum; and a hindquarter came for a bottle of scotch, a good bottle of scotch would get you a hindquarter anywhere in the Buchans area when that power line was being built. And now, Mr. Speaker, now there are no moose left between Buchans and Grand Lake. And the biologists down in Wildlife tells us that the problem is they ate their way out of the habitate, they ate everything that was in the habitate. They ate it alright, Mr. Speaker, There is lots of feed left in that area for the moose; the problem is there is no moose. They were all shot because we were lacking something like this and we were lacking a government with enough which so lacked concern that they did not bother with look at it. About the Exploits River, Mr. Speaker, can the minister when she stands up in her debate tell us how much polluting is going into the Exploits River today, how

MR. G. FLIGHT: many gallons per day, gallons per day of raw pollutant is being pumped into the Exploits River, the largest river in this Province, the river that carries the biggest salmon runs in this Province, as well as the sewerage from the two major towns, Grand Falls, Windsor starting at Badger, a town in my district that has got a treatment plant? What about that? Will this bill have some effect on the kind of pollutant that is going into that particular river? Now, Mr. Speaker, assuming we had had this bill for twenty years it may have avoided some of the things that I have eluded to- but would it have, Mr. Speaker? The House will recall that every major environmental threat or damage - every project damaging to the environment of this Province that I have mentioned are the major companies. I have not mentioned people out in their trailers that the minister seems to be concerned about, somebody parked overnight in a trailer and leaving a little bit of garbage - and I do not condone that. But what I am saying, Mr. Speaker, is the damage, the environmental damage that has been done to this Province to date has by and large been condoned by the government of the day and done by the major companies that they were doing business with, and the government up to this point and time has turned a blind eye. Now what would this bill have done about that, Mr. Speaker? I submit to House it would have done nothing. Let me read and let me hear the minister explain

MR. FLIGHT: Clause 36, Section 2, "An undertaking that is in progress before this act comes into force is exempt from this act." Now, Mr. Speaker, where does that leave the logging companies, the logging companies, the two major logging companies? If one of those companies today is to go into a new area altogether to start cutting wood and building access roads, is it subject to this act, or will this clause exempt it? If one of the major companies decides, and is in the process now of building dams for purposes of conserving water, raising dams and raising the various lakes to the highest point possible for the purpose of conserving water - they are doing that now as a result of the water shortage this last year or so - will that be considered under this bill? Will there have to be an environmental impact study set up and public hearings or will anything done by the paper companies that are in this Province right now be exempt as a result of that clause? What about, Mr. Speaker, if the mining companies already in business in Newfoundland decide they want to strip-mine an area a mile or two from where they are, or want to sink another shaft to get at the same ore body, will this clause exempt them? An undertaking that is in progress? The fact that American Smelting and Refining Company or Daniel's Harbour, that those mines are already in progress - is any action by that company considered an extension to what they are already doing under this act and, therefore, exempt? I would like to hear the minister expound on that if she would. And, Mr. Speaker, let me tell the hon. minister that I have a great deal of respect for the minister and I admire her courage for bringing this bill in, and as we chatted a little earlier on in the week she realized that it is the first step and, no doubt, she will be prepared over the next year or two to beef it up and maybe she will accept some amendments, because, without amendments, this bill will serve no purpose.

I would submit to the minister that she has been used by other ministers.

AN HON. MEMBER: What?

MR. FLIGHT: She has been used, been used. She has been hoodwinked. Either, Mr. Speaker, one of two things happened. Either the Upper Salmon development was brought on stream earlier to avoid having to come under this bill, or else the legislation was delayed until the Upper Salmon got started. The Upper Salmon project is going into one of the most environmentally sensitive areas of this Province, Mr. Speaker, without the benefit of an environmental impact study. Now this bill would have subjected that project to an environmental impact study. Mr. Speaker, there is a clause in this bill as well that says that the company concerned, or the commission or whoever is going to do anything that may affect the environment of this Province in this Province, has to give the minister in writing any possible alternatives to what they are proposing. Well, let me tell the minister that the Minister of Mines and Energy (Mr. Barry), through Newfoundland Hydro, was advised by every environmental study done on the Upper Salmon to reroute the proposed road that is now under construction, that if he had any concern for the disturbance that he would cause the caribou herds in that area, to reroute the road. And Hydro stood firm - it would have cost them another million dollars, maybe. I do not know what it would cost, but it would have cost more dollars. Obviously there had to be some reason - refused to accept the alternative and we have a road going in now, Mr. Speaker, that everybody who knows anything about the caribou migrations and knows anything about the environment of the area will stand and say that that road will have to have a detrimental effect on the migration of the caribou.

Now, one has to ask what kind of concern, Mr. Speaker, what kind of people are we dealing with who allow a project like that to go and keep this bill - push the project ahead and keep this bill in abeyance. This bill was talked about last year, yet the Minister of the Environment (Mrs. Newhook) permitted, sat still, sat quiet, and allowed the Upper Salmon to start without the benefit of an environmental impact study.

Now, Mr. Speaker, does this clause, "An undertaking that is in progress before this act comes into force is exempt from this act" does this clause exempt the whole Upper Salmon?

MR. FLIGHT: Because, you know, the road going into the Upper Salmon is very insignificant to the whole project. The important things that will have a detrimental effect on the environment are the tailraces, the canals, the powerhouses. Now, Mr. Speaker, I doubt if the engineering is done on most of the projects. So, will there be now, having accepted the road and realizing the dangers that road creates for the environment, but having to live with the road, will the minister indicate when she stands up, whether or not this bill will apply to any of the other major undertakings on the Upper Salmon, the building of the powerhouse, the pushing through of the canals, the tailraces, the power lines coming out of the Upper Salmon? Because if it does not, Mr. Speaker, then she might just as well not waste the time of the House. If this government, and the minister, are prepared to see a project like the Upper Salmon go ahead and be exempt from that legislation, then it is an insult to the people of this Province, Mr. Speaker. It is an insult to anybody who believes that we should protect the environment of this Province

MR. FLIGHT:

and that we should protect the caribou herds or whatever, the total environment in that area. I cannot believe that the minister, having the courage to bring in this bill and being so proud of the bill, would permit in the next four years the work that has to go ahead, the disturbances that have to take place in the Upper Salmon, power houses being built within two miles of the major calving grounds of one of the biggest caribou herds in this country, in this Province where every biologist who ever saw the site, where the present Minister of Forestry (Mr. Power), where his officials have advised against, worried to death about what that project is going to do to the wildlife in that area. The minister will have to answer, Mr. Speaker, to the people of this Province, if now, having brought this bill in, if she is prepared to let that kind of a project go without having the various clauses in this act apply. Because if she does then what it means is that she is conceding that the Minister of Mines and Energy (Mr. Barry), who is responsible for Hydro, is ignoring totally and completely the legislation. And that is when I said she was being used or being hoodwinked, because if the minister has to stand by and watch that Upper Salmon being developed and not have this legislation apply, then there is no question, Mr. Speaker, what the Minister of Mines and Energy and Hydro have done to the minister and her legislation.

Mr. Speaker, what about - I want to raise this point again - what about the harvesting techniques of the paper companies? To any new areas of harvesting, will this bill now apply? When Bowaters or Price (Nfld.) or some logging company wants to use a given river or brook in Newfoundland now to drive timber, and in the process they have to bull off the banks of the river, destroy

MR. FLIGHT:

the local environment, will they be subject to this act? Will they have to indicate to the minister in writing they intend to do that now, that they are going to use a new river to get wood to a given point? And will the minister be setting up an assessment board or committee? Or will the general public have a right to have hearings and tell the minister why they do not believe that that river should be used, or if it is going to be used that all precautions should be taken to guarantee that the environment and the natural banks and the river are protected to the point that it can be?

Now, Mr. Speaker, the Minister of Mines and Energy (Mr. Barry) the other day in his speech when he spoke in this debate - the Leader of the Opposition (Mr. Jamieson) earlier in this debate said at some point, he referred to somebody as the quickest conversion since Saul on the Road to Damascus. Well, Mr. Speaker, I do not know what he is referring to but anyone who can remember the minister's attitude - the Minister of Mines and Energy, I am talking about - his attitude, one, with regards to the Upper Salmon and six or seven years ago with regard to the Lloyd's River diversion, anyone who remembers that attitude and then recalls the speech the minister made will surely admit that there is no comparison. The conversion of Saul on the Road to Damascus was simple compared to that conversion. That minister, Mr. Speaker - and he will realize this - that minister allowed the people of Newfoundland Hydro in the Lloyd's River diversion to bluff the people of this Province, to give out facts that were indeed not facts. They were in the process of moving equipment in to divert Lloyd's River and had not even looked - and they were buying pages in the papers, the minister was coming out and supporting them. And do not anybody here in this House of Assembly ever believe

MR. FLIGHT:

that the government, you know, the government with all its might backed off the Lloyd's River diversion because four or five people wrote letters to the editor. They backed off because suddenly a lot of people realized that they were being bluffed by Newfoundland Hydro, that what Newfoundland Hydro was telling the people of Newfoundland was indeed not facts and Newfoundland Hydro had no idea of the kind of environmental damage they were going to do if they diverted Lloyd's River. So the

MR. G. FLIGHT: minister backed off, but now the minister -

MR. F. STAGG: The Town Manager of Buchans scared him off.

MR. G. FLIGHT: No, Deputy Mayor at the time. I am afraid that my hon. friend never achieved that honour in Stephenville, or did he?

MR. F. STAGG: I did not run.

MR. G. FLIGHT: Did not run.

MR. F. STAGG: I was the Mayor.

MR. G. FLIGHT: Yes.

SOME HON. MEMBERS: Oh, oh!

MR. G. FLIGHT: And now we have the minister's performance, Mr. Speaker, on the Upper Salmon. We have watched the minister push a project through that has more potential for damage to the environment than any project undertaken in this Province since the first Bay d'Espoir project, and here he stands up and defends and says, 'We have to protect our environment,' and 'This is a great bill and we have to do all the things that will guarantee a legacy to our children and protect our heritage,' after the fact. He had ignored the Minister of the Environment (Mrs. H. Newhook), ignored everybody who went to him and suggested they should have an environmental impact study, that we should try to define, should try to identify the dangers to the environment in that Upper Salmon area and then proceed with the project having identified the dangers to minimize the effect, minimize the damages. That minister was too thick-headed, Mr. Speaker, too bull-headed, pushed by Hydro, so we are going to have that project now without the benefit of any environmental impact study. Unless the minister is just as strong - if the Minister of Environment is as strong as the Minister of Mines and Energy (Mr. L. Barry), then there may yet be a chance that the Upper Salmon will be done in a way which will minimize the dangers to the environment - only if the minister is strong enough to stand up and say, 'That is it. The Upper Salmon will not proceed without the benefit of an environmental impact study.'

MR. G. FLIGHT: Now, Mr. Speaker, one more instance of the minister getting hoodwinked - I see the Minister of Lands and Forests (Mr. C. Power) is out of his seat - and it is with regard, Mr. Speaker, to the spruce budworm spray programme or non-spray programme for 1980.

The Minister of Lands and Forests, Mr. Speaker, has announced to the Province that out of concern for the health of the people of this Province, out of concern for the total environment, they are not going to spray in 1980. And the reason they are not going to spray is they are not aware at this point in time of the dangers to the health of our people and the risk to the total environment, and therefore we are going to have a Royal Commission that is going to advise the minister on the impact of spraying with matacil. Now, Mr. Speaker, what kind of fools or how green does the minister think Newfoundlanders are? In 1977 we had an experimental spray programme with matacil, and in 1978, Mr. Speaker, we had a full-scale, major spray programme in this Province with matacil. And, Mr. Speaker, almost every minister sitting on those benches today - not the Minister of the Environment (Mrs. H. Newhook); I concede she was not party to that particular decision. The present Minister of Fisheries (Mr. J. Morgan), who is walking into the House now, the then Minister of Forestry, was party to it, Mr. Speaker.

In 1977, an experimental spray programme - in 1978, a major spray programme with matacil. Well, where was the concern for the health of the people in 1978. The same ministers are in their seats. We have the Premier who was then Minister of Mines and Energy, and every one of the ministers sitting there now except the new additions to the Cabinet after June, 1979.

AN HON. MEMBER: The Minister of Health.

MR. G. FLIGHT: The Minister of Health (Mr. W. House). Now where were the concerns for the health of the people? What kind of a bluff? What kind of scoundrels, scalawags, would attempt to con the people of Newfoundland, Mr. Speaker? When is the Minister of Lands and

MR. G. FLIGHT: Forests (Mr. C. Power) going to stand up and tell this House, tell the Minister of Consumer Affairs and Environment (Mrs. H. Newhook) the real reason why we did not spray in 1980? And let me ask the minister if, as a result of clause 36 (2) that the spray programme would be exempt from this legislation, any proposed spray programme in the next year, will the people of Newfoundland be subject to a spraying programme without the benefit of public hearings? Will the minister make the decision simply based on the recommendation of a Royal Commission, or will this legislation be effective? And will any proposed spray programme be the subject of public hearings?

To follow on with the spray programme, Mr. Speaker, in 1979, we had another experimental spray programme after the Minister of Forestry of the day, with the concurrence of his Cabinet ministers, all of whom are now sitting in Cabinet, took a chance on poisoning all of Newfoundland - because, as they say now, they were not aware of the effects matacil would have on the general population - showing no concern at all for the health of the people of the Province.

AN HON. MEMBER:

Hypocrisy (inaudible).

MR. G. FLIGHT:

Hypocrisy is the word, brother. You are right on, hypocrisy is the word. Hypocrisy to the nth degree, having no concern for the health of the people of the Province and launching into a major matacil spray programme. After that, in 1979, they decided to have another experimental spray programme with Bt. And, Mr. Speaker, is anyone aware of what was happening in this Province on June 18, 1979? We were into an election. That was polling day. But the first three weeks of June was a campaign, and, Mr. Speaker, it would not have been a very popular thing to have been doing in this Province during a campaign, having a

MR. FLIGHT: spray programme. It would not have been perceived to be very popular at all. So what happened? What did the same minister and the same Cabinet, who did not mind poisoning the people of Newfoundland, by their own acknowledgement - this year they decided not to spray because of their concern for the health of our people. In 1978 they sprayed, they could not have cared less about the health of our people. They did not know any more in 1978 than they know now, not as much, obviously.

But, Mr. Speaker, they decided to have a Bt spray programme, the most political decision that was ever made in this Province. To be effective against the spruce budworm you have to spray during the first two or three weeks of the incubation period of the budworm and that is from the 1st of June to the 18th. They did not have the stomach, Mr. Speaker, they did not have the - the parliamentary phrase is 'the intestinal fortitude' to go to the people with a spray programme on, so what did they do? They go out with an experimental Bt.

We have wasted \$150,000 - and there are going to be debates in this House on the spray programme. There has to be an amendment to some Forestry Act coming into this House between now and the time this House closes. The Budget Speech has to come, and there will be amendments. Mr. Speaker, we have wasted \$150,000. The senior officials of the Department of Lands and Forests advised the Minister, 'It is a waste of money. It is too late. Do not go with the Bt. We will not have time to have the second application which we must have'. He was told that but he went anyway. I do not know. He may explain it or maybe the present minister will explain why we went with the Bt programme. And we are not even lucky

MR. FLIGHT: enough, having done that, to be able to say that the Bt did not work because we do not know. We might as well have taken it out and sprayed it over the Atlantic Ocean. It was too late. We only had one application. And we are in a position now where we must go with matacil or fenitrothion simply because we did not give Bt a chance. We do not know. We had \$150,000 spray programme - and the minister shakes his head - and he knows, and it is documented, that the Bt spray programme did not have a chance. It is okay for the minister to stand up and say, 'Well, we were only testing on the application to see how it came out of the airplane, or to see what the drop rate was' and that kind of thing. You can say that now but that was not the case when the government decided to go with the Bt programme. The purpose, and the main purpose was to determine what effect Bt had on the budworm.

Now we are in the unhappy position of having spent \$150,000 to not know whether Bt, in this Province, had any adverse effect on the budworm or not so we have to go with matacil. We wasted \$150,000 and the minister will answer for that the first time that a debate on the issue is germane.

I say now to the Minister of Consumer Affairs and Environment (Mrs. Newhook) what about this legislation? Is she prepared - I am going to vote for the legislation, as I am sure everyone on this side is going to vote, but I can tell the minister now that I am going to be looking for amendments. Without amendments this piece of legislation - and I have referred to two or three clauses here that are not worth the paper they are written on - there was no point in bringing it into the House at all. The major companies, anybody from a major company down to a man on

MR. FLIGHT: the street can ignore that legislation without amendments.

And if the minister is prepared to allow that clause to stand, 'An undertaking that is in progress', that could apply to everything going on in this Province today, Mr. Speaker. There is not a thing going on in this Province right now, Mr. Speaker, that could not conceivably take ten years to complete. So if any undertaking that is in progress before this act comes into force is exempt from this act, you might as well not have the act.

Mr. Speaker, I will certainly be asking the minister to delete that particular clause and many others that I have seen there. Having said that, Mr. Speaker, I still commend the minister for having the courage to bring that bill into the House. Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER(Baird): The hon. the member for Stephenville.

SOME HON. MEMBERS: Hear, hear!

MR. STAGG: Mr. Speaker, first of all I should like to complement the previous speaker on his speech. I thought he made some excellent points. Not all of them were partisan, many of them were of considerable substance and some of them I should like to associate myself with.

SOME HON. MEMBERS: Hear, hear!

MR. STAGG: It was quite a different speech from the last one he made, Mr. Speaker, I must say, in which he got up and made a speech and tried to paint the people on this side of the House as being less than good Canadians. I thought in this case he was doing a good job. So I commend him for that.

Now, Mr. Speaker, these points

MR. STAGG: I just made were irrelevant to bill no. 13 and I thank you for not interrupting me and bringing me to order.

Bill no. 13 is, 'An Act To Protect The Environment Of The Province By Providing For Environmental Assessment'. In the definitions under section (2) of the act, there are several pertinent definitions and for the sake of clarity I am going to read them into the record:

"Environmental assessment"

MR. STAGG:

means a process by which the environmental impact of an undertaking is predicted and evaluated before the undertaking has begun or occurred.' 'An environmental impact means any change in the present or future environment that would result from such an undertaking.' 'An environmental impact statement means a report that presents the results of the complete environmental assessment' and it goes on. But the main point of this bill is to provide for environmental assessment. Of course, in speaking to the principle of the bill that opens up the whole idea of environmental matters, arguments on the environment and certainly in this Province of Newfoundland in which we have some 575,000 people occupying a vast area comparative to other parts of the world, our population would be approximately five people per square mile, which is very low density of population. Certainly we have wide areas of our environment that appear to be unpeopled, there is nobody there and one might think that you could go out and deal with them in a cavalier fashion and it would not have any significant impact on the rest of us. But I was pleased to see that this bill is in effect giving substance to the election promises that we made, made particularly by the Premier last June as he travelled throughout this Province. This was one of the matters that was high on his list of priorities and it has now been translated into a priority matter for this government in this session of the House.

We have had two matters so far:

We have had the Speech from the Throne and various speeches from speakers on both sides of the House who have addressed themselves to the contents of the Speech from the Throne, and we have had this bill. So obviously it is a matter that is of considerable importance. So I am delighted with that. It

MR. STAGG:

is an example where this government is going to show that it has faith in Newfoundland and is in fact, in effect, showing its good faith in keeping the philosophical commitment to the preservation of the environment of this Province. Now people who live in this area of Newfoundland, in the Avalon Peninsula and in the megalopolis surrounding St. John's as St. John's continues to devour surrounding communities and one community seems to meld into the expanding metropolis, one may not be too concerned about the environment because what environment there is is taken up by municipal regulations and water and sewer projects and so on. So that other than the verbiage coming from this windy part of the city, really things are pretty well under control. But out in other parts of the Province, particularly on the West Coast or any other part of the Province, I suppose, but the West Coast where I come from and a lot of our members come from, we are quite proud of what we consider to be a practically pollution free environment. Really you can go into practically any part of the West Coast, and obviously there are other places where the same thing applies, but you can drink out of any stream, put your head down and take a drink.

Now I am not familiar with Ontario but from what I have heard it is very, very unusual to be able to do that sort of thing in Ontario. So while we have been lagging behind Ontario as far as industrial development is concerned, it is an ill wind that blows no good. So we now have the opportunity in this Province to take advantage of all of the studies and all of the expertise that has developed in North America and in the world really for the protection of the environment. They have made all the mistakes that could possibly be made in the rest of North America and in Europe and so on and in Japan, you name it, those highly industrialized centers that have on the face of it prospered, that have built the twenty,

March 18, 1980

Tape No. 450

IB-3

MR. STAGG:

thirty, forty story skyscrapers and the factories that go with it and so on, they have on the face of it prospered but I do believe that we in this Province, although we have had considerable difficulty in staying alive just because of the sheer lack of financial

MR. F. STAGG: opportunities to buy the things that keep body and soul together. Nevertheless, in spite of that 575,000 of us do live on this Island, which is approximately about 60 per cent more, I guess, than it was in 1949, so I believe a healthier people than in any other part of the world perhaps, but certainly than any other part of Canada and I quote our suicide rate, for instance. Our suicide rate in Newfoundland is the lowest in Canada. I am not sure exactly what the rate is but you just do not see our Newfoundlanders deciding that the world is too much with them and so on and they do away with themselves. And I believe that it is in no small way attributable to the fact that we are able to get out in the woods and set a few slips and, as the Premier has done, go off for a few days and commune with nature. That is the sort of thing that people will be paying thousands and thousands of dollars to do over the course of the next decade or the decades to come.

We are a unique part of Canada. We have relatively few people and we do have areas of this Province which are highly urbanized and a lot of our people live in relatively small areas. So we do have the opportunity, we as legislators here in these sessions of the Thirtieth-Eighth House of Assembly of this Province from now until whenever the election is called - let us say 1984 during this session - we will have the opportunity to set the standards by which our successors will be measured. And I am hoping that the standards that are set are going to be high standards. I am sure they will be high standards and this bill and amendments to it and others like it perhaps are really going to be the instrument of environmental assessment.

So, I am quite committed to that and I think that all member of this hon. House are as committed to it as I am. I grew up in a small town, 300 people or so, a town that is now represented by the hon. gentleman from Port au Port (Mr. J. Hodder), the small town of Boswarlos, B-o-s-w-a-r-l-o-s

MR. F. STAGG: on the Port au Port Peninsula. We had the best water that was available in Newfoundland. It is a limestone water. I recall in university one time when I was doing first year Education that they asked, "Is there anybody in the class who had no cavities?" I had no cavities, I never had any cavities because I had such wonderful teeth. Well, not because I had such wonderful teeth but I had wonderful teeth because I had no cavities.

AN HON. MEMBER: Which came first?

MR. F. STAGG: The chicken or the egg, yes, right. Whatever it is.

So I just assumed that this was a characteristic that most people had. And I had a beautiful smile to go along with it.

SOME HON. MEMBERS: Hear, hear!

MR. F. STAGG: But there were only a couple of other people in the class of some hundred or so who were in the same category as I was. Very soon, however, after I started living in St. John's I began to have cavities. And it is through the everlasting detriment of myself that this came about. But this is a characteristic of some areas of our Province. The natural limestone content of water in Boswarlos, the Port au Port area is such that I was able to have good teeth. And I was able to get my teeth into a lot of things over the years.

AN HON. MEMBER: Has it got anything to do with the pollution of the water in Port au Port?

MR. F. STAGG: Has it got anything to do with the pollution of the water in Port au Port? No, it had everything to do with the clean water and the well that my father and I dug. If the hon. member is talking about areas that have pollution then, well, he will have to address himself to that and maybe instruct some of his constituents how to dig wells or whatever or get some of the wells hooked up that were drilled back in 1975.

SOME HON. MEMBERS: Oh, oh!

MR. F. STAGG:

Anyway, Mr. Speaker, I digressed somewhat, but I would like to give an example now. I have already indicated to you the pristine surroundings from which I emanate, the small community of Boswarlos, very pastoral; in those days it had a dirt road. I took care of that while I was the member for Port au Port, it does not have a dirt road anymore so that form of pollution has been taken care of. That is a job that the present member for Port au Port does not have to look after, I got the roads paved before he got elected.

SOME HON. MEMBERS:

Hear, hear!

MR. F. STAGG:

But in 1967 or thereabouts one of the great industries for the West coast of Newfoundland was announced. It was announced among the forty-six industries, I believe, that were promulgated at a great meeting in Stephenville about the 15th of August, 1966 -

MR. STAGG: early in August, 1966 - followed shortly thereafter by the election of September 8th, 1966, at which time the Liberal party was again successful in the district of Port au Port. Well, one of the industries that came out of that -

AN HON. MEMBER: The light bulb factory.

MR. STAGG: - it was not the light bulb factory, no, it was not the light bulb factory or the orange juice factory, but one of them was Sea Mining Limited, Sea Mining Limited. Now, this is not something that hon. members are unaware of. We have heard about this over the years. In 1966 I was away at the university in New Brunswick, and I came back home during the Summer of 1967 or 1968 - I am not sure exactly which year it was - I came home both years. I was driving down through Aquathuna in my Volkswagen, driving over the dirt roads as they then were, and I suddenly felt that I was being overcome, not by the nostalgia of coming home, but I was being overcome by the noxious odours that were coming into the car window. I thought my car was on fire. This was the pollution that was being put into the atmosphere of Port au Port by Sea Mining Limited. It was a process that had been devised whereby magnesia, magnesia - or is it magnesium or magnesia?

AN HON. MEMBER: Magnesium.

MR. STAGG: - magnesium was being extracted from seawater, and it was being extracted by having a chemical reaction with the limestone, which is in great profusion on the Port au Port Peninsula. Well, this process was making life practically unbearable for all the people in the community of Aquathuna, and they had previously been working at the Aquathuna Limestone Quarry or the Dominion - which was under then, had just been closed down a year or so before, the limestone quarry had. Here I was driving home, as I say, to this pristine community, green, environmentally sound, that where, as I said before, I developed these beautiful teeth of mine, and driving home and into the window of my Volkswagen comes these odours that made my eyes water. I put up the window and I took one deep breath and I put my foot to the floor and got the Volkswagen up as fast as it could go, about 40 miles an hour, and managed to get through that particular area because the wind happened to be blowing from the North, and I got through it.

MP. STAGG: Well, I said, what is going on here? They said that is Sea Mining, that is the industry that has been brought in here to take up the slack because of the closedown of the Aquathuna Limestone Quarry, and it is a magnificent new concept. Well, I said what about the smell that is in the air? Well, they said, that is too bad. Somebody might say that it is the smell of money. It is killing all the trees. It is killing all the trees and all the vegetation. All the people in Aquathuna are scared, and what are you going to do about it?

AN HON. MEMBER: Nothing.

MR. STAGG: Nothing, nothing could be done about it. That was back in the days, Mr. Speaker, when very little was done about these things.

So, I was driving along again. After awhile you sort of anticipate these things, so you take a deep breath and stick your car in the proper gear at low ruxle or high ruxle and double clutch or whatever and get through it as fast as you can. So this is what I was doing, but then I found out from some of the fishermen that not only was it being expended into the air but, also, pure acid was being allowed to flow into the harbour, and you could see it. You could go by and you could see where, because it was associated with the limestone, you could see where the currents were taking it out and the lobsters were dying and the scallops were dying and there were fish killed. This is at the same time, or approximately the same time, when all the publicity was taking place on the red herring or the phosphorus herring of Placentia Bay. There was a similar exercise, a similar debacle, take place in Port au Port. Now that industry was not closed down because of the environmental impact, it was closed down because of the lack of ability to manufacture the product for which the plant was designed. But that was the sort of thing that was allowed to move into an area because it was deemed to be wise and so on, that the people should be employed. The people were paid \$1.25 an hour, by the way. They were all paid the minimum wage and there was no union or any of that sort of thing. So that is the sort of thing that was allowed to happen out in Port au Port

MR. STAGG:

back in 1967. Well, this is only thirteen years later and I am pleased to say that utilizing the principle of this bill that no such thing could ever happen again and I am really delighted that it cannot happen and I am sure that my colleague in the adjoining district will go along with me on that.

Now fortunately things out in our area did not always stay that way because when Labrador Linerboard was brought on stream in 1972 - and I cannot attribute the pollution control devices that were put on that mill totally to the new government that took over in 1972; I suspect that some of these environmental controls were in place by federal regulations that were being more strictly enforced in the 1970's - but Labrador Linerboard, which was a mill that in the process used for the manufacture of linerboard exuded a highly toxic substance that if allowed to go out in the Bay St. George would have killed everything in the bay, they had a very elaborate set of pollution control lagoons set up there and apparently by the process of aeration and the kind of bacteria that were placed in it the product that came out through the pipeline, not only did it not kill the lobsters but apparently it fattened them up and super lobsters -

AN HON. MEMBER: One of the best pollution controls in the world.

MR. STAGG: Yes, one of the best pollution control systems in the world and it is due in no small part to the efforts of this government in its early stages that this sort of thing came about. So that just goes to show that almost ten years ago we were committed to that sort of thing.

SOME HON. MEMBERS: Oh, oh!

AN HON. MEMBER: The federal government did that.

MR. STAGG: Oh, no. They were federal government regulations but our fellows, I remember talking about it saying to John, I said, "When you take over that mill make sure that the Bay St. George lobster retains its place as one of the great delicacies of the Western World." And he said, "Do not mind, Fred, boy, that is a sure thing. That is in the bag." There was no attempt to get around the federal regulations that were in place.

Now, what about -

MR. FLIGHT: Which John? John Crosbie or John Doyle are you talking about?

MR. STAGG: Oh, I am talking about John Crosbie, of course. I do not want to speak for Bowaters and Price, but I may speak about them. I do not think that the Bowaters mill had the same kind of environmental controls and I believe that my friends from Humber East (Ms. Verge) and Humber West (Mr. Baird), if they chose to speak in the debate, will lament the fact that the Bay of Islands has not prospered as a fishing area because of the profusion of bark and so on on the bottom of those harbours. And my friends from Exploits (Mr. Twomey), Gander (Mrs. Newhook), Windsor-Buchans (Mr. Flight) were already talking about the pollution of the Exploits. So both of these grand industries were not too kind to the environment in which they were situated. So I do not think that any other mills in this Province will be similiar to that.

Now there are other things that we have around this Province that I believe have cleaned up their act over the years. Periodically, around every fourth year or so you see these asphalt plants belching their black smoke into the air but it seems that the smoke is not black anymore, it is whiter. So I believe they must have scrubbers on them, which is the sort of thing that this government has been responsible for, for putting scrubbers in the asphalt plants and certainly all hon. members will be glad about that. We

MR. STAGG:

hope to have a few scrubbers out on the West Coast this year. North Star Cement in Corner Brook, I can remember there being action taken by citizens groups in the Corner Brook area to have an injunction against the kind of smoke and the fumes exuded from North Star Cement. I believe they have gotten that more under control.

Something that has come up in Port aux Basques recently, the people there are quite worried about the asbestos content in their drinking water, whether or not it is detrimental to them. There is a school of thought that says that if it is injected it does not hurt you but if it is -

AN HON. MEMBER:

(Inaudible).

MR. STAGG:

The member for Burin-Placentia West (Mr. Hollett) is going to address himself to that when he gets up to speak. So these are all things that

MR. STAGG:

probably deserve a lot more study. There was a time when asbestos was recognized or thought to be one of the new, wonderful materials, but it certainly appears now as if any place that had asbestos, you were lucky to survive to live a normal life because of the effect it had on your lungs. So any hon. members who are suspicious of asbestos, they certainly have my support on that subject because it is hard enough to stay alive in this world as it is.

Acid rain, a matter brought up by the member for Placentia West (Mr. Hollett). This acid rain - you talk about very clear streams, especially in Sweden, I believe, the Nordic countries, where the streams are so clear because there is nothing in them, nothing alive in them and the pollution that has been exported from the Rhur Valley of Europe and industrial England and so on. The winds are no respecter of boundaries and they just bring the rain in, and down comes the rain and kills everything in sight. So this sort of acid rain, hopefully will not be falling on Newfoundland as it has in the past. Perhaps we are still far enough North so that as the States and the provinces to the South of us clean up their act, our environment will not be killed by it.

Now, another question that we as legislators are going to have to concern ourselves with over the next few - only five minutes left? Well!

SOME HON. MEMBERS:

By leave! By leave!

MR. STAGG:

- we are going to have to concern ourselves with over the next four years is how are we going to deal with the oil and gas that presumably is off our shores?

Mr. Speaker, how much time are you permitted on these bills anyway?

MR. SPEAKER(Butt): Thirty minutes.

MR. STAGG: Thirty minutes? You mean to say I have been going for twenty-five minutes?

AN HON. MEMBER: No.

MR. STAGG: I do not think so, Mr. Speaker, I think I have only been on for about fifteen minutes.

MR. SPEAKER: The hon. gentleman had twenty-five minutes.

SOME HON. MEMBERS: By leave!

MR. STAGG: Well, anyway, I will attempt to clue up. I am quite concerned about how the oil that is on the Grand Bank, or wherever it is in Newfoundland, how it gets ashore, how they are going to get it ashore, because we are told every day about the floating bombs these great super tankers are.

My friend from Placentia West (Mr. Hollett) was kind enough to give me some material that is part of his research and he has an article here saying, "Ban Big Ships". There is a picture here of the supertanker Amoco Cadiz and her 63 million gallon cargo spewing onto the beaches of France in the worst oil tanker spill on record, and I believe they have another one over there now. So it was the advice of oceanographer Jacques Cousteau to ban the big ships so I presume that part of this bill, in keeping with the principle enunciated in this bill, that we will be able to have some input and hopefully we will be able to order, to prohibit or to direct the companies as to what kind of ship they allow on the wells to take off that oil. Presumably that would go by the tanker route which I think is a very distinct possibility. So I am all for this 'ban the big ships' idea. The big ship concept came about as a result of the necessity of carrying great amounts of oil around the Cape of Good Hope, around the - the Cape of Good Hope, that is the African one? -

March 18, 1980, Tape 454, Page 3 -- apb

MR. STAGG: coming from the Arabian
countries and into North America. That was also
brought about by the 1967 war, the six day war in
which the Suez Canal was blocked up.

MR. STAGG: So I do not think we need those supertankers off our shores because, obviously, if we have just one of those tankers that runs afoul - because apparently they are capable of sinking them for the insurance money. There have been several of them lost off the coast of Africa recently where presumably the oil has been piped out of them first. But if they have bombs on board they cannot always be regulated to explode when you want them to explode. So if you have the Grand Banks off there polluted by one of these great ships, we have a problem. So I presume that this bill is going to direct itself to that.

Now my friend from Windsor - Buchans (Mr. Flight) also took a few flicks at the government and, he indicated inconsistency on the spray programme. Well, maybe there is some inconsistency there but certainly I would rather be right than dead right. There is some such expression. I do not have it quite right.

SOME HON. MEMBERS: Oh, oh!

MR. STAGG: Just reading a portion of the press release sent out by the then Minister of Lands and Forests where he says, "A committee of the Newfoundland Medical Association studied the human health aspects and concluded that risk from the use of chemicals was acceptable in view of the importance of income and employment to the health of a large section of the population. It declared the health hazard insignificant from short-term spraying programmes. A minority opinion differed however."

Well, recently, maybe one of the architects of that opinion has turned up in the press indicating that the unemployment problems that would result from the destruction of our forest would be far worse than the impact on the individual from the chemicals.

MR. STAGG: Well, whoever that doctor is, I think he should examine his licence. I do not know who he is but maybe he is one of the people who are putting out this report. Because basically it is for us politicians and for the government and for private industry and so on to get involved with job creation and so on. But for a medical doctor to indicate that we should spray because if we do not spray there is going to be unemployment and people are going to get sick as a result, that to me is a rather peculiar medical opinion. So whoever he was I ask the minister of Health (Mr. House) maybe he should check him out because I certainly do not agree with him. And maybe I am misquoting him.

MR. FLIGHT: That is a good point. I forgot that point.

MR. STAGG: You forgot that point? Well, I had to have a few points that you forgot 'boy', you did not cover the whole field.

MR. SPEAKER(Simms): Order, please!
The hon. member's time has expired. Does the hon. member have leave to proceed?

SOME HON. MEMBERS: By leave.

MR. SPEAKER: By leave.

MR. STAGG: Proceed? Oh, well, okay. I only have a few more things to say here, Mr. Speaker. I was sort of struck by that opinion proffered by that doctor.

Now, Mr. Speaker, the whole question of the spruce budworm and how to bring it under control is something that is of considerable importance to all members of this House. Now the government has decided, this year, that it is not going to spray. I did not know what the minister was going to say when he made his announcement in Corner Brook. As a matter of

MR. STAGG: fact, I had pretty well conceded that being over there to the Winter Carnival, one of the boys about to play in the hockey game with some of the fellows who work in the woods business and so on, that he was about to say that we were going to spray and give in to the rather extensive public lobby that the paper companies had put up, the full-page ads and so on. These full-page ads cost \$500 or so each. So I had pretty well conceded that the announcement was going to be, 'Yes, we are going to spray because of the reasons given by the paper companies and because it is the only way to control the spruce budworm and so on.' So I was more or less getting my arguments ready for the member for Windsor - Buchans (Mr. Flight) who seems to occupy the role of chief ecologist for the Liberal Party. I thought I would have to back up the government on this sort of thing because that is part of the political process too. Sometimes decisions that you may or may not totally agree with, you have to defend them because that is part of the game.

Well, I was delighted.

absolutely delighted that the minister out there in what might have been considered hostile territory, in a paper-milling town, and a new paper mill just about to go on stream, that he would make that kind of an announcement. I think it took an awful lot of courage. I guess it is the same kind of courage that sent him out in the snow storm last month to rescue some of his constituents. So I think the minister has shown great courage, shown such courage that he only remained in the portfolio - I do not know, that is the portfolio that he just came into, right, so he is still there.

I was delighted with that, Mr. Speaker, and I am looking forward to the resolution that I placed on the Order Paper at the

MR. F. STAGG:

opening of the Legislature. I am looking forward to debate on that resolution. I am going to lead off the debate, but I by no means have the last word on it and I am still in the process of educating myself on the subject. I certainly am looking forward to the intervention in that debate by the various Ministers of Forestry who have held the office over the years and the ecological giants on the other side of the House who undoubtedly want to get their licks in as well. I am really looking forward to that. And I presume that this is the sort of thing that would come under this bill, although I am not absolutely sure. But I presume that it would, and if it is not the sort of thing that comes under it, I certainly think it should.

Mr. Speaker, I think that is about all I have to say on this subject. As usual, I have occupied the graveyard shift and you can be guaranteed to hear nothing about this in the press tomorrow.

SOME HON. MEMBERS:

Oh, oh!

MR. F. STAGG:

I remember the last time I spoke I made a brilliant speech attacking the Opposition and calling them guerillas and whatever. I expected to get at least a mention, and the mention was, 'The Minister of Labour, Jerry Dinn, spoke and so did Fred Stagg, member for Stephenville.' So that was it.

SOME HON. MEMBERS:

Oh, oh!

MR. F. STAGG:

No, she must be waiting to see somebody else.

Mr. Speaker, that is all I have to say. Thank you very much for your attention.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER (Simms):

The hon. the member for Torngat Mountains.

SOME HON. MEMBERS:

Hear, hear!

March 18, 1980

Tape 456

EC - 2

MR. G. WARREN:

Mr. Speaker, seeing we are approaching that wonderful hour, I am just wondering if I could have your permission to adjourn the debate until tomorrow?

MR. SPEAKER (Simms):

Is it agreed to call it 6:00 P.M.?

SOME HON. MEMBERS:

Agreed.

MR. W. MARSHALL:

We did it over the protest of the Minister of Justice (Mr. G. Ottenheimer), Mr. Speaker, but we did it anyway.

I move that the House at its rising, Mr. Speaker, do adjourn until tomorrow, Wednesday, at 3:00 P.M. and that this House do now adjourn.

On motion, the House at its rising adjourned until tomorrow, Wednesday, March 19, 1980, at 3:00 P.M.