

PRELIMINARY
UNEDITED
TRANSCRIPT

HOUSE OF ASSEMBLY
FOR THE PERIOD:
3:00 p.m. - 6:00 p.m.
THURSDAY, MAY 22, 1980

The House met at 3:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER (Simms): Order, please!

I would like to, on behalf of all hon.

members, welcome today to the galleries forty-two students from Beothuk Collegiate in Baie Verte, from the district of Baie Verte - White Bay, accompanied by their teachers, Mr. Lloyd Greenham and Mrs. Glennis Neally. We trust that they are enjoying their visit.

SOME HON. MEMBERS: Hear, hear.

ORAL QUESTIONS

MR. SPEAKER: The hon. the member for Grand Bank.

MR. L. THOMS: Mr. Speaker, I have a question I would like to direct to the Minister of Justice (Mr. G. Ottenheimer) and it relates to the statement which the Minister of Justice made in the House of Assembly yesterday afternoon. I have stated on several occasions in this House that I felt that the Royal Newfoundland Constabulary was second to none of any constabulary that I know.

My question to the minister is, I was wondering if the minister would, and this is something that actually I did not think about as I was going through the statement yesterday afternoon, but I was wondering if the minister would indicate to this House why the minister, why the government felt that it was necessary to go outside the Royal Newfoundland Constabulary and appoint an ex-RCMP officer as Deputy Chief of the Royal Newfoundland Constabulary?

MR. SPEAKER: The hon. the Minister of Justice.

MR. G. OTTENHEIMER: Mr. Speaker, in answer to the hon. gentleman's questions about the appointment of the gentleman, obviously, the hon. member will recall that he congratulated us yesterday on the appointment.

I want to point out that the appointment was made by -

MR. L. THOMS: By you.

MR. SPEAKER: Order, please!

MR. G. OTTENHEIMER: - the Lieutenant Governor in Council, obviously upon the recommendation of the Minister of Justice and my recommendation based upon a recommendation of the Chief of Police. Now, it was our collective view, not making any reference to the high qualifications of other officers in the Royal Newfoundland Constabulary, that this particular gentleman had the appropriate experience, appropriate training for the work that needs to be done now in the development of the Constabulary. His experience is in administration, training programmes, personnel and it is in these areas that expertise is necessary at this particular time.

I would point out that obviously it is the general policy and the usual procedure to appoint from within the ranks but in this particular post, at this particular time, it was felt that this Newfoundlander, who has worked for the past year as Director of Emergency Measures in the Province, and who worked with the RCMP for twenty-odd years, including the last years in Newfoundland, that he had the appropriate experience to fulfill

MR. G. OTTENHEIMER: the task necessary at this particular time and we felt that having that experience and having those qualifications, to debar him because he served with distinction in the RCMP for a number of years would be most illogical and improper.

MR. L. THOMS: A supplementary, Mr. Speaker.

MR. SPEAKER (Simms): A supplementary, the hon. member for Grand Bank.

MR. L. THOMS: Mr. Speaker, Mr. Minister, are you saying then that there was no one within the ranks of the Royal Newfoundland Constabulary as qualified or more qualified than the person that you did appoint as Deputy Chief?

MR. SPEAKER: The hon. the Minister of Justice.

MR. OTTENHEIMER: Mr. Speaker, no I did not say that there was nobody in the Royal Newfoundland Constabulary as qualified, more qualified, less qualified as this particular gentleman. I said that for the specific needs of the Constabulary at this time, in a period of a certain amount of reorganization and development and wear, their need for new emphasis in forms of training, recruitment procedures, personnel etc., that with the particular needs of the Constabulary at this time in those specific areas, that this gentleman appeared to be eminently and well qualified and it was for that reason that he was appointed.

MR. L. THOMS: A final supplementary, Mr. Speaker.

MR. SPEAKER: A final supplementary, the hon. member for Grand Bank.

MR. L. THOMS: Mr. Speaker, it appears to me that the minister is indeed saying that there was no one qualified within the Royal Newfoundland Constabulary to fill this position.

AN HON. MEMBER: Hear, hear.

MR. THOMS: And that he is just trying to, well, I guess, weasel, is not the word, around having outside the Constabulary to get the new Deputy Chief.

MR. SPEAKER (Simms):

Order, please! The hon. member has

a supplementary?

MR. L. THOMS:

Mr. Speaker, my supplementary question

is this. I am sure the minister realizes that this has certainly brought on a very strong feeling of depression and protest from our present force here in St. John's in connection with this matter, and I was wondering if the minister could tell us whether or not he is aware that there is -

MR. L. THOMS: I do not know of a strong possibility but a likelihood of a police walkout in this city to protest the appointment by the minister? And if so, whether or not the minister has any contingency plans for the policing of this city in the event of such a happening?

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

MR. G. OTTENHEIMER: Mr. Speaker, I would like to just comment briefly on the hon. gentleman's preamble or interpretation of my answer. I certainly did not state, insinuate or leave open to reasonable interpretation any conclusion that there would be nobody in the force equally as qualified as this gentleman or that gentleman. As a matter of fact, a couple of months ago when we appointed the Chief of Police, the man in charge, then obviously we appointed somebody from the ranks and we appointed in a certain area, we appointed Assistant Chief Randell. So all I did say is that for this specific job at this specific time this Newfoundlander, having served in the National Police Force of Newfoundland and other places and with his experience, is, in our opinion, qualified and the appropriate person to do the job.

And with respect to the operative part of the hon. gentleman's question with respect to did I anticipate or something to that effect a police walkout? My immediate answer to that is that I find it almost beyond logic or belief or consistency that an organization whose duty it is to enforce the law would act collectively in an illegal manner. Because any such thing is out of the question. Well, it is obviously hypothetical. I would find that quite unacceptable to think that a group of men, an organization whose duty it is to enforce the law

MR. G. OTTENHEIMER: would collectively break the law.

It would be quite unacceptable. And, obviously, the citizens of St. John's have the right to expect the same continuity and security and assuredness of law and order and of law enforcement and of police protection as do the citizens of Corner Brook, Labrador, Grand Falls, Burin, all over the Province. They have the same right to expect the same level and continuity of law enforcement and certainly it is our responsibility as a department and as a government to do everything reasonable and everything possible to assure the citizens of St. John's that they will continue to receive the security and protection to which they are entitled, as well as the people throughout the Province are entitled.

SOME HON. MEMBERS: Hear, hear!

MR. L. THOMS: A supplementary, Mr. Speaker.

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

MR. STIRLING: Thank you, Mr. Speaker. I also have a question for the Minister of Justice. As I understand from what he just said that you were looking for somebody with particular skills in certain areas, personnel, recruiting, training, in those areas. Was that job description set up as a job description and were interviews conducted amongst all the existing people? Or was it a situation in which somebody knew that this particular individual was available and, therefore, no further looking was done once they knew of this particular individual?

MR. SPEAKER: The hon. Minister of Justice.

MR. OTTENHEIMER: Mr. Speaker, knowing what the position was, and the kinds of qualifications and experience which were necessary, the files, if you wish, the files of all of the officers and other people were examined by the Chief and by others and upon the recommendation of the Chief, the Lieutenant-Governor in Council decided to appoint this person.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: A final supplementary, the hon. member for Bonavista North.

MR. STIRLING: That was only the first question, Mr. Speaker.

MR. SPEAKER: A final supplementary, the hon. member for Bonavista North. I indicated a final supplementary, in fact, to the member for Grand Bank (Mr. Thoms) but, in fact, your question was another supplementary. I will allow you one final supplementary.

MR. STIRLING: Thank you, Mr. Speaker. I did not introduce it as a supplementary, I introduced it as a new question.

MR. SPEAKER: A final supplementary, the hon. member for Bonavista North.

MR. STIRLING: Thank you, Mr. Speaker.

Mr. Speaker, a question dealing again with the same subject, are we now to understand - it seems as if we have now set

MR. STIRLING: up another confrontation in a very sensitive area, As I recall it just a number of months ago the minister would -

SOME HON. MEMBERS: Oh, oh!

MR. OTTENHEIMER: (Inaudible) finish the question.

MR. STIRLING: The minister is asking his colleagues if they will be quiet so he can hear the question. There was a very sensitive issue that the minister handled very well and that the new Chief that he appointed had the support of the Brotherhood, Did he take into consideration, when he decided to appoint from outside the force, did he take into consideration the confusion and the disappointment that would be created with all ranks below that of Chief if he were to take this particular action?

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

MR. OTTENHEIMER: Mr. Speaker, with respect to confrontation, certainly it is not, I think most hon. members will agree to that, it is not my modus operandi to seek confrontation, nor is it my way of operation to do anything to avoid it, to surrender where I feel important principles -

MR. STIRLING: (Inaudible).

MR. OTTENHEIMER: If the hon. gentleman will now please - if the hon. gentleman will keep quiet. This is an important issue and a serious issue and I intend to deal with it seriously. But I cannot deal with it

MR. OTTENHEIMER: seriously if the hon. gentleman is going to interject. Now, I have not interrupted hon. members when they have asked the questions. It is an important issue and it is important that what be said be said clearly and clearly understood. People may agree or disagree with it but at least it is important that it be clearly understood.

And then the hon. gentleman asked, did we take into consideration any number of things. My answer to that is, we took into consideration all reasonable considerations. This is not a matter, which hon. members I presume are aware of, which comes under the Collective Agreement and, indeed, if any party thought it did then there would be a grievance procedure and if any party thinks it is there obviously is a grievance procedure. But, in our opinion, it is not a matter of the Collective Agreement. We are certainly not seeking confrontation. We are seeking to be reasonable but we do not - it is the responsibility and the obligation of government to make these senior appointments of chief and the two assistant chiefs. That is the government's responsibility and the government's obligation and we do not intend to surrender that responsibility or that obligation.

SOME HON MEMBERS: Hear, hear!

MR. SPEAKER (Simms): The hon. member for Terra Nova.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: A new question. The hon. member for Terra Nova.

MR. LUSH: Mr. Speaker, I have a question for the Minister of Labour and Manpower (Mr. Dinn). A couple of days ago I directed to the minister some well worded and some well pointed questions re. the Canada Statistics Report, re. the labour force for the month of April and in answering the question the minister blew his spleen and venom at Canada Statistics and in one particular instance, described them as being the Liberal statistics. Now, Mr. Speaker, in view of the many connotations that can be ascribed to that particular description, and in view of the negative reflections and the negative

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MR. LUSH: attitudes that that can create with respect to that agency and more importantly with respect to its workers, the Federal Public Service of Canada, I am wondering whether the minister can state to the House just precisely in what context he used

that word 'Liberal?'

MR. G. FLIGHT:

He does not know.

MR. SPEAKER (Simms):

The hon. the Minister of Labour and

Manpower.

MR. DINN:

Mr. Speaker, I answered the question the hon. member asked yesterday and indeed debated it on the Late Show of last Thursday. The hon. member asked me for a breakdown of jobs in the Province, he asked me for a breakdown of jobs in the Province by area. The Statistics Canada statistics had come out the day prior, they had indicated that for the month of April last year versus the month of April this year over the Province there was a 6000 job increase or there was 6000 more jobs and broken down over an area.

MR. J. DINN: The hon. member apparently wanted me to defend or do something with those statistics, and broken down over the areas, the Avalon Peninsula, the Central area, the Burin Peninsula, the West Coast and Labrador, it added up to 8,000. So I said there were obvious errors in the statistics and that I was not going to defend errors in Statistics Canada statistics, and I still maintain that situation.

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

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

MR. T. LUSH: Mr. Speaker, the minister did not come to grips with the question at all. Specifically, I asked the minister in what context he used the word 'Liberal statistics' - what was his specific meaning, Mr. Speaker? And I will ask the minister to give the House again precisely what he meant by that particular description, 'Liberal statistics'?

MR. SPEAKER: The hon. the Minister of Labour and Manpower.

MR. J. DINN: Mr. Speaker, 'liberal' is described in any dictionary and the hon. member can interpret that whichever way he wants to. The fact of the matter is that I am not here in this House to defend Statistics Canada. They are capable, I would hope, of defending themselves.

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

MR. SPEAKER: A final supplementary, the hon. the member for Terra Nova followed by the hon. the member for Windsor - Buchans.

MR. T. LUSH: A further question, Mr. Speaker. In view of what the minister said regarding the statistics, is the minister saying that these statistics re the labour force for Newfoundland are completely irrelevant, that they serve no purpose, that they are not accurate in any way?

MR. SPEAKER: The hon. the Minister of Labour and Manpower.

MR. J. DINN: No, Mr. Speaker, the minister did not say that and the hon. member is incapable of putting some words into his own mouth. He certainly is not capable of putting words into mine. The fact of the matter is, yes, there are some uses that one can make of Statistics Canada. You compare month to month, from year to year and so on and do what you want with them. The fact of the matter is that there are obvious errors in these statistics. They cannot be utilized as 100 per cent factual information. The hon. member's attitude last week was that they apparently were 100 per cent accurate.

MR. T. LUSH: I simply asked questions.

MR. J. DINN: I was indicating to him that they were not.

MR. T. LUSH: I simply asked questions.

MR. J. DINN: And I outlined to him where they were not in one instance with respect to a breakdown of the statistics over the Province in different regions and indicated to him that whilst they were useful for comparison purposes, they were not something that we would use on a day to day basis to plan activities.

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

MR. D. JAMIESON: To the Minister of Labour and Manpower (Mr. J. Dinn) with regard to statistics and the labour force generally, my recollection is that in the House at some stage last year, there was a reference made - and I will not, to use his expression, put words in the hon. minister's mouth - but somebody said that there was a need to re-define references to what constituted unemployment. The former Minister of Fisheries federally, Mr. Jim McGrath, and a number of others, have said from time to time that, in fact, the figures grossly understate the number of people who are actually unemployed, on the grounds that many have given up registering, and I am sure the minister knows exactly what I am getting at. Does he subscribe to this idea that, in fact, far from being a sort of under-estimation of actual jobs created, that indeed

MR. D. JAMIESON: there may very well be a very much higher level of unemployment in the Province than Statistics Canada figures show.

MR. SPEAKER (Simms): The hon. the Minister of Labour and Manpower.

MR. J. DINN: Yes, Mr. Speaker, I would subscribe to that sort of a theory, that there are more unemployed people than Statistics Canada recognizes and that is why it is very difficult to use them. I am not sure what the unemployment rate is in Newfoundland. Statistics Canada say it is fifteen per cent. Our participation rate, and I am not sure if we had a hundred thousand more jobs available in Newfoundland tomorrow, whether we would have the same participation rate as they do in other provinces, like Ontario, because I do believe that here in this Province families, and women in families, are more inclined to be in the home atmosphere. I still believe that socially that is the way the women in Newfoundland want to operate, many of them. So, I am not sure what the actual unemployment rate is, nor do I have the capability within my department for gathering accurate statistics. So, as I say, Statistics Canada figures you have to use as just a comparison only of from one year to another but there are inaccuracies in them and we can use neither the unemployment rate of 15.7 as it was last month nor the employment rate as being accurate. We just simply cannot - the month before - I am sure there was not as much a difference in the month before statistics as there was in the March statistics which indicated that we had created something like thirteen thousand jobs. That is March 1979 versus March '80. When we got to April, April '79 to April '80, it indicated 6,000 jobs. I am quite sure there was not quite that difference but there is no way of proving it and certainly I am not even thinking about, at this point in time, requesting of Treasury Board to allow me more staff for collecting such information.

MR. D. JAMIESON:

A supplementary, Mr. Speaker.

MR. SPEAKER (Simms):

A supplementary, the hon. the Leader
of the Opposition.

MR. D. JAMIESON:

Just a follow-up to that. The difficulty that Stats Canada has stated on many occasions is that both in co-operation with the provinces and other agencies, that they themselves have suggested from time to time that they would like to revise the basis on which unemployment statistics are collected. Has the Minister given any thought to what his response would be if, for instance, the Statistics Canada were to come with a different kind of formula? Is he prepared or is the Government prepared to see a new method introduced? Because the argument in the past has always been, of course, that if you start changing then it, in a sense, tends to make governments of whatever stripe either look better or worse so everybody has been more or less content to stay with what they have. How does the minister feel on that point?

MR. SPEAKER (Simms): The hon. the Minister of Labour and Manpower.

MR. J. DINN: Mr. Speaker, anything that would improve the situation, anything that would give accurate information I would certainly agree with. What I believe the problem is now with respect to the statistics that are being used is the sample, the small sample, that is used with respect to when they are doing their polling on, I believe, the 15th of each month, the week of the 15th, I think there is a two per cent sample of the population. So, these statistics simply can not be accurate when you get down to the regions, you know, it is just impossible doing statistics that way. If Statistics Canada or anyone else were to show me a way whereby we can get accurate statistics, I certainly would be 100 per cent in favour of any suggestions in that area.

MR. SPEAKER: The hon. member for Lewisporte.

MR. F. WHITE: Mr. Speaker, my question is for the Minister of Lands and Forests (Mr. C. Power). Yesterday at a meeting in Lewisporte a startling revelation came to light from someone who had been in contact with an employee of Abitibi Price and the suggestion was made that large amounts of wood were going to be imported into Stephenville to supply the Stephenville Linerboard mill when tens of thousands of cords of our own wood in Newfoundland are dying because of the spruce budworm. And I would like to ask the minister if he has found out anything with respect to this and exactly what the position is?

MR. SPEAKER: The hon. the Minister of Lands and Forests.

MR. C. POWER: Yes, Mr. Speaker, yesterday at that meeting in Lewisporte, which was held to discuss certain problems in the area with certain sawmillers and loggers, there was that startling revelation made that one of the reasons that the wood would not be needed in the Lewisporte area for the mill in Grand Falls or Corner Brook was because there was such a large amount of wood supposedly coming into our Province from Nova Scotia. Now, it is a fact of life that in Nova Scotia and especially in Cape Breton Island, Nova Scotia where they had a severe spruce budworm infestation for the last seven or eight years, that they have harvested a great amount of that damaged and which is now rotting, wood and certainly it is becoming somewhat of an embarrassment, the fact that they have so

MR. C. POWER: much wood and they are trying to sell it pretty well anywhere in the world that they can.

I checked just this morning with Mr. Gillingham, the representatives of the union in Grand Falls and with the Price Abitibi people, they tell me there is absolutely no truth at all to the rumour, that they are not taking any Nova Scotian wood into the Province although they have been approached by Nova Scotia interests to purchase some of this wood. Again, there are other considerations which will not allow this to happen in Newfoundland, that our Land Management Taxation Act which was brought into being in 1974, would not permit Price Abitibi or Bowaters to use damaged, dying wood from another province without cutting the maximum amount in Newfoundland to this stage in the game. But the mill in Grand Falls and the mill in Corner Brook, Mr. Speaker, are using about 40 per cent of budworm damaged timber intermixed in the pulp mix in the mill itself and certainly they would not be allowed to use any more than that because of quality considerations in the world market. And our Land Management Taxation Act certainly would require them to cut that amount in Newfoundland.

MR. G. FLIGHT:

Supplementary, Mr. Speaker.

MR. SPEAKER (Simms): A supplementary, the hon. member for Windsor - Buchans.

MR. G. FLIGHT: To me it is just a shocking report, Mr. Speaker. The knowledge that the wood that we are exporting from this Province-although most people would believe that that export market and that effort comes about as a result of a salvage programme, salvaging budworm infested timber when in fact, the wood that we will importing this year is indeed not budworm infested timber -

MR. D. JAMIESON: Exporting.

MR. G. FLIGHT: - exporting this year has not been exposed to the budworm, that we are exporting perfectly healthy wood and that that programme is not going to have any effect at all on the salvaging of the budworm infested timber. Would the minister care to comment on that?

MR. SPEAKER: The hon. Minister of Forest Resources and Lands.

MR. C. POWER: Mr. Speaker, certainly the export market demands by its nature, because of the other expenses involved, a very healthy type of wood. And one of the very narrow lines that we have to walk as government managing the forests and doing it very well, is the fact that we do not allow too much of our healthy wood to leave this Province to go to one of the Scandinavian or European countries and thereby come into competition with our paper products coming out of Corner Brook or Grand Falls or Stephenville later on this year.

With that in mind, there is a problem in the Lewisporte area where the export of healthy wood is being curtailed somewhat. There is spruce budworm damage which will be exported this year. It is up in the Bay d'Espoir region of the Province. We have some persons

MR. C. POWER: from Labrador who have already been in Europe to see if they can develop a market for wood in their area which again is healthy black spruce wood which we do not particularly like to see leave the Province. We are hoping to have some persons coming to Newfoundland from Europe at the last of May hoping to develop an export market but only for the budworm damaged which is not needed at this stage in Newfoundland and which will not **therefore cause** unfair competition to the mills in Corner Brook or Grand Falls.

MR. SPEAKER (Simms): The hon. for Twillingate.

MR. W.N. ROWE: Mr. Speaker, I would like to direct a question to the hon. Minister of Justice (Mr. Ottenheimer) in respect of what has already been questioned and answered here in the House today. There are few things I think the minister would agree with. There are a few things quite so unsettling as to see the elected Government of the Province and the security forces of the capital city in a head to head confrontation, unsettling to the citizens of the **capital and perhaps** the Province as a whole. Has the government given any serious consideration to appointing a commission, a government appointed commission to run the police force in a managerial capacity so as to take the management of the police force out of the hands of the government and allow the government to remain above the battle, so to speak, **and** not to bring the spectre of partisan politics or politics of any kind into the day to day and general relations between the brotherhood on the one hand and the management of the police force on the other?

MR. SPEAKER: The hon. Minister of Justice.

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MR. G. OTTENHEIMER: Mr. Speaker, yes we have looked into, some months ago, the possibility of a police commission which has been suggested from time to time. But after inquiries in various parts of Canada it became evident that where there are police commissions there is a multiplicity, by that I do not mean two but several law enforcement agencies. There is municipal, provincial, county, several municipalities. For example, in Nova Scotia many municipalities have their own and there is

MR. OTTENHEIMER:

a multiplicity of forces and in order to bring, if one wishes, a uniformity or an overall direction, then a police commission is established. Now, in Newfoundland, of course, we do not have a multiplicity. Essentially, we have the Royal Newfoundland Constabulary policing St. John's and the area, and the RCMP doing provincial policing in other areas. So the reason for a police commission does not exist and I feel to have a commission would be an extra, and in this case, unnecessary level of bureaucracy. You know, with a multiplicity of police forces I can well imagine that a commission is necessary for overall co-ordination and a certain amount of uniformity because there are several police forces and it is necessary.

In the Province I do not view it as necessary and would view it as, therefore, an unnecessary level of bureaucracy and expenditure and red tape, etc.

MR. SPEAKER (Simms): The hon. member for St. Barbe.

MR. BENNETT: Mr. Speaker, my question is directed to the Minister of Consumer Affairs and Environment. Last Winter I asked questions of the hon. minister relating to increases in prices for oil—in various parts of the district, more especially on the Northern Peninsula, inflated prices for oil in bulk storage, how this can happen, sometimes as much as ten cents a gallon and there having been no new deliveries to existing bulk supplies. But still the prices continue to go up and I am wondering what has happened? The minister at that time agreed to have a study done and I am wondering if that study is complete and what are the results of her findings?

MR. SPEAKER: The hon. Minister of Consumer Affairs and the Environment.

MRS. NEWHOOK: Yes, Mr. Speaker, that survey has been made. It is completed and I think there were about fifty-two or fifty-five different communities in towns and cities in the Province that were surveyed at that particular time and right now the Committee is in the process of putting it all together and making it ready for publication. It has not reached my desk as yet and I enquired, I think it was a couple of weeks ago, and they said it was not ready yet, at that time rather.

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MR. SPEAKER (Simms):

Order, please!

The time for Oral Questions has expired.

ANSWERS TO QUESTIONS FOR WHICH NOTICE HAS BEEN GIVEN: .

MR. SPEAKER:

The hon. Minister of Health.

MR. HOUSE:

Mr. Speaker, I want to table the answer to question number sixteen on the Order Paper. It was placed there by the hon. member for LaPoile.

MR. S. NEARY:

Another answer.

MR. HOUSE:

Another answer.

MR.SPEAKER (Simms):

Any further answers?

PRESENTING PETITIONS

MR.SPEAKER:

The hon.member for Torngat Mountains.

MR.WARREN:

Mr. Speaker, I rise to present a

petition -

SOME HON.MEMBERS:

Oh, oh!

MR.SPEAKER:

Order, please!

MR.WARREN:

Mr. Speaker, I have here seven petitions

but they are all dealing with the same matter so if it is okay with the Speaker and by leave of the House I will present the seven of them together.

SOME HON.MEMBERS:

By leave.

MR. SPEAKER:

By leave. Agreed. I will allow the

hon. member a little extra than the five minutes normally allowed.

The hon. member for Torngat.

MR.WARREN:

Mr. Speaker, the prayer of this

petition is, "We the provincial government employees residing and working in Labrador do hereby request our Government of Newfoundland and Labrador to consider the attached brief regarding Northern benefits."

Now I might go on , Mr. Speaker, and say that these petitions were signed by 141 employees of this government working in Labrador. Mr.Speaker, I want to go down through the brief that is attached to this petition just to show that this government of ours has very little respect for employees of this government working in Labrador, to show the people of this Province how the employees are treated in Labrador, gumber ons, at the present time the employees of the provincial government are receiving, if they are married, \$1620 Northern allowance. If they are single they receive \$810. Now, a federal government employee in Labrador is receiving \$3200 Northern allowance and a single man is receiving \$2000 so what this brief is asking is that the provincial government employees receive Northern allowance to the equivalent of that paid by the federal government. In fact, they say it is based on actual additional costs that were researched by the Public Service Alliance of

MR. WARREN: Canada. The figure represents the actual difference for living costs, fuel, utilities and the environmental allowance. Now, this is a research done by the Federal Public Service Alliance of Canada and they determined that in order to live in an isolated portion of Canada, and Labrador is an isolated portion that a married couple needs at least \$3200. Now, the second request on this brief, Mr. Speaker, is that at the present time the Northern allowance of \$1620 that a married couple working with the provincial government in Labrador receives, out of that \$1620 they are compelled to pay at least twenty per cent personal income tax on this Northern allowance. Now, Mr. Speaker, the federal employees again receive this Northern allowance tax free so what they are asking is, Why cannot we at least receive our Northern allowance tax free and not for twenty per cent to be absorbed by the provincial government? Mr. Speaker, another item that is of great concern to those employees is that Labrador, as you know, is isolated and the only way to get in and out of Labrador is by EPA or Labrador Airways or CN coastal boat in the Summer and because of the extreme, extraordinary costs it is very, very difficult for a lot of those employees to go on vacation. They have to spend their vacation in and around Labrador because it is too expensive for them to come out to the Island or to go to other parts of Canada. And what they are asking here, Mr. Speaker, is that they would again be treated the same as federal employees, they would be allowed at least two free trips per year to come out to the Island portion of the Province to enjoy their annual vacation. And, Mr. Speaker, again, if they have to take the most economical route during the Summertime, which is by CN coastal boat, and it is much, much cheaper, a lot of those employees would gladly come this way but unfortunately it takes two to four days of their annual leave in order to come out to the Island through Lewisporte and back to Labrador again. So what they are saying is that if they have to come by means of CN marine at least the provincial government should consider those four days in lieu of travel. And, Mr. Speaker, the fifth one there, I believe, is pretty well attended to now but

MR. G. WARREN:

I want to read out the fifth

one. It is tied in with the emergency air ambulance programme.

The high cost of travel from Labrador to the Island of Newfoundland has already been mentioned. In the event of a referral by a doctor or a specialist, the employee has to bear the cost on his own.

Any employee working for the provincial government in Labrador at

the present time, if he is referred by a specialist or by a doctor

to come to the Island he has to pay for the travelling on his own.

So they are asking that we request that in such circumstances the

cost of transportation be borne by government or through government efforts by our insurance programme.

AN HON. MEMBER:

Hear, hear!

MR. G. WARREN:

I understand that those requests -

maybe not all of them, but some of those requests - have been presented

to Treasury Board by the Newfoundland Association of Public Employees

on at least two occasions during the past several years and have been

of no avail. Mr. Speaker, I further understand that this brief, as

attached to this petition, will be presented to Cabinet when they visit

Labrador in June. So, Mr. Speaker, I believe that this government

should seriously look at those employees in Labrador. There are 141

of them and I understand there have been telegrams received from those

along the Labrador Coast working with Rural Development, and they have

also attached their names to this petition - that this government should

seriously look at those employees. They are employees of this government,

the government that is running this Province of Newfoundland and Labrador.

So if we have employees in Labrador, we definitely should treat them

fairly and equivalent to employees of the federal service. Mr. Speaker,

if we continue to treat those employees in Labrador as probably second-

class citizens, then we are going to lose them. They are going to be

absorbed into the federal service and we are going to lose some really

good employees.

Mr. Speaker, I hereby wish to have

those seven petitions placed on the table of this hon. House and referred

to the department to which they relate.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER (Simms):
Affairs and Housing.

The hon. the Minister of Municipal

MR. N. WINDSOR:

Mr. Speaker, I wish to respond very briefly to this petition. I must say that I am most anxious to see them and I simply want to say that I find this highly unusual, that employees of the Province would petition the House of Assembly on matters that have been the subject of union negotiations for which their union has signed an agreement with this Province. If they intend to negotiate in the House of Assembly, then I am afraid we are in for a rough trip.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

Further petitions.

MR. J. GOUDIE:

Mr. Speaker, I wanted to address the present petition, if I may.

MR. SPEAKER:

I am sorry, there is only one person allowed to respond from each side other than the member presenting.

SOME HON. MEMBERS:

By leave.

MR. SPEAKER:

By leave?

By leave, the hon. the Minister of Rural, Agricultural and Northern Development.

MR. J. GOUDIE:

Mr. Speaker, I wish to thank hon. members opposite. I just want to indicate in addressing this petition that I have talked to a great number of employees, those in my own department and other employees of the provincial government who work, particularly in the Elizabeth Goudie Building in Happy Valley, and we have been discussing this particular concern.

I was of the understanding from these employees that the matter would be dealt with when Cabinet visited the Happy Valley - Goose Bay area on the 9th and 10th of June to accept briefs from individuals or groups in that particular area. I sympathize with some of the concerns they have expressed. But I think, as the President of Treasury Board, my colleague, the Minister of Municipal Affairs and Housing (Mr. N. Windsor) pointed out, these types of things are also subject to union negotiations. So it will be dealt with, I think, in a very real way when the opportunity presents itself on the 9th and 10th of June in

May 22, 1980

Tape 1720

EC - 3

MR. J. GOUDIE:

Happy Valley - Goose Bay.

ORDERS OF THE DAY

MR. SPEAKER:

Committee of the Whole on a bill

entitled, "An Act To Protect The Environment Of The Province By Providing For Environmental Assessment," (Bill No. 13).

On motion, that the House resolve itself into Committee of the Whole on said bill, Mr. Speaker left the Chair.

May 22, 1980

Tape No. 1721

NM - 1

MR. CHAIRMAN (Butt):

Bill 13.

Shall clause one carry?

The hon. member for Terra Nova.

MR. LUSH:

There was some misunderstanding on this side of the House as to precisely what we were going to get into. It was our understanding that it was going to be the flag and I think maybe I have heard the House Leader chatting back and forth with the hon. Leader, maybe he could explain just what we are going to do.

MR. CHAIRMAN:

The hon. House Leader.

MR. MARSHALL:

I regret if there is, Mr. Chairman, but I thought I quite clearly said yesterday when we adjourned that we were going to put the bills which were in Committee, through Committee and, of course, on everybody's mind is the Flag Committee and you know that was mentioned. We are certainly going to get to that. But we have already gotten these four, five or six in Committee now and it is just as well to put them through. It is not - I would submit it is not a matter of any great substance because there is only one amendment that I will be proposing presently and they have all been - you know they have all been debated. I thought yesterday that I had made it clear. If I did not I apologize to hon. members.

On motion clause one, carried.

MR. CHAIRMAN:

Shall clause two carry?

The hon. the President of the Council.

MR. MARSHALL:

Mr. Chairman, this is the one place where to my knowledge, there is an amendment and this is an amendment in clause 2(o) to the definition of water. And the amendment which I now propose is that clause 2(o) be amended by inserting the words "jurisdiction of the" immediately after the words "within the" in the second line. So if I could explain to the Committee; the purpose of that amendment is to make quite clear that the Province is only, in this particular case of environmental assessment where there is some question as to the jurisdiction on the water with respect to the environment, that we are only claiming it with respect - we are only taking responsibility in those areas where we have jurisdiction.

MR. MARSHALL:

And similarly another amendment in that same clause is by deleting the words "coastal water within the Province" in the fifth line and by substituting the words "water above the bed of the sea that is within the jurisdiction of the Province." So once again to assure that the application only applies to those area where the Province has jurisdiction. I move the amendment.

On motion amendment carried.

On motion clause two as amended, carried.

On motion clauses 3 through 35

carried.

MR. CHAIRMAN (Butt):

Shall clause 36 carry?

The hon. member for Windsor-Buchans.

May 22, 1980

Tape No. 1722

EL - 1

MR. G. FLIGHT:

Clause 36, Mr. Chairman, subsection -

AN HON. MEMBER:

(Inaudible)

MR. FLIGHT:

No, we are doing clause by clause. We are not going into - subsection.

(2) "An undertaking that is in progress before this Act comes into force is exempt from this Act." Now, Mr. Chairman, the minister and I have had conversations regarding this particular clause prior to today and I submit to this House, Mr. Speaker, that if this bill is passed without amending this clause, it was useless to have ever attempted to bring this Bill into the House. The Bill will mean nothing.

An Act that is - any undertaking in Newfoundland today, anything that is going on in this Province today, any construction project, any ongoing undertaking by a construction company, a mining company, the major paper companies, the sawmilling companies, any undertaking by any company that is in progress before this Act comes into force is exempt from this Act.

And, Mr. Chairman, if this House accepts this Act with that clause as is then the minister will have succeeded in introducing a useless bill because I have said before, Mr. Chairman, in this House, that nothing will happen. It is almost inconceivable that anything in this Province over the next five or six years will happen that cannot be pleaded or cannot be justified as something that was happening today.

The obvious one is the paper companies. Mr. Chairman, There are areas in this Province that the paper companies hold now by right of lease or grant in which there is no undertaking, there is no equipment, there is no cutting, there is no project going on, there is no flooding and, Mr. Chairman, the people of this Province have a right, if they believe in this Act, that from now on that if a paper company or a sawmilling company wants to go into an area, that heretofore they have not been into, that that should be subject to this legislation, that they should then have to comply with all the legislation.

MR. G. FLIGHT:

But under this Act the paper companies can say we have been here for fifty years and the fact we are going into a new area in the Province and we are going to start cutting or diverting rivers or bulldozing roads, that is already in progress, we started ten years ago. That is part of our plans. It is in progress. That is the paper companies.

Any mining company that is already operating in this Province can say that anything we do - the stripping that we will do in the Tulk's area or the roads we bulldoze through to get to the mine sight - is already part of what was happening before this Bill was proclaimed.

The government itself - highroad construction, quarrying and I want to hear the minister and I can, Mr. Speaker, to the point that I can, I intend to keep standing upon this amendment until I hear the minister either satisfy me that my concerns are not well-founded or that she is prepared to accept the amendment to this particular clause.

There is no point in this world, it is bluffery at its worst to bring a Bill into this House that is supposed to protect the environment of this Province for all time and to have a clause that says, any undertaking that is in progress. The old Churchill Falls development can be argued. There are lawyers in this country who can argue that any work we do on the Lower Churchill from now on is part of an undertaking that was in progress.

Lawyers for the American Smelting and Refining Company can argue that any work we do on any of our concessions is an undertaking that was in progress and escape all the costs that may result as a result of this Bill.

MR. G. FLIGHT: The major paper companies, Bowaters, Abitibi Price can argue and their lawyers can argue that anything we do on the lands we own in this Province is an extension of what we were doing and therefore was an undertaking before this legislation came into effect.

And, Mr. Speaker, that clause makes it totally stupid - this particular Bill. It will serve no purpose. And I want to hear the Minister, Mr. Speaker, now, would she comment on those remarks ?

MR. CHAIRMAN (Butt): The hon. Minister of Consumer Affairs and Environment.

MRS.H. NEWHOOK: Yes, Mr. Chairman, all the new extensions of any industries now in existence would have to come under this Environmental Assessment Act and it is only the existing industry, as it operates from day to day at the time that this Act comes into force, that will not be required to come under the Act. Now, all of these industries do come under our Consumer and Environmental Act and all of these companies - and I stand on my reputation when I say that Abitibi Price and Bowaters and various companies around

MRS. H. NEWHOOK: the Province are on compliance schedules and under our Consumer and Environmental Act that is required of them. It would be a great burden on existing industries now to go in at this point and say, 'Look, you have got to shut down, you have got to put in new equipment, you have got to comply with this new Assessment Act.' And that is why these industries are exempt from the Environmental Assessment Act, the new Act, but they are required to comply under a period of time. And with that kind of compliance in place we feel that this Environmental Assessment Act is adequate. And all of those things that you mention, we would consider that as being extensions or new projects or new types of undertakings that would be done in conjunction with the existing business and that would have to come under an impact study.

MR. D. JAMIESON: Mr. Chairman.

MR. CHAIRMAN (Butt): The hon. the Leader of the Opposition.

MR. D. JAMIESON: I want to thank the hon. minister for her explanation. I just want to be clear, because I am in full agreement with my colleagues from Windsor - Buchans (Mr. G. Flight), if what appears is, in fact, the case. And could I, just for clarification purposes, pose let us say a hypothetical question, that the Long Harbour plant at this moment was in the planning stage and had not, in fact, proceeded - I am just using it, as I said, hypothetically - the exemption as referred to in this, if we understand it correctly, would mean that they could then, say, have proceeded as they did a decade or whatever it was ago with all of the unfortunate ramifications that came about as a result of that.

Now, is the minister saying that, for instance, if there is a project on the drawing boards, as it were, now, or some kind of commitment has been made or an announcement or something of that nature has been made that such a project will, in fact, be covered by this legislation and that they will not be able to sit back and just carry on with environmentally unacceptable practices on the grounds that they got in, to use the vernacular, under the wire? Am I understanding the minister correctly when I ask that question?

MR. CHAIRMAN: The hon. Minister of Consumer Affairs and Environment.

MRS. H. NEWHOOK: Yes, Mr. Chairman, if the industry or the development has been approved and it is in operation then it is exempted from the Environmental Assessment Act but that does not say that they are exempted from complying with this Act, you know, that all industries have to comply and what would happen, then, is that these industries that are already in operation now are on a compliance schedule, ERCO is on a compliance schedule.

MR. G. FLIGHT: Mr. Chairman.

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

MR. G. FLIGHT: I am not satisfied, Mr. Chairman, with the minister's answer and I want to tell her that in rising - when she rose to address herself to it, she would stake her reputation, I think she used some words to that extent, I am not questioning the minister's integrity, I am not questioning the minister's intentions in this but I have to say that from the minister's explanation to me then she is either not understanding what I am talking about or she is attempting to cloud the issue. She referred to, you know, some company would have to shut down. I am not talking about a company shutting down, I am saying that if Abitibi Price or Bowaters or ASARCO, tomorrow, wanted to go into another piece of real estate in this Province, if they wanted to go into a new area and decided they wanted to raise the water levels of a given lake that they have not, up to this point in time, touched or seen, why should not that particular undertaking - now, that would not have the effect, if we stopped them until they complied with this Act and have an environmental hearing, that would not shut down the operation, that would have nothing to do with shutting it down. So I am saying to the minister it has got nothing to do with shutting down companies already operating, I agree with her that would be a ridiculous situation, but I am saying that if there is a fish plant in this Province today that wants to talk about expanding two years from now and if that fish plant is already creating problems for the community that it exists in with stench and smells, as the minister knows already exists in this Province, then these regulations

MR. FLIGHT:

should apply to that fish plant. And any undertaking that the major companies of this Province are considering, that has nothing to do with their operation now, that they are going in and disturbing the environment in another area, quite apart from where they are operating, should - there is no logical reason why if Price (Nfld.) or Abitibi Price or the Newfoundland Government, or any of the companies operating in this Province, if they want to raise the water level of a certain pond or lake in this Province now, or two years from now to supplement their wood supply, then there is no reason why they should be exempted from this bill. It has nothing to do with closing it down.

And the other point the minister makes, and it is not germane to this legislation but she brought it up so I will take it a little further, she talked about how the companies, Abitibi Price or any other companies are already complying with the consumer and environmental regulations in this Province, or legislation. The minister should check with her people out in the field. I recall getting into a very great controversy in this House about three years ago where I was painted as being anti-Price, or anti-Abitibi, or anti-development, because I complained about the wood that was free floating in Red Indian Lake, an environmental hazard. And I will tell the minister now that Price (Nfld.) and these companies might be complying with her legislation, but if they are, her legislation is pretty weak because there is more wood floating in Red Indian Lake today than ever before. It looks to me like the companies concerned are actually defying the minister, and defying this government and saying, "We will do what we like." To heck with the controversy you raised, and to heck with the fact that members stood up in this House of Assembly and questioned their right to do that, and questioned their right to allow hundreds of thousands of cords of wood to be lost to the economy of this Province, to float around in Red Indian Lake, to cause boating accidents, to cause drownings. Because nothing has happened it is worse today. In case the minister does not know, she should check with her people, with her branch office and find

MR. FLIGHT: out what is going on out there. And it is not a forestry problem. It is not a forestry problem at all. The Minister of Lands and Forests (Mr. Power) has no responsibility in this area. He has a responsibility to control the cutting and the transportation and that kind of thing of Price (Nfld.). But the Minister of Environmental Affairs (Mrs. Newhook) should be the one who is talking to Price (Nfld.) about the mess they are creating up there and about the way the wood that they are allowing to float is polluting the whole waterways down through that area, and creating hazards to the public of this Province. And, of course, the biggest crime of all, the biggest crime of all is the economic waste, the thousands and thousands of cords of wood that will never see -

MR. LUSH: Light of day.

MR. FLIGHT: We talked today about exporting wood; the minister got up in the Question Period and explained about how we would export some of the budworm infested wood, or how we would probably have to import wood from Nova Scotia. Well, the two ministers should get their heads together and have Price (Nfld.) explain to us how it is that we are still permitting that company to waste thousands and thousands of cords, never see a mill in Grand Falls, new wood cut last year. The whole production of a camp floating around on a forty-eight mile lake, depending on the prevailing winds to get it down to the Exploits Dam. The reservoir is full now. The first time for four or five years the reservoir of Red Indian Lake was full. The water is up to the trees. And as it starts to drop back most of that wood is going to stay up there too.

MR. HOLLETT: Right on.

MR. FLIGHT: So, Mr. Speaker, if the minister wants to talk about how the companies are complying, all we have to do is get in our cars and drive across this Province and we will see how the companies, that she is talking about, comply with the environmental regulations in this Province.

AN HON. MEMBER: (Inaudible) satisfied.

MR. FLIGHT: So, I am not satisfied and I want a yes or no answer from the minister. I want to know that if the companies that are

MR. FLIGHT: already - the projects that are already ongoing, is the paper industry in this Province today considered, for the purpose of this legislation, as ongoing? Will one of the paper companies be able to go into an area of this Province that to this point in time they have not gone into, they have not cut or they have not disturbed the environment, they have not dammed any brooks, raised any water levels? Now, I want to know that if that company will be bound by this legislation? Can that company ignore this legislation if they want to go in and flood a new area, dam a new river, build a new road? Nothing to do with what they are doing up to this point in time. If they want to cut in the Red Indian Lake area, they want to cut in the Sandy area or wherever they are cutting, I accept that is exempt. But if they go into a new area, if they go to build a new fourteen mile road through virgin country, country they have not gone into before -

MR. TULK: On the Gander Bay Road.

MR. FLIGHT: - on the Gander Bay Road, perhaps, or if they are going

MR. G. FLIGHT: to flood a pond for any reason, to either drive wood or to store water, will they be able to proceed with that kind of a project exempt from this legislation because of that regulation? If a mining company, to be very specific, if American Smelting and Refining Company tomorrow, who the Premier and the Minister of Mines and Energy knows is looking at mining in the Tulk's area, twenty-seven miles from Buchans, that they have never been in before, other than their prospectors, now, are they going to be exempt from this legislation by pleading that this is an ongoing - you know, 'We are in the mining business fifty years in Newfoundland, so that is an ongoing project'?

DR. J. COLLINS: That is a liberal interpretation.

MR. G. FLIGHT: It may be a liberal interpretation but I certainly want to hear the answer. We will be here I will tell you.

What about the barite operation that is going to take place for argument sake? We are going into a barite operation in Buchans. Now, I am not insisting that that barite operation not be exempt from this - I am simply asking the minister will - that is a totally and completely new undertaking by the company concerned. Now will that operation be exempt from this legislation because it is being carried on by a company that has been mining in this Province for twenty years?

Now, Mr. Speaker, if the minister does not understand my questions, let me know and I will ask them again. And as I say, I want a yes or no answer.

MR. SPEAKER (Simms): The hon. the Minister of Consumer Affairs and Environment.

MRS. H. NEWHOOK: Mr. Speaker, all new undertakings, whether they be by established companies or new companies or companies about to be established, come under this new act.

If an established company is going out into a new area, if it is taking on a new kind of project, regardless of whether that company has been in Newfoundland for fifty years, if it enters

MRS. H. NEWHOOK: into new areas, somewhere where it has not been before, if it is going to do something different from what it has done before, they have to do an environmental impact study..

Now, with regard to mining, if an existing mine is going to mine a different kind of ore, is going into a different type of mining, well then, that comes under this act and they have to do an assessment or do an impact study before approval is given. And anything requiring approval from our department, well, then a preview assessment has to be done, and then if we decide that it requires a full-scale assessment, then we will make that decision and that will have to take place.

MR. G. FLIGHT:

Mr. Chairman.

MR. CHAIRMAN (Butt):

The hon. the member for Windsor -
Buchans.

MR. G. FLIGHT:

Mr. Chairman, the minister came very close to satisfying me on that last answer. However, there was something in her explanation that bothered me a bit and I would like to have her assurance. She indicated that if a company that was already operating in this Province goes into an area for another undertaking, something which they have not done before, then they will be subject to this act. Well, Mr. Speaker, the fact is that all those I can think of that Price (Nfld.) - Abitibi Price now, Bowaters, to name two, and Van Beek in Lewisporte to name three, and I could keep going, all they do is cut wood. The only thing that the paper companies in this Province have done to hurt the environment is to cut wood and transport it. Insofar as disturbing the environment of this Province, those companies that I have named will probably do nothing to hurt the environment except cut wood and transport it. So what I want to be clear on - the minister says that if they go in to do something that they have not done before, a new undertaking, and if Price (Nfld.) tomorrow were to decide to go into the entertainment business and build a theatre or an outdoor complex, that would be quite different from what they are doing now, and therefore, I suppose, they could not plead they are not required to abide by this act.

MR. G. FLIGHT:

But if the companies concerned, Price (Nfld.) - Abitibi, Bowaters if they decide to go into a new area that they have not been in before for the purpose of cutting and transporting wood, will they then be subject to the clauses to this act - if they go into a new area that they have not been into before, a new undertaking in the sense that it is a new area to cut more wood? But obviously, they will be doing what they have done for fifty years, it will be an extension of their programmes, but it is in a new area altogether, and up to now the environment has not been disturbed - going into that area for the purpose of cutting and transporting wood, which is their business, or flooding lakes or flooding rivers or diverting waters or building access roads, will they then be exempt from this act, in view of the fact, of course, that they are going in to cut wood, which is all they do in this Province anyway?

MR. CHAIRMAN (Butt):

The hon. the President of the Council.

MR. W. MARSHALL:

Mr. Chairman, if I could just - just for a moment, because I know the hon. member was concerned about this and I think he brought it up at the time of second reading, so I know it is a matter of great concern to him. As the minister has already indicated in her reply, there are other acts other than this Environmental Assessment Act which protect the environment, but specifically, I just wonder if I

MR. W. MARSHALL: could direct the hon. member's attention to page 5, the definition of an undertaking.

"Undertaking" means any enterprise, activity, project, structure work, policy, proposal, plan or programme that may, in the opinion of the minister, have a significant environmental impact and includes a modification, an extension, an abandonment, a demolition and a rehabilitation thereof. Now, in my interpretation of that particular definition this would seem to meet the question that the hon. member rose. Now, I know it may not be completely to his satisfaction but it certainly gives the minister a discretion in the event of any prolongations or extensions of work conducted by a paper company or, for that matter, any corporation or any business carrying on business in this Province which has environmental aspects to it.

I would also say to the hon. member that, I think, we also have to bear in mind that this is the first time an Act of this nature has been brought here before the Legislature and it is to the everlasting credit of the minister that it is here before the Legislature and at the stage of being enacted. And, indeed, for the first time an environmental assessment of similar nature was carried on in Labrador recently. So the point is this, when you try to establish a programme such as this to innovate a programme, you have to bring it in and you have to balance all sides. You have to balance the sides of the necessity to protect the environment in this case as well as other considerations. I am aware that the concerns raised by the hon. member are legitimate. He brought them up in second reading but I would submit that the questions he asked are met by that definition, maybe not completely to his satisfaction,

MR. W. MARSHALL: but there are other Acts, as the minister indicated, that can protect the environment in the event that a concern or an undertaking is carried on in a manner that is adversely affecting the environment. And, I would suggest to the hon. member that while I do not derogate or denigrate the concerns that he raised, that he should give this Act an opportunity to be in full force in effect. I believe that his concerns have been met by the Act itself. And I certainly know that as far as this government is concerned with his concerns about the environment, that nothing adverse to the environment by a business, an industry which is operating in this Province, will and can be tolerated by this government in the future. And we have, I think, enough legislative protection to protect the public to this end. If we have not we will bring it in in the future.

MR. CHAIRMAN (Butt): Shall clause 36 carry?

The hon. member for Windsor -
Buchans.

MR. G. FLIGHT: Mr. Chairman, I accept the hon. Government House Leader's (Mr. Marshall) intervention in the debate and I accept his coming to the rescue of the minister.

But, Mr. Chairman, it does not matter what clause 2, subsection (N) says. It does not matter what the explanation of an undertaking is. The fact is that there is a clause here, Mr. Chairman, this is the clause that the paper companies and the mining companies and any other companies that want to interfere with the environment of this Province, this is the clause that they will hang their hats on. This is the one that they will come in and say to the minister, 'We are exempt because of this clause here. Look, this is an undertaking that was in progress'. This was in progress.

MR. W. MARSHALL: If the hon. member will permit me? The hon. member has already indicated there is other legislation dealing with that.

MR. G. FLIGHT: Well, Mr. Chairman, that is what concerns me because I have seen nothing to this point in my life to indicate there is anything in this Province. This is the first piece of legislation, Mr. Chairman, that I am aware of that has been ever introduced to have the effect of protecting the environment of this Province.

The minister says-and he makes a bad case - because the minister says there is other legislation. Well, there may be other legislation but I assure the minister it is not being conformed to. I cannot think, Mr. Chairman, of a worse - I cannot think of an environment that has been desecrated any worse than the environment of this Province up to this point in time. Companies have run wild, individuals have run wild, mining companies have run wild, they have done what they like. The Department of Transportation and Communications does what it likes in quarrying it destroys the countryside by going in and quarrying.

There is no indication out there, there is no indication for the average Newfoundlander that there is anything in effect in this Province that has any effect of controlling the people who are developing in this Province. So, Mr. Chairman, the minister says

MR. FLIGHT:

that the legislation is already there. Well, if he is so sure of that, why bother, why bring this in? If the environment of this Province is being protected now, or if there is any evidence that any of the companies, particularly the companies that are responsible for the disturbance of the environment, the mining companies, the paper companies, the construction companies and the fishing companies, if there is any legislation right now that in any way protects the environment then I would like to see that legislation because the minister could make a lot of charges tomorrow. At the back of every piece of legislation there is a penalty, it says, "Anyone breaking this legislation or anybody in offence of this legislation" there are conditions under which - the minister would spend the rest of her year, if there is such a legislation in place, if there is indeed such legislation in place, the minister could spend the rest of this year hauling the people who are ignoring the legislation into court and having them tried under the legislation. Even the minister knows that. The minister is from Gander. She has to drive into the city once in a while so she sees what is happening all along the Trans-Canada without going into the woods operation or the fishing operation, the coastal communities where the fish plants are or the boats that are coming in and dumping oil all over the bays. So, Mr. Speaker, let us forget the legislation that is existing, if it is existing it has been ignored and I would tell the minister this, that this legislation and she better be prepared to enforce this legislation more than any existing legislation that up to this point has been enforced, because if not we know now that this is an utter waste of time because the legislation that exists in this Province today to protect the environment has been ignored, it has been ignored by the individuals of this Province, it has been ignored by the development companies, that it was written to protect this Province from, it has been ignored by the government, it

MR. FLIGHT: has been ignored by the minister and it has been ignored by the minister's administrators. And the proof, Mr. Speaker, is in the pudding. Just go outside of the city, drive across this Province, go into the mining towns, go into the communities where there are plants of any kind, go anywhere and the minister will see. So, Mr. Speaker, I could go on like this for a month, I suppose, and it would not make any difference. I want one last shot. I want to hear the minister indicate that she is prepared to acknowledge in this House that that clause will not exempt companies already operating in this Province, in the event of another undertaking in an area that they are **not now working, whether it be mining, whether it be logging or any other activity that would have the effect of interfering with the environment, that if it is a new undertaking, apart from what what has already happened, that they will not be exempt from this legislation?**

MR. CHAIRMAN: (Butt) The hon. the Minister of Consumer Affairs and Environment.

MRS. NEWHOOK: Yes, Mr. Chairman, this act does cover new undertakings by existing companies. It covers extensions of present undertakings and our Consumer and Environmental Act, we do have prosecutions under that act but I am sure the hon. member recognizes that you have to have proof to prosecute and therein, of course, lies our trouble because I am sure that we have many people in Newfoundland who see others **polluting** the countryside but they are never very quick to come forward and give us information so that we can prosecute. Of course, this act here is to prevent **pollution before** it occurs or to prevent damage against the environment before it occurs. Our other act takes care of it after it occurs. **And then, of course, under this new act we have a monitoring process so that we can keep checks on companies that might pollute or have the ability to pollute.**

On motion, Clause 36, carried.

May 22, 1980

Tape No. 1727

AH-3

On motion, clauses 39 through 40
carried.

Motion, that the Committee report
having passed Bill 13 with amendment, carried.

MR. MARSHALL:

We are in Committee of the Whole now,
Mr. Chairman, so I would like, while we are here, to do

MR. W. MARSHALL: two more Bills, Order 6, Bill No. 16.

MR. NEARY: Bill number what?

MR. MARSHALL: Sixteen.

MR. NEARY: Is that the flag Bill?

MR. MARSHALL: No. That is the Newfoundland Arts Council.

MR. NEARY: (Inaudible) get on with the flag bill?

MR. MARSHALL: The flag - well, we will pass the others in block and we will get to the flag bill, if you like.

MR. CHAIRMAN (BUTT): Order, please! Bill No. 16, "An Act Respecting The Establishment Of A Newfoundland And Labrador Arts Council."
On motion, Clause (1) through (16) carried.
Motion, that the Committee report having passed the bill without amendment, carried. (Bill No. 16)

MR. CHAIRMAN: Order, please! Bill No. 12, "An Act To Provide For Natural Areas In The Province To Be Set Aside For The Benefit, Education And Enjoyment Of Present And Future Generations In The Province."
On motion, Clause (1) through (28), carried.
Motion, that the Committee report having passed the bill without amendment, carried. (Bill No. 12)

MR. CHAIRMAN: Order, please! Bill No. 46, "An Act To Amend The Workers' Compensation Act."
On motion, Clause 1, carried.
Motion, that the Committee report having passed the bill without amendment, carried. (Bill No. 46)

MR. CHAIRMAN (Butt): Bill No. 44. An Act To Adopt A Flag For The Province.

MR. STIRLING: What?

MR. CHAIRMAN (Butt): Shall clause one carry?

MR. NEARY: No, Mr. Chairman, not quite.

MR. CHAIRMAN: The hon. member for LaPoile.

MR. NEARY: Mr. Chairman, I do not know if we have to adopt the whereases in this bill or not but there are one, two, three, four whereases there and I believe they have to be dealt with. I do not know whether Your Honour is coming back to the whereases but first of all let me say straight away that the Government House Leader today, the strategy of the government today in calling the other bills and stalling this bill and jumping over and going from twenty-two to forty-six and leaving out forty-four, I would say that was deliberate because the Government House Leader saw that there was a fair representation from the Canadian Legion in the gallery and was hoping to stall the Committee of the Whole on this particular bill, the flag, hoping that they would just up and leave. Well, they are not going to leave, Mr. Chairman. The representatives of the Canadian Legion and other people in the gallery who are interested in this subject are not going to leave. And the hon. gentlemen can try all the dirty tricks, all the strategy, all the political manoeuvring he wants. This is going to stay whether the hon. gentleman likes it or not. And so, Mr. Chairman, I do not know how Your Honour is going to deal with the whereases because some of these whereases are not correct. Some of the whereases are stated incorrectly. They do not state the facts. And let me give Your Honour one example, it says, "Whereas the Select Committee on the Flag met and held," listen to this Your Honour, this is false and misleading and untrue. It is untrue.

MR. WARREN: Right on.

MR. CHAIRMAN: Order, please! I would like to inform the hon. member that when the clauses are carried, when we have dealt with the clauses I would go to the preamble and then it would be better dealt with under the preamble.

MR. NEARY: Well, I prefer to deal with the preamble first. So Your Honour can deal with it how he wants.

MR. CHAIRMAN (Butt): It is not called. We are dealing with clause one, "This Act may be cited as The Provincial Flag Act." And when we go through the clauses and go to the preamble the hon. member may make his comments.

MR. NEARY: Well, I will save my comments. Either way it does not make any difference. I think we are entitled to have a go at it either way.

MR. JAMIESON: A point of order.

MR. CHAIRMAN: A point of order, the hon. Leader of the Opposition.

MR. JAMIESON: I would obviously yield to authorities on parliamentary procedure but under what grounds do we leap over the preamble, which is really establishing the whole premise on which the act is put together -

MR. NEARY: It has always been done that way.

MR. CHAIRMAN: It is the President of the House -

MR. MARSHALL: (Inaudible) and we always come back to the preamble.

PREMIER PECKFORD: That is just the parliamentary procedure that has been in place for a long, long time.

MR. JAMIESON: I thank the hon. gentlemen for their learned discourse on it. I have seen it done in other ways.

MR. NEARY: In other Houses.

MR. JAMIESON: In other Houses, and I must say before I sit down, that it seems to me to be something that perhaps somebody should look at because I do not know why you debate a preamble after you have passed all the clauses that come after it.

MR. NEARY: To that point of order, Mr. Chairman, to that point of order.

MR. CHAIRMAN (Butt): Yes, to the point of order.

MR. NEARY: The short title itself leaves the thing completely wide open, and how can you deal - how can you deal with the short title which is, "This Act may be cited as The Provincial Flag Act," if you cannot deal with the whereases. I never heard of the like in this House Your Honour, I never heard of it before. As a matter of fact, most bills, this is an unusual bill, because ninety-nine per cent of the bills do not have whereases in it as we have here.

MR. MARSHALL: To that point of order, Mr. Chairman.

MR. CHAIRMAN: To the point of order, the hon. the President of the Council.

MR. MARSHALL: Nobody is trying to curtail any legitimate observations, whatever they may be in Committee. And the hon. gentleman is attempting now to give the impression that the government is attempting to curtail debate but we are calling -

MR. THOMS: Trying to muzzle the Opposition again.

MR. MARSHALL: - Your Honour is calling clauses in accordance with the accepted order of considering matters in Committee. You call clause one, clause two, however many clauses there are and then you come back to the preamble. And at that time, in accordance with the order, the hon. gentleman is welcome to make any remarks that he may wish to make that are in order.

MR. CHAIRMAN: To the point of order I would rule there is no point of order at this particular time and I would just like to point out for the benefit of all hon. members, and I refer to

MR. CHAIRMAN: (Butt) Beauchesne 767. "By Standing Order 75, the title, preamble and Clause 1 (if it contains only the short title) stand postponed until the consideration of all clauses and schedules is completed." So we do the clauses then we go to the preamble, short title and title and so on in that order.

MR. D. JAMIESON: Mr. Chairman, with respect -

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

MR. D. JAMIESON: I think that your reading of that illustrates precisely what I was saying a few moments ago, 'if it contains only the short title', and that embraces the preamble and all the rest of it. I do suggest, and I am not hung up on the point, if my hon. friend from LaPoile (Mr. S. Neary) is that is a different matter, but I do suggest that in the interest of keeping the record straight that there is a distinct difference between procedure as being carried out by the Chairman where, if I am quoting him correctly, that the preamble, etc. contain only the short title then you come back to it. But whereas in this case there are a number of basic points in the preamble it seems to me that perhaps there might be another citation which indicates that the technique would be the opposite. But I do not see that we should hold up the House on that account, I am just making the point because I would like to be clear on it.

MR. CHAIRMAN: Well, I have already ruled, so I have called Clause 1. Shall Clause 1 carry?

MR. S. NEARY: Mr. Chairman, the adoption of this flag is based on a false premise and I do not even have to refer to the 'whereases' because what I am going to say is a fact and whether or not it is in the 'whereases' really does not make any difference. But what I am going to say is that the Chairman of the Flag Committee, members who spoke on the government side of the House left the impression with this House that twenty-six scheduled public hearings were held in this Province. That is not true, it is false and misleading. There were twenty-five scheduled meetings in this Province not twenty-six, twenty-five, one was a non-scheduled meeting, and out of the twenty-five only twelve meetings were held. Are hon. members aware of that? Thirteen meetings were not held for one reason or another. Thirteen meetings were not held either due to lack of

MR. S. NEARY: publicity that a hearing was taking place or lack of interest and the Committee members who visited these thirteen communities decided to go around to some of the schools. In some instances, they did not go to the schools, they just packed her up and came home again. And the hon. the Premier sits there day in and day out and the bill in his name and tries to leave the impression with the members of the House and the people of this Province and now he is going to pack up and go again. Kenny Rogers had a name in his song for people like the hon. gentleman, "yeller, yeller" they call him.

MR. L. THOMS: They had the movie on last night.

MR. S. NEARY: No, that was the gambler.

AN HON. MEMBER: That is right

MR. S. NEARY: He packs her up again, old yeller is gone again.

MR. L. THOMS: He is trying not to take a gamble on this one.

MR. S. NEARY: Mr. Chairman, the fact of the matter is that the number of scheduled public hearings that we were told took place did not take place.

MR. G. WARREN: Right on.

MR. S. NEARY: Only twelve actually took place. And at these twelve hearings the majority of briefs, whether they be oral or written, advocated either retention of the Union Jack or the Union Jack in a distinctive provincial flag.

MR. W. MARSHALL: A point of order, Mr. Chairman.

MR. CHAIRMAN: A point of order, the hon. the President of the Council.

MR. W. MARSHALL: (inaudible) recommending the Union Jack has already been resolved by this House in second reading (inaudible)

MR. W. MARSHALL: as shown in the schedule will be the provincial flag. Now, I refer Your Honour to Beauchense, page 230 first "The function of a committee on a bill is to go through the text of the bill clause by clause and, if necessary, word by word, with a view to making such amendments to it as may seem likely to render it more generally acceptable." And it refers to May, page 506 which will also refer Your Honour to the fact that in committee that we do not consider -

MR. L. THOMS: You are using up the hon. member's time, that is all you are doing.

MR. W. MARSHALL: I mean the point is, the House has already considered this matter, we are now sitting in a committee, and the Committee can not reconsider what the House has already decided.

I refer again, Mr. Chairman, if Your Honour would like to take a note, to page 231, paragraph 764 which says: "A committee is bound by the decision of the House, given on second reading, in favour of the principle of the bill, and should not, therefore, amend the bill in a manner destructive to this principle."

MR. L. THOMS: We are not amending the bill. Who is trying to amend the bill?

MR. W. MARSHALL: The hon. gentleman should understand that if you are not allowed to amend the bill from that area,

MR. W. MARSHALL: you are not allowed either to debate it because the debate has to be relevant.

MR. THOMS: That is right. That is right.
That is what you are afraid of, debate.

MR. MARSHALL: Mr. Speaker, the hon. gentleman should know I am trying to bring some consistency into the proceedings of the House instead of the flip-flops to which the hon. gentleman is accustomed.

AN HON. MEMBER: Hear, hear.

MR. MARSHALL: 764, number 3. "The objects (also referred to as the principle or scope) of the bill are stated in its long title, which should cover everything contained in the bill as it was introduced. Amendments, however, are not necessarily limited by the title. An amendment which is outside the scope of the bill is out of order and cannot be entertained, unless a special Instruction has been given by the House to the Committee." So, Mr. Chairman, it seems to me to be crystal clear in this particular case, and I know the hon. gentlemen now will get up and they will say you are trying to muzzle the Committee. But, there is a *modus operandi* of carrying on the business of the House. The House has already - this House has already considered the bill, the principle of the bill, the reason for the bill and has enacted that this be the flag. And the hon. gentleman is out of order and any debate is out of order when you get into the questions of whether or not the Union Jack or, for that matter, any other design than the design before us should be in the flag.

MR. CHAIRMAN (Butt): To the point of order, the hon. the Leader of the Opposition.

MR. D. JAMIESON: I am not casting any aspersions or any innuendos, I will leave that to the hon. the Leader of the Government in this House. But, surely we are on, as I understand it, Clause 1 and unless my ears, which I had examined last week and which were said to be in reasonably good condition, were wrong, the hon. the member for LaPoile (S. Neary) was talking about potential designs or different designs for flags. Now, the first phase of this Clause 1, says the flag described and illustrated in the schedule is adopted as the flag of the Province. Now, it seems to me that surely goodness it is entirely appropriate, even with the citation which the hon. the House Leader has given, to discuss such things as the description and illustration of a flag. That seems to me to be completely consistent with what is supposed to go on in the Committee stage. And I submit to Your Honor that the hon. member for LaPoile is completely in order in what he has been saying.

MR. MARSHALL: I just draw issue with the hon.

MR. CHAIRMAN (Butt): Further to the point of order the hon. President of the Council.

MR. MARSHALL: - with what the hon. the Leader of the Opposition has said and, you know, the principle has been accepted by the House and to talk about other designs now is to contradict a decision made by the House.

MR. CHAIRMAN (Butt): To the point of order. I would rule that there is a legitimate point of order in one particular area of this. I have to refer you to Standing Orders, 61; "In the proceedings in Committee of the whole upon bills, the preamble is first postponed" - the reason I am reading this, I am leading up to my reason for ruling as I did - "and then every clause considered, preamble and title to be last considered."

Now, the principle of the Bill, and I would suggest the hon. member for LaPoile was getting into the principle of the bill which was dealt with in Second Reading. He was getting into that area. The design of the flag should be dealt with in this particular bill

MR. CHAIRMAN(Butt): under clause 2 and not clause 1, as we are now discussing,so -

MR. NEARY: Well, that will be fine. If you want to dispose of 1 and we have the debate on 2, then I am quite prepared to do that.

MR. CHAIRMAN: Yes, well, for uniformity in Committee -

MR. NEARY: As long as it is clearly understood, Mr. Chairman, that we are not going to be muzzled by the Government House Leader or by the Government. We are going to have our say on this bill whether holy Willy likes it or not.

MR. CHAIRMAN: Order, please! Just for uniformity in Committee - Shall Clause 1 carry ? Carried. Shall clause 2 carry?
The hon. the member for LaPoile.

MR. NEARY: Mr. Chairman, I can have my go now,I suppose.

MR. CHAIRMAN: On the design.

MR. NEARY: On the design. Well, the problem with this flag, Mr. Chairman, is the design. Nobody, but nobody but nobody in this Province likes that design and yet the government defies the people -

MR. CARTER: I do,

MR. THOMS: You are nobody.

MR. NEARY: - except those crackpots, a few crackpots, except a few little Mussolinis who sit on the government benches a few Hitlerites. You would swear they were proteges of Hitler, the way they are handling this situation. I have heard the Premier described recently as a pocket-size Adolf Hitler and

MR. S. NEARY: I would not be a bit surprised but that is correct, the way that that gentleman is handling this bill. I thought we did away with Hitler in 1939. I thought we did away with him, but here is Adolph now emerging again - made a statement yesterday up on the Mainland and we were not sure whether he was pleased or disappointed that the 'Noes' won the referendum in Quebec.

MR. G. WARREN: Right on!

MR. S. NEARY: Mr. Chairman, apart from a few Mussolinis and Hitlerites, nobody but nobody is in favour of this design. Every hearing that was held - and there were only twelve hearings, not twenty-six - at every hearing that was held, I would say that 99 per cent of those who attended and made an oral presentation or a presentation in writing said that the Union Jack should be in a distinctive Newfoundland flag or the Union Jack should be retained. That was completely ignored by the Chairman of the Committee (Mr. J. Carter) and by Mr. Pratt.

MR. G. WARREN: He had his mind made up before he started.

MR. S. NEARY: They had their minds made up before they started.

MR. G. WARREN: Right on! Right on! Right on!

AN HON. MEMBER: (Inaudible).

MR. S. NEARY: No, Mr. Chairman, my impression of why the hon. gentleman changed his mind was that he could not stand the Hitlerlike tactics, the cramming and defying the people.

MR. D. HAMCOCK: It was not accepted by the people. That was a stipulation in the regulations.

MR. S. NEARY: The fifth - I believe it was the fifth, was it not? - the fourth or fifth stipulation laid down by the Committee was that this flag had to be acceptable to the people. It is not acceptable to the people. Do hon. gentleman understand that? It is not acceptable to the people.

MR. J. CARTER:

Who said so?

MR. S. NEARY:

The people are saying so.

MR. J. CARTER:

Where?

MR. S. NEARY:

You cannot go to church today, you cannot go to the shopping centres, you cannot walk down the street, you cannot go down in the cafeteria for a coffee, you cannot walk into this building, you cannot go out to get in your car but somebody is coming up to you and saying, 'For God's sake, will you try to beat some sense into the government and stop that foolish design, that thing they call a flag, from going through the House.

MR. W. MARSHALL:

Mr. Chairman, a point of order.

MR. CHAIRMAN (Butt):

A point of order, the hon. the President of the Council.

MR. W. MARSHALL:

The hon. gentleman is now in the area of debating the principle of this bill -

SOME HON. MEMBERS:

Oh, oh!

MR. W. MARSHALL:

- which is to adopt -

SOME HON. MEMBERS:

Oh, oh!

MR. W. MARSHALL:

- Mr. Chairman, which is the whole purpose of the debate in the House itself on second reading, to adopt a flag of this particular design. What he is doing now is entering into debate on an issue that has already been decided by the House. The purpose of the Committee is to examine a bill clause by clause to see if any amendments are necessary in order to give full effect to the principle. But the principle being that this flag design be adopted, it is completely out of order for the hon. gentleman.

SOME HON. MEMBERS:

Oh, oh!

MR. T. LUSH:

Mr. Chairman, to the point of order.

MR. CHAIRMAN:

To the point of order, the hon. the member for Terra Nova.

MR. T. LUSH:

Mr. Chairman, I have sat here listening with great interest to the member for LaPoile (Mr. S. Neary) speak on this particular clause, and as the hon. the House Leader says, it is about the design. I have been sitting here for however long the member for LaPoile has been speaking and I have not heard him talk about

MR. T. LUSH:

this particular flag.

anything else but the design of

SOME HON. MEMBERS:

Hear, hear!

MR. T. LUSH:

and completely on the topic the whole time, Mr. Chairman.

His remarks were direct and clear

MR. G. FLIGHT:

No point of order, Mr. Chairman.

MR. CHAIRMAN (Butt):

Relevancy is very difficult to define in this particular case. In a borderline case I would rule that the hon. member has a right to continue.

I rule there is no point of order.

The hon. the member for LaPoile.

MR. S. NEARY:

Mr. Chairman, thank you very much.

Well, anyway, the upshot of it all is this, Mr. Chairman, that the people of this Province, the majority of people, I would suspect, including the Canadian Legion, the Monarchist League, the L.O.A., the Knights of Columbus - you can talk about anybody - ordinary people, I believe 99.9 per cent of the people, if we are going to have a flag they would like to see a distinctive Newfoundland flag. I do not think there is any argument about that. But this flag they do not want. They want to see something on a distinctive Newfoundland flag that identifies it with Newfoundland.

MR. NEARY: Now, is that asking too much of a man who the people put their trust and faith in last June, is that asking too much of that man? Is he so arrogant and does he have so much contempt for the people that every time we talk about the flag he gathers up his papers and runs out of the House? Is that the reward to the people of this Province for giving that gentleman a majority so that he could govern this government? Is that the reward? Is that the way the people are going to be treated?

MR. WARREN: That is his design.

MR. CHAIRMAN: (Butt) Order, please! The hon. member is going to come around to the design of the flag here?

MR. NEARY: Well, I was hoping -

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN: You are prefacing your remarks and -

MR. NEARY: - the point that I am making.

MR. CHAIRMAN: - coming to the design of the flag?

MR. MORGAN: He is putting on a show for the galleries, that is all.

MR. NEARY: Mr. Chairman, I am putting on no show for the galleries, and I put on no show for the galleries this morning when we were told over at the Public Accounts Committee that the hon. gentleman had one of his hacks call down to Mr. Devine to put his name on the list for the leadership in a poll that was paid for -

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN: Order, please!

MR. NEARY: - from the public treasury.

MR. CHAIRMAN: Order, please! The hon. member -

MR. NEARY: That was no show.

MR. CHAIRMAN: - is totally irrelevant now.

MR. NEARY: That was no show and there is no show now.

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN: Order, please! Order, please!

Order, please! The hon. member on clause 2.

MR. NEARY: "Put me name on the list", says the Minister of Fisheries (Mr. Morgan). "See how I will fare up against 'Frankie' and 'Brian'".

MR. MORGAN: Show off for the gallery at bit more now
(inaudible).

MR. CHAIRMAN: (Butt) Order, please!

MR. NEARY: Mr. Chairman, there is no showing off to
the galleries. I am quite sincere about this.

MR. MORGAN: You are a hang-up.

MR. THOMS: Not as much as you did (inaudible).

MR. NEARY: What do they call him in the press?

Mr. Dress-up, Mr. Dress-up, and if Mr. Dress-up will only restrain
himself he might learn something. Mr. Dress-up now is being dealt with
by the Public Accounts Committee and everybody else in this Province -

MR. WARREN: Maybe he will discover a flag.

MR. NEARY: - and he will be dealt with by the people
now over this flag in due course.

But, Mr. Chairman, the people want something
in the design of the flag that can identify it with Newfoundland, that is.
distinctly Newfoundlandia, and we do not have it, we do not have it. That
could be any one of a number of things. I have my own preference. I am
not going to say what it is. Personally -

MR. BARRY: I would like to know (inaudible).

MR. NEARY: I beg your pardon?

MR. BARRY: You are speaking to the design now?

MR. NEARY: Yes, we are talking to the design.

MR. MORGAN: He is just playing politics with the flag, that is all he is doing.

MR. NEARY: Mr. Chairman, you know that is unparliamentary.

Would you ask the hon. gentleman to withdraw it, Mr. Chairman?

MR. CHAIRMAN: I did not hear him.

MR. NEARY: He is playing politics with the flag,
he says. You cannot question members' motives in this House, Sir.

MR. CHAIRMAN: Right. I did not hear what the hon.
member said. I was listening to the hon. member for Lapoile.

MR. NEARY: Well, Mr. Chairman, if hon. members
think it is funny and they think that they are going to ram this thing

MR. NEARY: through, I have news for them. I will stay here till I drop down on the floor of this House, and I do not care if we are here till Christmas Eve, it does not make any difference to me. But this flag will never fly over this Province unless it is changed, unless the design is changed. And if it is put on the flagpoles in front of the provincial buildings, it will be hauled down, it will be hauled down. It will be hauled down by the next government. I guarantee you this, that if I am fortunate enough to be returned to this House on the government side, that rag will come down. It will be hauled down off the flagpoles of this Province.

MR. JAMIESON: Point of order, Mr. Chairman.

MR. CHAIRMAN: (Butt) Point of order, the hon. Leader of the Opposition.

MR. JAMIESON: Members on the opposite side are always fond of saying that a member has to be listened to in silence, and surely the rule applies to members on both sides of this House. This is an important matter, it is a matter, I think, on which members feel very deeply, and I suggest that we would get on with the business of the people much better if the hon. members opposite could restrain themselves and let the hon. member for Lapoile (Mr. Neary) have his appropriate say in this matter.

MR. CHAIRMAN: I concur with the hon. the Leader of the Opposition, and I would ask that members on both sides of the House allow the hon. member to proceed and be heard in silence.

The hon. member for Lapoile.

MR. NEARY: Mr. Chairman, I am making a last-ditch appeal - I know other members are going to speak on this and I will come back at it again. I am only allowed ten minutes this time round. I will have another ten minutes later on and another ten minutes and I will go on and on and on - but I am going to make a last-ditch appeal.

MR. CHAIRMAN: Order, please! The hon. member is allowed thirty minutes.

MR. NEARY: I am allowed thirty minutes? Well, I do not want to take thirty minutes. I think that would be abusing

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MR. NEARY:

my privilege in the House, Mr. Chairman.

I could go on for a week. Your Honour knows that. We already said we have no intention of filibustering, although, Mr. Chairman, I have grave doubts of whether or not we should not just try to stall this thing, stall it for another few weeks.

MR. S. NEARY: The attitude seems to be that if we stall it much longer the public will turn against us because they will say we are filibustering and we are not getting on with the other business of the Province. Well, that would be wrong. That would not be true, Mr. Chairman, it would not be true. The government calls the order of business in this House and not the Opposition. And it is the government who keep calling this Bill and forcing the Opposition to debate it. The government could have called something in connection with unemployment. The government could have called something in connection with the cost of living. The government could have called something in connection with electricity rates or the high cost of gasoline or anything, any other problem.

MR. W. MARSHALL: You were asking the government to call it.

MR. S. NEARY: No, Mr. Chairman, the only reason I was asking the hon. gentleman to call it was because he had already indicated to my colleague, the Leader of the Opposition (Mr. Jamieson), that this Bill was going to come up for Committee of the Whole and the hon. gentleman was trying to, in his cute little way, trying to stall it hoping the Canadian Legion would leave the gallery. And that is why I wanted it called earlier. I could not care less if it was ever called. And if the hon. gentleman wants to postpone it for six months he has my blessing. But I am going to make one last-ditch appeal to the Premier and to the members on the government benches to come to their senses, if they have any senses left, and that is to - it will only take a short while to do it, change the design of the flag, change it, put something in it that represents Newfoundland. Put something in it that we can identify and associate with the great heritage and the great traditions we have in this Province. Now, that is a fair request is it not, Mr. Chairman? That is a fair request. We have been making it now for the last three weeks. It has been falling on deaf ears

MR. D. HOLLETT: The Minister of Fisheries (Mr. Morgan) would like that. He would like to have something distinctive in it.

MR. NEARY: Sure he would like to have - I am sure every member of this House, if they were not toeing the party line and

MR. S. NEARY: trying to cling on to their jobs with their finger nails and trying to stay in the Cabinet and scrape and scraub their way into the Cabinet like the member for Bay of Islands (Mr. Woodrow). If they were not trying to do that, Mr. Chairman- Outside of this House you talk to them and they turn up their nose and say, "Oh, that flag stinks." I can point my finger at members right now, sitting on the government benches, who have said outside the House, "My God, I wish we could persuade 'Marshall' and 'Peckford' to change that flag." They are the ones who are ramming it through. The Premier wants to make his mark in history with this flag and he thinks this is the way to do it, show the people he is decisive. There are times to be decisive. There are times to show that you are in command and in control. But this is not the way to do it, by defying the people. The government have been defying the people now for the last three weeks. I am surprised and amazed, Mr. Chairman, that 10,000 people have not gathered out in front of Confederation Building. I remember one time Crosbie advocated civil disobedience in this Province, John Crosbie did. I would not go that far. I would certainly recommend peaceful demonstrations. I would like to come up here tomorrow, and if the hon. gentleman thinks this Bill is going to go through this afternoon, or tomorrow afternoon, or Monday afternoon, then I have news for him. We should stall it long enough to give the people a chance to organize and gather out in front of Confederation Building, 10,000 strong, that is what I would like to see out there. Because that is the only language this crowd understands. Hit them where it hurts most, at the polls, in the ballot box. That is the only thing that will get them to back away from that foolish design that they have brought in, Mr. Chairman.

AN HON. MEMBER: A petition (inaudible)

MR. D. HOLLETT: That is right. They came in the other day with a petition, the Minister of Fisheries (Mr. Morgan) had 8,000 names

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MR. S. NEARY:

he said on a petition that was organized

by the -

DR. J. COLLINS:

Point of order, Mr. Chairman.

MR. S. NEARY:

Oh, here is the blue blood himself.

MR. CHAIRMAN: (Butt)

Point of order.

MR. CHAIRMAN (BUTT):

The hon. Minister of Finance.

DR. COLLINS:

The hon. Leader of the Opposition a moment ago asked us not to interject. So we cannot point out irrelevance by interjection and I certainly follow your ruling on that. Therefore, we have to rise to our feet when the hon. member is being irrelevant to the clause under discussion. Petitions and so on and so forth and other extraneous matters the hon. member has brought up have nothing to do with the clause under consideration. So I bring it as a point of order that the hon. member is being totally irrelevant to the clause under discussion.

MR. HANCOCK:

You are getting childish in your old age.

MR. CHAIRMAN:

There is a legitimate point of order in this case. I rule there is a point of order and I would ask the hon. member for LaPoile (Mr. Neary) to confine his remarks to clause 2 which deals with the design of the flag.

The hon. member for LaPoile.

MR. NEARY:

The hon. gentleman is obviously prematurely senile, Mr. Chairman. Mr. Chairman, the only way this design can be changed to get something into it that you can identify with Newfoundland is for 10,000 Newfoundlanders to stand out in front of that building and carry out a peaceful demonstration. I do not mean to smash the windows out of the place or turn her upside down or smash in the doors but in a peaceful demonstration.

DR. COLLINS:

A point of order, Mr. Chairman.

MR. CHAIRMAN:

A point of order, the hon. Minister of Finance.

DR. COLLINS:

The hon. member is now advocating demonstrations and so on and so forth that has nothing whatever to do with Clause 2. Clause 2 states, "The flag described and illustrated in the Schedule is adopted as the flag of the Province". It has nothing to do with demonstrations, nothing to do with breaking windows, nothing to do with peaceful or non-peaceful demonstrations. And I would ask

DR. COLLINS:

Your Honour to keep the member relevant to the clause under discussion.

MR. JAMIESON:

To that point of order, Mr. Chairman.

MR. CHAIRMAN (BUTT):

Yes, to the point of order, the hon.

Leader of the Opposition.

MR. JAMIESON:

Mr. Chairman, surely, once again, I have to make the point that it is totally relevant to say that the public should make their views known with regard to the design. We are talking about the design. Now, whether he talks about sending in petitions or whether he talks about people appearing, whatever the issue, the formula that he is speaking of it is relevant because we are talking about ways in which the hon. member believes that the design can be changed. And we are on this clause and I suggest that that is relevancy. In any event I think we are taking up unnecessary time with these interventions.

MR. ANDREWS:

To the point of order.

MR. CHAIRMAN:

To the point of order, the hon.

member for Burgeo-Bay d'Espoir.

MR. ANDREWS:

I would like to agree with the Minister of Finance that -

SOME HON. MEMBERS:

Oh, oh!

MR. CHAIRMAN:

Order, please!

MR. ANDREWS:

I would like to point out for the past three weeks - I would like to know where you are going to find 10,000 people - for the past three weeks I have not received one letter or one telephone call from my district -

MR. CHAIRMAN:

Order, please!

MR. ANDREWS:

- except for two telegrams -

MR. CHAIRMAN:

Order, please!

MR. ANDREWS:

- from the Royal Canadian Legion -

MR. CHAIRMAN:

Order, please!

MR. ANDREWS:

- commenting on the design of the flag.

MR. CHAIRMAN (BUTT):

Order, please! Order, please!

The hon. member's remarks are not relevant to the point of order. I have heard enough -

MR. MORGAN:

(Inaudible) to the point of order.

MR. CHAIRMAN:

Yes, to the point of order I have heard enough to rule on the point of order. I thank all hon. members for their contribution. I will now rule on the point of order.

SOME HON. MEMBERS:

Oh, oh!

MR. CHAIRMAN:

Order, please! Order, please!

Relevancy is very hard to define and in a borderline case the hon. member speaking will be given the benefit of the doubt. But once again I would ask him to confine his remarks to the design as outlined in Clause 2.

The hon. member for LaPoile.

MR. NEARY:

Well, Mr. -

MR. CHAIRMAN:

Order, please!

Before I recognize the hon. member the hon. the Speaker would like to come in to announce the Late Show.

MR. SPEAKER (SIMMS):

Order, please! Order, please!

It being five o'clock I can inform the House that I have received notice of three motions for debate at five-thirty when a motion to adjourn will be deemed to be before the House.

Notice given by the hon. member for Bonavista North (Mr. Stirling) arising out of a question asked the hon. Minister of Transportation and Communications (Mr. Brett). And the subject matter is the Greenspond causeway.

Notice given by the hon. member for Windsor-Buchans (Mr. Flight) arising out of a question asked the hon. Minister of Municipal Affairs and Housing (Mr. Windsor). And the subject matter is Windsor's need for an industrial park.

And the final one, notice given by the hon. member for Terra Nova (Mr. Lush) -

SOME HON. MEMBERS:

Oh, oh!

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MR. SPEAKER (SIMMS):

Order, please!

The final one, notice given by the hon. member for Terra Nova (Mr. Lush) arising out of a question asked the hon. Minister of Labour and Manpower (Mr. Dinn). And the subject matter is the provincial government's policy of hiring workers from the Province for offshore employment.

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MR. CHAIRMAN (Butt): The hon. member for LaPoile.

MR. S. NEARY: Could I ask Your Honour how much time I have left?

MR. CHAIRMAN: The hon. member has nine minutes.

MR. S. NEARY: Well, in that nine minutes I will try to lay out as relevantly as I can what I am proposing. I am proposing that the government accept peacefully; use a little common sense and change the design, put something in the design to identify it with Newfoundland. Now, if the government is not prepared to accept that in this House then, Mr. Chairman, the only way it can be done is for the people to rise up and get the design changed. If they want to get, for instance, a caribou, if they want to get the pitcher plant in it, if they want to get something else in it, this or that in it the only way to do it is to -

DR. J. COLLINS: A point of order, Mr. Chairman.

MR. CHAIRMAN: A point of order, the hon. Minister of Finance.

DR. J. COLLINS: Mr. Chairman, in second reading the design was accepted. It was accepted by this House on a free vote and was passed. To now question the design is to go over the same debate again and I suggest that it is not only irrelevant but it is totally out of order according to the rules under which this House has governed itself for generations. And if hon. members opposite do not understand the rules of the House I suggest that there is a means whereby they can increase their knowledge.

MR. D. JAMIESON: To the point of order, Mr. Chairman.

MR. CHAIRMAN: To the point of order, the hon. Leader of the Opposition.

MR. D. JAMIESON: Well, I merely wish to recall your own remarks, Mr. Chairman, of less than an hour ago in which, when the comments were being made with regard to the design, the Chair ruled that this was the clause under which the design was quite appropriately the subject for debate and discussion in this House.

MR. CHAIRMAN (Butt): I would like to point out to all hon. members that it is in order to discuss other designs so long as the principle - and that is that a flag be adopted for the Province - is not debated.

The hon. member for LaPoile.

MR. S. NEARY: Your Honour is right on target. If the hon. gentleman does not know the rules I suggest he go out and take some kind of a course.

MR. HANCOCK: He does not know much about budgeting.

MR. S. NEARY: It is not the St. John's cocktail set that runs this House.

MR. L. THOMS: (Inaudible) and finance while you are at it.

MR. CHAIRMAN: Order, please!

DR. J. COLLINS: A point of order, Mr. Chairman.

MR. CHAIRMAN: A point of order, the hon. Minister of Finance.

DR. J. COLLINS: The hon. member is clearly being irrelevant. Whether there is a cocktail circuit in the city of St. John's or not is totally irrelevant to clause 2 which states, 'The flag described and illustrated in the Schedule is adopted as the flag of the Province'. And I suggest that discussing the presence or absence of a cocktail circuit in St. John's is totally irrelevant and I would draw that to Your Honour's attention.

MR. CHAIRMAN (Butt): I would point out to the hon. member that these last remarks are not relevant to the design of the flag.

MR. S. NEARY: I have no doubt about that at all, Your Honour, But I believe, Mr. Chairman, that if people want the design changed, if they want to get something in the design to identify it with Newfoundland and Newfoundlanders, then I would submit that the people are going to have to rise up because government are taking consolation, are taking comfort in the fact - and I have heard members on the government side say this and I have heard them say it in the House and outside the House, that the only one that wants this flag changed is the Royal Canadian Legion. That is not true. That is an insult to the intelligence of the members of the Royal Canadian Legion. It is not true. Young and old, middle-aged, non-conformist and conformist alike want this flag changed, school children want it changed, mostly young people, mostly school children want it changed. And so the only way it can be changed - I bet you if we were to poll everybody inside the confines of this House at this moment and ask them if they would prefer this flag or a flag with something in it to identify it with Newfoundland, I will bet you 85 per cent of the people in the confines of this House would say they want something that is distinctive, that you can relate to Newfoundland.

And so the only way it can be done, Mr. Chairman, unless the Premier now will come to his senses and get up and peacefully volunteer to amend this flag to put something in it that you can relate to Newfoundland and to Newfoundlanders, unless the Premier is prepared to do that, because obviously the hon. members are

MR. S. NEARY: rallying around their leader in this matter, they are rallying around their leader and they are rallying around this flag and that is the biggest blunder they ever made in their lives. They will regret it and they will be sorry for it. But the only way apart from that, is the Premier just admitting he is wrong, be man enough to admit he is wrong not attempt to be a dictator and copy Hitler, not do that, admit he is wrong man fashion. If he is not prepared to do that then the only other way we can get this design scrapped or changed is for the people to rise up. And nothing would give me greater pleasure than to come in here tomorrow and see 10,000 Newfoundlanders out in front of this building, young and old, male and female saying to this government " We elected you, we gave you a majority, do not treat us this way", in a peaceful demonstration. I would not be like Crosbie and advocate civil disobedience and that is why I think we should hold her down on this bill until the people have an opportunity to mobilize their forces and come up to Confederation Building in buses and cars and trucks and with petitions, with letters and ask to see their members and invite the Premier to come out front and have a few words. That is the only way, Mr. Chairman, that we are going to get any changes made in this design. Now, I hope I will have an opportunity to have a few more words. But I do not think - we only have another twenty minutes to go this afternoon - I do not think this is going to pass this afternoon nor tomorrow morning either, not if I have anything to do with it.

MR. CHAIRMAN (BUTT): The hon. member for St. John's North.

MR. J. CARTER: Mr. Chairman, the member for LaPoile (Mr. S. Neary) is a hard act to follow. He is both our greatest asset and our greatest liability. He is our greatest asset because he is an attraction, I suppose, to this House. Just this afternoon some people in the elevator said "Oh, very disappointing in the House this afternoon the member for LaPoile was not there, it was all too quiet, no ructions".

MR. G. WARREN: Right on! Right on!

MR. J. CARTER: But I nearly said 'look, he will be along later why do you not stay on because he will no doubt put on a show for you'.

MR. J. CARTER: Now, during all the hearings that we had there was an extraordinary amount of apathy, people did not seem to care, did not seem to care enough to turn out to the hearings. This was in part made up for by quite a number of letters and designs that were submitted. And, in fact, as I have already said, there were so many designs submitted that they began to repeat themselves, so that the ones that were submitted towards the end of April were the same as the ones that had been submitted early in January. So we honestly felt that we had received a good cross-section of public opinion. A lot of people, by the same token, said time and time again, "Look, a new flag is not our main concern". Now, if there is such a ground swell against this particular design, then why is it that I have had less than twelve telephone calls. My name is in the phone book, I observe regular hours, I am there at mealtimes - my telephone - I have got three calls from my district and a total of seven calls outside my district about this flag and about this design. Now, that is the extent of the calls and that is since April 29th when the design was first unfurled in this House. And in the last two days I addressed two service clubs at which there were about twenty-five people, at each luncheon meeting, and we brought in a copy of the flag and hung it up in the hall-

AN HON. MEMBER: (Inaudible) that is all I can say.

MR. J. CARTER: -and the reception was unanimously good. Some people naturally had some reservations but when the finer points were explained to them they said "Look we like the design, we like the flag, we will be proud to fly it". So if it is as unpopular as all that, then why are getting that kind of reaction? I suggest that hon. members opposite are playing politics. And that is fair enough, I suppose, you have to play the cards you are dealt but I think the hon. members are playing to the gallery. And you know, if we had been bad enough, if we had been bad enough, instead of bringing in a Select Committee we would have brought in a selective committee composed entirely of Liberals, members from the opposition and said "Right fellows, you bring in a flag and then once a

MR. J. CARTER: week we would debate the flag and every design they brought in we would put down. Well we could keep this going for ten years, it would do for at least two elections. But we did not do that because our Premier and this side of the House wants to bring in a distinctive flag for this Province and I think we have succeeded.

SOME HON. MEMBERS: Hear, hear!

MR. J. CARTER: And I think we succeeded and will succeed because of one man who is not here today, unfortunately, and that is a former member of this House Tom Doyle. He tried once before, he tried very hard and he failed. He started off with a white background, nothing simpler than that, and he put a Union Jack in the corner and then he said "Okay fellows tell me what will I put in the rest of the flag". And every design that was suggested was shot down. There was no way he could get it off the ground.

MR. CARTER: So he failed, but I think because he failed we learned our lesson and we may very well succeed. I think that this flag, when it goes through, all due honour should be given to Tom Doyle, a person who tried and failed, but failed, I think, magnificently, because he really, really did try.

Now, I notice that there are some Canadian Legion members in the gallery and I would address, although I am supposed to address the Chair, I would address a few remarks to them. There is no doubt, Mr. Chairman, that their concerns were paramount, very high on our list of concerns, when we were setting the parameters for the design for this flag. I think, to some extent, we succeeded. The design does recall the Union Jack, the design does feature elements to remember our veterans and the people who fought and died for us.

SOME HON. MEMBERS: Hear, hear!

MR. CARTER: There are perfectly good reasons for being against this flag -

MR. NEARY: I cannot stomach the hon. gentleman any longer.

MR. CARTER: - there are perfectly good reasons for being against -

MR. CHAIRMAN: (Baird) Order, please!

MR. CARTER: - this flag. There are perfectly good reasons for -

MR. NEARY: I cannot stomach the hon. gentleman.

MR. CHAIRMAN: Order, please!

MR. CARTER: There are perfectly good reasons for being against this flag and the hon. member for St. John's Centre (Dr. McNicholas), I think, has exercised his rightful prerogative, but there are also some very bad reasons for being against this flag. One of the bad reasons for being against the flag, one of many, is to try and stir up the members of the general public, and I would suggest -

MR. NEARY: Is that what you are accusing the Canadian Legion of?

MR. CARTER: - I would suggest that the hon. member opposite - I would suggest -

MR. NEARY: Mr. Chairman, a point of order.

MR. CHAIRMAN: (Butt) A point of order, the hon. member for Lapoile.

MR. NEARY: If the hon. gentleman is trying to accuse the Canadian Legion of stirring up the public, Mr. Chairman, I resent that, and I would submit that the hon. gentleman apologize, withdraw that statement and apologize -

MR. CARTER: To that point of order -

MR. NEARY: - to the members of the Canadian Legion.

MR. CARTER: - to that point of order, Mr. Chairman, I am accusing the hon. member opposite of trying to stir up the public.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: You cannot -

MR. JAMIESON: To that point of order, Mr. Chairman.

MR. CHAIRMAN: (Baird) To the point of order, the hon. Leader of the Opposition.

MR. JAMIESON: I do suggest to the hon. member that it is perfectly possible to interpret his remarks as having been directed to the Legion because just a minute or so again, before they left the galleries, he said he wanted to address some remarks to the Canadian Legion, and it was in that context, I suggest - and when he reads it tomorrow he will see that it certainly did appear as if he were suggesting that the Canadian Legion was trying in some way or other to stir up the public.

MR. CARTER: Well, I hope that my remarks, Mr. Chairman -

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN: Order, please!

MR. CARTER: - have clarified that.

MR. CHAIRMAN: To the point of order, there is no point of order, it is a difference of opinion.

MR. CARTER: Thank you, Mr. Chairman.

MR. NEARY: A point of order, Mr. Chairman.

MR. CHAIRMAN: (Baird) A point of order, the hon. member for Lapoile.

MR. NEARY: During the course of the hon. gentleman losing his cool there a few moments ago, the hon. gentleman said that he was directing his remarks towards me, that I was the one who was trying to whip up the people, stir up the people. Now, Mr. Chairman, as you know, one of the basic fundamental rules of this House is that you cannot attribute motives to any member of this House. Now, that is completely unparliamentary and out of order, and I ask Your Honour to ask the member to withdraw it and apologize to the House.

MR. MARSHALL: To the point of order, Mr. Chairman.

MR. CHAIRMAN: To the point of order, the hon. the House Leader.

MR. MARSHALL: Mr. Chairman, the hon. gentleman is just trying to, I think, raise an unnecessary storm. The hon. gentleman was not questioning the motives of the hon. gentleman or any other gentleman in this House. He was just stating an opinion which he holds, and certainly an opinion that he is certainly allowed to hold, irrespective of the hon. member.

MR. CHAIRMAN: To the point of order, there is no point of order, just a different of opinion between two hon. members.

The hon. member from St. John's North.

MR. CARTER: I think it is sad, Mr. Chairman, that the hon. member for Lapoile is so much against the design of this flag, because he has been particularly remembered in this design, and there are certain aspects of him that are enshrined forever in this particular flag. May I just be granted a moment to outline what it is. The red that surrounds the arrow - this flag is very carefully proportioned - works out to be two-one hundred and eighths of the vertical height. We wondered what significance a one-hundred and eighth would have or two-one hundred and eighths would have, but after a careful examination of the member for Lapoile's speeches we found that it was exactly twice his IQ, so the hon. member -

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN: Order, please! Order, please!

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MR. CARTER:

In any event, Mr. Chairman, the decision was unanimous by the Committee, and even though one of our members had some second thoughts, even he would, I think, still

MR. J. CARTER:

be unanimous that the design should be geometric and this was a considered opinion. We did not wish the new flag of Newfoundland to be a photograph. Too many of the provincial flags and state flags and flags of some countries are rather like photographs and quite indistinguishable at a distance and we felt that Newfoundland should have a distinctive flag. I think we have succeeded. I think we have a great flag and one that we can all be proud of. There is not much more to say except that I would recommend third reading.

MR. CHAIRMAN (BAIRD): The hon. member for Grand Bank.

SOME HON. MEMBERS: Hear, hear!

MR. THOMS: I am going to take advantage of the third reading - I realize that my friend from Trinity-Bay De Verde (Mr. F. Rowe) referred to it when he spoke the other day - to clarify something. I, myself, heard the hon. member for St. John's North (Mr. J. Carter) on CBC Radio at which time the hon. member accused or inferred or said that the reason for my voting against this flag was that I had my arm twisted. "It was unfortunate", he said, "it happened.", but that I had had my arm twisted. I would like to advise the House, all members of the House, that there was no one, including the Leader of the Opposition (Mr. Jamieson) and particularly the Leader of the Opposition - I will not say there was no lobbying but there was certainly no undue influence, there was certainly no pressure brought to bear. As a matter of fact, when I made up my mind it was on Thursday afternoon of last week when I asked the Premier of this Province whether, in view of the tremendous sacrifice that was made by our war veterans, whether or not he would permit a member of the Canadian Legion to come into this House and to speak before the bar of this House which I thought -

AN HON. MEMBER: The audience has gone.

MR. THOMS: I do not care whether the audience has gone or not, I am saying something that I believe in.

MR. MARSHALL: Mr. Chairman, on a point of order.

MR. CHAIRMAN (BAIRD): On a point of order, the hon. House Leader.

MR. THOMS: Muzzle, muzzle, muzzle.

MR. CHAIRMAN: Order, please!

MR. MARSHALL: The hon. member, Mr. Chairman, is now talking about the reason why he changed his mind and the reason why he voted a certain way in second reading on this bill. Now, surely that is not the matter that is under consideration by this Committee. What is under consideration by this Committee is the flag design and not the aberrations nor the reasons for them of the hon. gentleman.

MR. THOMS: To that point of order, Mr. Chairman.

MR. CHAIRMAN: To the point of order, the hon. member for Grand Bank.

MR. THOMS: Mr. Chairman, if the hon. the President of the Council wishes to muzzle this side of the House from speaking on this particular bill then why does he not invoke closure and be done with it.

MR. NEARY: Right on. There is no point of order, Mr. Chairman.

MR. THOMS: Of course not.

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN: Order, please!

To the point of order, there is no point of order but I would like to remind all hon. members that we are discussing Clause 2.

The hon. member for Grand Bank.

MR. THOMS: Thank you very much, Mr. Chairman.

I am talking about Clause 2 as well, talking about the design of the flag and why I voted against the flag and why I voted against this - it had to be the particular design. It has nothing at all to do with whether I like the design or dislike the design. But I am trying to explain why I voted against the flag. Like, I say, I finally made up my mind when the hon. Premier in this House decided to compare the Canadian

MR. THOMS:

Legion with other organizations. Well, Mr. Speaker, I cannot compare the Canadian Legion in this Province, in this country in the free world to the rod and gun clubs of the free world. I just cannot do it and I will not do it. And I felt and I feel the same way now, that we should have had the common decency and courtesy to permit a representative, just one representative - they did not want to march in en masse - just one representative to come into this House and speak before the bar of this House. And they are the people who are responsible for the traditions of this House, the keeping of the traditions of this House and the keeping of traditions of democracy in the free world.

Mr. Chairman, there were two other reasons: One, that I voted against this flag and this design was that one of the

MR. L. THOMS: conditions that were set down by the Flag Committee at its very first meeting, and I have yet to hear one member of the Flag Committee get up and contradict me on this point, not one. The hon. the member for St. John's North (Mr. J. Carter) has not contradicted me on this particular point.

Now, in our first meeting it was agreed that there would be a design chosen and that this design would be acceptable to a majority of the people. Then in the report given by the Chairman of the Committee (Mr. J. Carter) in this House, it was watered down just a little. It was watered down so that it read that the design would be widely acceptable or widely accepted by the people of this Province.

Now, Mr. Chairman, I voted against this particular design because I am not convinced in any way, shape or form that this particular design, that is on the back of this bill, is acceptable to a majority of the people of this Province.

MR. S. NEARY: That is right.

MR. L. THOMS: Every piece of evidence that I have -

MR. F. STAGG: Not one telephone call.

MR. L. THOMS: You are right. I have not had one single, solitary telephone call saying that they liked the flag, not one.

MR. L. THOMS: How many calls did you have?

MR. L. THOMS: I do not know, I have talked to twenty, thirty - but probably hundreds of people I have been speaking to in connection with the flag. I was down in Grand Bank -

MR. J. MORGAN: (Inaudible). Grand Bank.

MR. L. THOMS: That is right. And I could not find anybody in favour of it there.

SOME HON. MEMBERS: Hear, hear!

MR. L. THOMS: Not only that, but the one that really disliked the flag, hated the flag, was a member of the P.C. executive in Grand Bank, Mayor Fred Tessier - detested it. And he is a member of the Tory executive down there.

MR. S. NEARY: He is finally getting a bit of sense.

MR. L. THOMS: I am not saying he is going to change his mind and vote Liberal in the next election, but he certainly does not like the flag. And the thing was that it was only after the flag was unfurled that you could get the feeling, you could get any evidence in this Province as to whether people liked or disliked the flag. And as I said, every indication, every piece of evidence that I had was that this flag was disliked. It made no difference, my feeling on the flag at all, as an individual or as a member of the Committee. But the people in this Province, not just my own district, but the people of this Province, this flag was unacceptable to them. Now, once I decided that this must be the feeling of the people of this Province, then, Mr. Chairman, I really had no alternative but to do the honourable thing and to vote against the flag.

SOME HON. MEMBERS: Oh, oh!

MR. L. THOMS: I did not see the hon. the Minister of Labour and Manpower (Mr. J. Dinn) going out and speaking to his Legionnaire friends.

MR. J. DINN: I spoke to them on the way in.

MR. F. WHITE: ~~They did not speak to him.~~

MR. L. THOMS: But, Mr. Chairman, the only honourable thing when one of the conditions set down by the Committee itself is not met is to either find some way so that it would be met or to vote against it. I had to vote against it for the simple reason that the flag was going to come in; it was going to be pushed through as quickly as possible, so quickly, as a matter of fact, that the Premier of this Province decided to give up his speaking time to the Opposition or to the few other members who wanted to speak on it. As a matter of fact, we had to haul, screaming and kicking, a member of the Flag Committee, the member for Menihek (Mr. P. Walsh) to his feet to speak on this bill. The member for Fortune - Hermitage (Mr. D. Stewart) is hoping that the lines of communication are so bad in Fortune - Hermitage that they are not going to find out that he voted for the flag, but he certainly was not going to have anything on record in the Hansard other than a 'Yea' vote.

MR. L. THOMS:

And here is a member of the

Committee; it is the Premier's own bill, Bill 44, 'An Act To Adopt A Flag For The Province' Hon. A. Brian Peckford, Premier. The Minister of Tourism, Recreation and Culture (Mr. Dawe) stood in the House on four different occasions, Mr. Chairman, to close the debate. I know on at least one occasion the Premier was in his seat. I would be very, very leery if I were the Chairman of this Committee, if I were the member for St. John's North (Mr. Carter) because I have got a feeling that that yellow arrow is going to give somebody the shaft before the next election. Because somebody is going to have to take the blame for having rammed this down the throats of the people of this Province, somebody has got to be the fall guy. Mr. Chairman, -

AN HON. MEMBER:

I tell you who was on the Committee.

MR. L. THOMS:

Yes. I was on the Committee. I was there. I was there. One of the conditions that the Committee, of which I was a member, laid down was that this design would be acceptable to a majority of the people of this Province. And if anybody can tell me that this is acceptable to a majority of the people or give me any evidence, any little thread, all they would need is a dog barking in the night. Give me a dog barking in the night and I will accept it. But Sherlock Holmes could not go out and get enough proof that this is acceptable to the Newfoundland people. It just is not acceptable. If we had not laid down that condition, if we had not laid down that condition, I, as a member of the Committee, would have had no alternative, Mr. Chairman, but to vote for the flag. I would have had no alternative. But, like I say, one of the conditions, I feel - now, of course, there are ~~the~~ other conditions, I guess there is a real question whether they were met, certainly unique, there is no doubt about that. Simple, it is not. It is not simple because if it were simple you would not need, the flag that was printed, you would not need all that gobbledygook under it to explain it. And all that was put there after the design, it was made up, it was all made up after the design itself was accepted. It was filled in.

MR. L. THOMS: So, Mr. Chairman, I just want to take advantage of the third reading, to make sure and to advise the House that I in no way had any pressure as far as my voting for or against this flag. And I see it is 5:30, Mr. Chairman,

SOME HON. MEMBERS: Hear, hear!

MR. CHAIRMAN (Butt): Before rising the Committee I would like to welcome to the House, on behalf of all Hon. members, the Mayor of Windsor, Mr. Clarence King; the Town Manager, Mr. Roy Pitcher. I trust that your visit with us -

SOME HON. MEMBERS: Hear, hear.

MR. S. NEARY: It is too bad we could not have him on the floor of the House, Mr. Chairman. It is too bad we could not welcome him in on the floor of the House, where he asked to be recognized.

MR. W. MARSHALL: Point of order, Mr. Chairman.

MR. CHAIRMAN: Point of order.

MR. W. MARSHALL: Is the hon. gentleman allowed to take the Committee and the House on his back?

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN: Order, please!

AN HON. MEMBER: He is out of order.

MR. CHAIRMAN: Order, please! The hon. member is out of order. I would ask him if he would take his seat.

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

MR. SPEAKER (Simms):

Order, please!

Before accepting the report from the hon. the member for Conception Bay South (Mr. J. Butt), I would like to welcome to the galleries on behalf of all hon. members, a group of Grade X and Grade XI students from Middle Arm in the district of Baie Verte - White Bay, along with their teacher, Mr. Larry Harvey. We hope that they are enjoying their visit.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the member for Conception Bay South.

MR. J. BUTT:

Mr. Speaker, the Committee of the Whole have considered the matters to them referred and report Bill No. 12 without amendment, Bill No. 16 without amendment, Bill No. 46 without amendment, Bill No. 13 with amendment, made some progress on Bill No. 44 and ask leave to sit again.

On motion, report received and adopted.

Committee ordered to sit again on tomorrow.

MR. D. JAMIESON:

Mr. Speaker.

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. D. JAMIESON:

I would ask the indulgence of the House, in view of the fact we are going into Private Members' Hour and unfortunately, I must leave, could the hon. the House Leader (Mr. W. Marshall) indicate what the order of business is for tomorrow - a little bit out of its timing, but I am sure he would do that.

MR. SPEAKER:

the hon. the President of the Council.

MR. W. MARSHALL:

Well, Mr. Speaker, we will be going tomorrow back into the Committee on the flag which I expect should only take a moment or two and then we will be going on with the concurrence debates. The first concurrence debate will be the Resources.

MR. SPEAKER:

It being 5:30 P.M., a motion to adjourn is deemed to be before the House.

The first matter for debate raised by the hon. the member for Bonavista North (Mr. J. Stirling) is Greenspond Causeway.

MR. SPEAKER (Simms):

The hon. the member for Bonavista North.

MR. L. STIRLING:

Thank you very much, Mr. Speaker.

Our visitors would not know that this is Thursday. It is traditionally called the Late Show. It is one of the times when members who have been asking questions a half hour each day and do not get satisfactory answers, can have five minutes to bring the question again before the House.

On behalf of the people of Bonavista North, I am again bringing forth the question of the Greenspond Causeway. Now, I would not be bringing this before the House except that I had the impression from the Minister of Transportation (Mr. C. Brett) some months ago - and he gave the impression to some of the councillors - that the government would actually be able to save money - not spend money, but save money on the subsidy and the cost and the maintenance of the ferry programme if the federal government would put in about the same amount of money that they were normally going to spend on improving the ferry terminals to and from Greenspond. And the impression that we all had was that this was being worked out, and everybody had hoped that progress would be to the point where this year actual construction would start. Not to spend money on behalf of the people of Bonavista North, but to save money, to save the Province money that they are now spending in a subsidy. It has the complete support of the people in the area.

I asked a question in the House about three weeks ago of the Premier, and the Premier misunderstood it first of all - he started talking about DREE agreements, and then when I explained exactly what it was, he said he would check into it and let us know in another few days. He became very busy and the next time that it could be discussed was when I asked the question and he suggested it be answered by the Minister of Transportation.

But the indication from the Minister of Transportation was that he did not know for sure if an application had been made for the money from the federal people, and he did not know for sure how much the Province was prepared to put into the causeway. After giving us the impression all the way along that it was all going to be

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MR. L. STERLING:

savings, the money that the Province would put in, and that they were anxious to get on and save some money - so that I am in the position of really not knowing what to say to the people in the Greenspond area and the Badger's Quay area and the people in Bonavista North.

MR. STIRLING: Because I just picked up another piece of information which, I hope, is not true, but I just picked up a piece of information that 75 per cent of the municipalities have been refused their request for a capital grant this year. Seventy-five per cent of them that have applied for water and sewer services have been turned down. Now, this may mean a drastic change in what the government has been indicating they are going to do all along, and it may be that there is now no money even to be saved, that the money - that they are going to go ahead - I do not know what has happened. First of all, the minister indicated we were going to go ahead. There is no new indication of whether even an application has been made to the federal government and no indication that the Province will, indeed, put up their money and what the amount of the money is. I am very concerned, Mr. Speaker - I only have a few seconds left - very, very concerned that something has happened in the last month or two that the government recognizes they do not have anywhere near the amount of money that they indicated they had. Seventy-five per cent of the municipalities have been turned down for their requests for water and sewer services. Now, I would like for the Premier, where I asked the question in the first place, and the minister to indicate one way or the other so that the people in Greenspond will know exactly where they stand. Can they expect something to be done this year? How much money are we talking about?

MR. SPEAKER: (Simms) The hon. the Minister of Transportation and Communications.

MR. BRETT: Mr. Speaker, I had some information prepared for me on this subject. There seems to be some misunderstanding, and it is unfortunate that when the two levels of government are working together, as we are now on the Greenspond causeway, that it always seems to come down that two people are - yes, two people on the opposite side of the House have to get in and squabble over it and try to pretend that one or both governments are dragging their heels, and that is certainly not the case in this case. Obviously, the Province is going to save money over a period of time. If we do not put the causeway there, then we have to keep the ferry on forevermore, amen, so, obviously, you are going to

MR. BRETT: save money. There is nobody stupid enough to say that you would not. You know, that is not a factor at all, and neither is it a factor that we could or could not start this year because of money. If the Federal Government agreed tomorrow to give us a percentage, whatever, then there is nothing says we have to spend the provincial funds first, we could spend the federal funds first. So whether we had any money or not does not matter. So what I would like to do - I do not know if it is improper or not for a minister to - I think it is improper to read a speech but I would like to consider this more of a statement and this will give the actual facts of what happened from day one down to today, if the hon. member does not mind.

SOME HON. MEMBERS: By leave.

MR. BRETT: On February the 7th., 1979, the Province and the Federal Department of Transport entered into a ferry service agreement which, among other things, transferred administrative control and financial responsibility for six interprovincial ferry services to the Province. Included in this ferry service agreement is a program of construction and upgrading of the ferry terminals associated with these six services. This construction and upgrading is to be undertaken by the Federal Government and the cost involved is 100 per cent to the account of the Federal Government. In the case of Greenspond, the terminal construction program provides for two terminals to be constructed, one on Greenspond and the other across the Greenspond tuckle at Chambers Cove. The original estimate of the cost of constructing these two new ferry services was \$920,000. This figure has been revised and the current estimate is \$1,150,000. A number of preliminary meetings have been held with federal officials in the Water Transportation Assistance Directorate in which discussions have been held concerning the construction of a causeway in lieu of having to construct two new ferry terminals and the continued contribution which is made toward the cost of subsidizing the operation of the ferry service.

On March 20th., 1980, a letter was forwarded to Mr. G. George, Director General, Water Transportation

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MR. BRETT: Assistance Director, Transport Canada,
in which we presented our position and indicated our willingness to renegotiate this ferry service agreement. Our reasons for renegotiating this agreement are: number one, to update the estimates of monies required to put these terminals in safe and proper working condition - the original estimates are over two years old; the original estimates were prepared without any consultation with the Province and were gathered in a hurried fashion to accommodate the signing of the ferry service agreement; there was very little, if any, preliminary engineering or design work done to provide back-up information for the estimates given; and, four, there had been a number of changes suggested in the location of a number of terminals. In the case of Greenspond and Chambers Cove terminals, we are requesting that the Federal Government agree to a contribution toward the cost of constructing a causeway to connect Greenspond to the mainland in lieu of having to construct these terminals. We are also requesting that the Federal Government give consideration to a further contribution toward this causeway in lieu of having to

MR. C. BRETT: pay a portion of the operating subsidy required on this service. Under the ferry service agreement the Federal Government's contribution is calculated at 75 per cent of the subsidy paid for the 1978/79 fiscal year and will be increased each year by the average increase in the consumer price index for the previous two years. The subsidy paid for the operation of this service for the 1978/79 fiscal year amounted to a total of \$97,207 of which the federal share was \$72,900. In addition to the above, tentative approval has been given by the Navigable Waters Protection Division of the Federal Department of Transport for the construction of a causeway and bridge similar to the structure at Twillingate. Since our letter of March 20th., 1980, a group of officials from the Federal Department of Transport have met with my officials to gather additional information concerning various aspects of our proposal and we are expecting to be receiving an answer in the very near future.

MR. CHAIRMAN (Butt): Order, please! The hon. member's time has expired.

SOME HON. MEMBERS: By leave.

MR. SPEAKER (Simms): By leave.

MR. C. BRETT: If I may be permitted one half of a minute. Just another few sentences. With regard to the comments which are attributed to Mr. George Baker M.P., whereby he suggested that he has received a commitment from the Federal Government that they are prepared to contribute 50 per cent towards the cost of constructing the causeway to connect Greenspond to the mainland, I would suggest that he have the federal officials who made this commitment contact my department in writing and I will ensure that the matter is immediately placed before my Cabinet colleagues for their consideration.

MR. SPEAKER (Simms): A second matter for debate raised by the hon. the member for Windsor - Buchans (Mr. Flight) is Windsor's need for an industrial park.

The hon. member for Windsor - Buchans.

MR. G. FLIGHT: Thank you, Mr. Speaker. I want to say I regret the Minister of Municipal Affairs and Housing (Mr. Windsor) is not in his seat and I suspect he probably will not be -

MR. SPEAKER: He is coming there.

MR. G. FLIGHT: Oh, that is good. Well, the fact is he has been gone for a couple of hours and I would have been happy to see him there and taken part in this debate.

Now, Mr. Speaker, I have rose in this House on numerous occasions as all hon. members know.

I have wanted to talk about the Windsor situation and point out to this House and to the government Windsor's need for funding, Windsor's financial problems as they exist, that they are operating and living under a terrific debt load, a debt load that they do not have the ability to meet. Based on their present revenue there is no way the town of Windsor today can meet its present debt load, maintain its basic services and hope to expand the town or to modify its services. That I think, Sir, is a fact.

And it has been pointed out by me in this House and by members of council - and let me point out for a second, Mr. Speaker, that this question was asked yesterday and notice served that I wanted to get into this debate.

MR. G. FLIGHT: Yesterday, I was not aware at that time that the mayor and town manager would be in the galleries, they are here and maybe it is a good thing they are.

Now, Mr. Speaker, my question to the minister was this - but a new factor came into the equation. My question was, would it be possible this year that under a shared federal/provincial agreement, whether or not there would be an agreement signed with DREE that would make monies available to the Province so the Province in turn could make monies available to the town of Windsor to assist in developing an industrial park? In other words, could we take advantage - if the Province could not do it on its own could we take advantage of a DREE agreement?

That was the question, now listen to the answer, Mr. Speaker, part of the minister's answer; 'The main problem there as I see it quite frankly is the demand and availability of already serviced industrial land in Grand Falls at a price which is far less than we could hope to develop in Windsor at the present time. As demand increases and we see there is a need of land then obviously the feasibility of a similar project in Windsor' and he goes on.

Now, Mr. Speaker, my next question was, having talked about the minister's answer I said, 'So the question I have to ask the minister then is what is the Province's position? Will there or will there not be an industrial park in Windsor or is the decision going to be based on whether or not the town of Grand Falls is in a position to make commercial land available for any potential business or industrial related industry coming into Central Newfoundland?'

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MR. G.FLIGHT: And the minister's answer, Mr. Speaker, 'The decision, Mr. Speaker, as I have said, will be made on the basis of the saleability of an industrial park if and when one is developed. It is not too practical to invest public funds into developing an industrial park knowing before you develop it that you are not going to sell the land because it is available at a cheaper rate next door'.

Now, Mr. Speaker, that in a nutshell is Windsor's problem. And I am not going to -

MR. FLIGHT:

and I can go on, I have gone on for hours in this House on this issue, so I am going to put the question squarely to the minister, is it conditional on Windsor getting an industrial park, Grand Falls' ability to service industrial land and sell it cheaper than the minister believes that Windsor can do it? In making the decision that Windsor is to be assisted in funding an industrial park that they need desperately, as he knows, that they need to develop a tax base, to supplement the residential tax base they have, that they need the money to expand - last year as the minister knows he rejected a 60/40 proposal from Windsor for paving, \$60,000. And he had to tell the town of Windsor that it was rejected because the town of Windsor could not afford the forty per cent, a town the size of Windsor could not afford the forty per cent on a 60/40 deal to pave roads. Now, Mr. Speaker, the minister knows that if ever Windsor is going to afford that kind of thing and if ever Windsor is going to do the kinds of things that they have got a right to expect to do as a town, they have to have a tax base. And the minister has been leading the council on over the years, even before I came into the House, that one day we will look at an industrial park. And now we are told that Windsor may not get an industrial park and the reason, if Windsor does not get an industrial park according to the minister, it is because Grand Falls is in a position to service land and sell it cheaper than the town of Windsor.

Now, Mr. Speaker, I want to have it out in the open. Let us get it on the record, is the problem in deciding on an industrial park for Windsor, is the problem the fact that Grand Falls is there, can afford on its own possibly without any aid from government -

MR. SPEAKER (SIMMS): Order, please!

MR. FLIGHT: - I do not know, to service commercial land and sell it and as long as Grand Falls is -

MR. SPEAKER: Order, please!

MR. FLIGHT: - in that position Windsor will not get the funds -

MR. SPEAKER (SIMMS):

Time.

MR. FLIGHT:

- to develop an industrial park?

MR. SPEAKER:

The hon. Minister of Municipal Affairs and Housing.

MR. WINDSOR:

Mr. Speaker, first of all I did not say that Windsor may not get an industrial park. What I said was that any decision made on an industrial park for Windsor or anywhere else would obviously be made on quite a rational basis as to whether or not the project is feasible economically, whether or not it is saleable. Why would any government or any municipality, for that matter, wish to develop an industrial park when it was quite obvious to them that they could not sell it? I did not say that was the case. I said obviously it is a factor. We are not saying that Windsor would not have an industrial park so that Grand Falls could sell their land. I was expressing yesterday the simple fact that if land is available in a neighboring community which is more attractive than what could be developed there, then it would make little sense to develop it. And I have not said that that is the case. I said certainly it is a consideration that we have to look at before we invest huge sums of money into developing an industrial park.

As it relates to DREE funding, I can indicate that we have asked, as an overall package, that Windsor be included. There is no strict allocation for the town of Windsor. There is a request being put forward by my colleagues to DREE for funding. It has been in place for some time, for funding of all kinds of industrial parks and infrastructure. The whole question of industrial parks, where they should be, their viability and their necessity particularly, is being addressed by the Department of Industrial Development. Hopefully funding might be available for Windsor. I cannot say it is going to be available this year. Certainly we would only be too happy to have some funds made available by DREE to do this kind of a development. Some funds have already been put in place. I think it was \$100,000 which was allocated for Windsor's industrial park in 1977,

MR. WINDSOR:

\$80,000 of which was spent on design and engineering. That is in place. In addition to that, since that, as part of the regional water supply system, part of the necessary trunk water main servicing is already in place there because we redesigned the regional water supply system to accommodate that. So a little bit of work is already in place. So I think that indicates that we are indeed interested. I agree with the hon. member, that the town of Windsor does, in fact, need an industrial base. They have got some financial problems there now because of capital debts that they have to carry. Their tax base is not strong enough to support some of the facilities they have and some of the costs that they are faced with on a day to day basis. They do indeed need a very greatly increased and strengthened tax base. An industrial park would be a very good step forward. I would hope that DREE would agree to put some funding forward to the Province for industrial parks. I cannot say that that funding will be allocated specifically for Windsor but I can say that we have asked for it.

MR. FLIGHT:

You have asked for it to be allocated?

MR. WINDSOR:

Yes we have asked through our

colleagues, through

MR. WINDSOR:

the Intergovernmental Affairs Secretariate and through the department, in putting the submission to DREE, that it be included as a package. But it is a much larger package than just the town of Windsor and there is no specific allocation made nor is there any indication that DREE will make any allocation.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER (SIMMS):

Order, please!

The final matter for debate raised by the hon. member for Terra Nova (Mr. Lush) is the provincial government's policy of hiring workers from the Province for offshore development.

The hon. member for Terra Nova.

SOME HON. MEMBERS:

Hear, hear!

MR. LUSH:

Mr. Speaker, I want to talk about an issue that affects a large number of people in this Province, that affects a large geographical area of this Province. I want to speak about a topic that is of tremendous concern to a large number of people in this Province, namely, that is the hiring practices or the hiring procedure of the government with respect to the offshore. I have asked the minister to verify and outline for me the procedure in getting a job with the offshore and all hon. members are quite familiar with that procedure through direct contact with an office established here in St. John's either through writing or through a visit. And this procedure, Mr. Speaker, is putting an awful lot of unnecessary red tape on the people of this Province. It is discriminatory to people who live outside of St. John's, tremendously, scandalously discriminatory. All hon. members will know that any employment office set up in a specific area offers greater accessibility of job opportunity to people who live in that immediate area. That is logical. It is common sense. Quite apart from, as I have said before, the unnecessary red tape that it puts people through of having to write applications - and every Newfoundlander in this Province who is unemployed now possibly has a dozen applications made to get a job and they have no confidence in it, particularly when they receive no reply from their application. They do not know whether

MR. LUSH:

the office has received the application, they do not know whether they are being considered, not a clue. Mr. Speaker, I do not intend, as the Premier might, to create any conflict here or to create a feeling of regionalism. That is not my intent at all. What I am saying is that this hiring procedure should be set up in a way that offers equal opportunity to all Newfoundlanders to get a crack at the jobs on the offshore. And the way it is set up here it is not doing it, it is not doing it, Mr. Speaker, it is not doing that, far from it.

Mr. Speaker, that is why the federal government set up the Regional Manpower Centers, not to create a greater number of jobs but to give great accessibility, to create a greater opportunity to a greater number of people. Now, if the federal government is wrong and the provincial government is right then we should get rid of all of those Canada Manpower Centers and save the taxpayers of Canada an awful lot of money. That is what we should do. But, Mr. Speaker, common sense and logic dictate that they are not wrong and that this system where we have to apply to an office here in St. John's by writing or visiting that St. John's office is outrageously, overtly and blatantly discriminatory to people living outside St. John's.

MR. ROBERTS:

Hear, hear!

MR. LUSH:

And, Mr. Speaker, again it is not to create a feeling of regionalism, it is to create a feeling of unity I am after and harmony in this Province and co-operation. Let us give all of the people in this Province equal opportunity at the jobs that are created in this offshore. That is what I am asking for, Mr. Speaker. That is what we want. And let the minister get up and prove me wrong. Let him give me some figures to prove that there are as many people in Terra Nova district as there are from a district in St. John's of equal size, let the minister prove that there are as many people working in the offshore oil rigs in Bonavista North or in Fogo as there are, again, in some area on the Avalon Peninsula. Let the minister produce the figures.

Mr. Speaker, I say that this hiring practice, this particular hiring procedure is unfair, it is unjust and

MR. LUSH:

it is inequitous. It is not fair to the people of this Province. Let the minister get up now, Mr. Speaker, and justify this position, let him get up and blow his spleen, let him get up and blow his venom, let him get and blow his mind, blow whatever he likes. Let him get up and defend this indefensible position, a most indefensible position, Mr. Speaker. Let the minister look at changing this system, modifying this system. This government will change nothing. Everything they do they think that it cannot be changed, cannot modify it so that a greater number of people get a greater opportunity at a crack at the jobs on the offshore oil. Let the minister get up and say that he is going to change that so that a greater number of people throughout this Province can

MR. LUSH: get a crack at those jobs so that they can be extended the same opportunity of getting at those jobs as people living in and around St. John's.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: (Simms) Order, please!

The hon. the Minister of Labour and Manpower.

MR. DINN: Mr. Speaker, again today this government is being attacked for getting jobs for Newfoundlanders. Now, the hon. member opposite wants some figures and I am going to give him some figures today. I am going to give him the right figures today.

SOME HON. MEMBERS: Oh, oh!

MR. DINN: He does not want to hear the figures, he is going to try to interrupt me, Mr. Speaker, but I am going to give him the figures. Now, Mr. Speaker, when an oil rig is operating out of Botwood, that is Central Newfoundland, when they are operating out of Botwood the figures go something like this. Out of a total of eighty-five people working on that rig, fifty-eight are from Central Newfoundland, twelve from the Avalon Peninsula, three from Burin, ten from St. John's, and one from the West Coast.

SOME HON. MEMBERS: Oh, oh!

MR. DINN: Now, now, that is terrible, that is discriminatory, disgraceful, outrageous, unjust, unfair, inequitous. Mr. Speaker, there are Newfoundlanders working. For fifteen years no Newfoundlander has worked, because nobody did anything about it. Now, Mr. Speaker, that is not going to continue in this Province.

SOME HON. MEMBERS: Hear, hear!

MR. DINN: We are going to see to it, we are going to see to it that Newfoundlanders get jobs in the offshore. I threw out challenges to hon. members opposite, when they get a case to bring it forward to me and I have been waiting. I have been in this office now for one year and hon. members opposite never brought one case, Mr. Speaker, not one case before me.

SOME HON. MEMBERS: Oh, oh!

MR. DINN: I challenged them on several occasions, not one case. Now, Mr. Speaker, if there are rigs working off the Avalon Peninsula, we say to the oil companies, "Now, you hire Newfoundlanders". We do not tell them that they have to go down to Nain and get one and we do not tell them that they have to go to Makkovik or that they have to go to Rigolet or Bonavista or anywhere. But the figures show that if they are operating directly off of St. John's here, dirty old St. John's, that we have 359 working. Now, of that how many are working off St. John's - 172 from St. John's? Now, that is 49 per cent. That is as compared to 69 per cent when it is operating off of Central Newfoundland. Did I say anything about that to the oil companies? Did I say, now, listen here, hire more people from St. John's? Are they Newfoundlanders? Are they Newfoundlanders in St. John's? Are they Newfoundlanders in Bonavista?

SOME HON. MEMBERS: Hear, hear!

MR. DINN: Are there any Newfoundlanders in Central Newfoundland? Any Newfoundlanders in Nain? Well, Mr. Speaker, as long as they are Newfoundlanders, they are living up to our regulations, and we are not going to be discriminatory here in this Province. We are not going to allow this discrimination. The hon. members opposite have tried two things: number one, they called us separatists because we got jobs for Newfoundlanders. That did not work. That myth that they tried to develop was exploded in their face. People in Newfoundland know what is going on, Mr. Speaker, and now, now they are trying to decide, now they are trying to divide us by region, as they tried before, by religion, as they tried before. Well, Mr. Speaker, it is not going to work in this Province. It is not going to work. It is not done by - it is done in this Province by virtue of the fact that a person is a Newfoundlander, he needs a job and we are going to try to get it for him.

SOME HON. MEMBERS: Hear, hear!

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

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Tape No. 1747

GH-3

MR. SPEAKER: (Simms)

The hon. member for the Strait of Belle

Isle.

MR. ROBERTS:

Before we go -

MR. NEARY:

No, Mr. Jamieson asked.

MR. ROBERTS:

Oh, we have asked that already, have we?

Those who were here asked it, I think.

On motion, the House at its rising

adjourned until tomorrow, Friday, at 10:00 a.m.

I N D E X

ANSWERS TO QUESTIONS

TABLED

MAY 22, 1980

Question #16

*Tabled by Hon.
Minister of Health
22 May, 1980*

Mr. Neary (LaPoile) - to ask the Honourable the Minister of Health to lay upon the Table of the House the following information:

- (a) What is the total number of abortions or hysterotomies performed in the Province in the calendar year 1979 and 1980 to date?
- (b) What number of these abortions or hysterotomies were performed in each of the following hospitals for these years:

St. Clare's Mercy Hospital
Grace General Hospital
Health Sciences Complex?

- (c) What has been the cost of these abortions or hysterotomies to the taxpayers of this province through MCP and what proportion of the cost went to: (a) specialists (gynecologists, obstetricians, etc.), (b) cost of surgeons and (c) cost of special medication and other incidental expenses?

Answer

The question asks for information for the calendar year 1979 and 1980 to date. The information for 1980 is not readily available, hence the answer will relate to 1979 only.

- (a) Total number of abortions or hysterotomies performed in the province in 1979 - 644.
- (b) St. Clare's Hospital - 0
Grace General Hospital - 0
Health Sciences Complex - 538
- (c) (a) Specialists - \$44,270.65*
(b) Surgeons - 0
(c) Special Medication etc. - \$80,000.00**

*While hospitals reported 644 procedures, payments by MCP covered 582 procedures. It is assumed that work performed in 1979 by physicians, may not have been billed to MCP until later.

**Individual cost per case is not recorded by hospitals. The unit cost per patient day is the accepted method for case cost. On this basis the hospital costs amount to about \$80,000 based on an average stay of 1/2 day.

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