

PRELIMINARY
UNEDITED
TRANSCRIPT

HOUSE OF ASSEMBLY
FOR THE PERIOD
10:00 a.m. - 1:00 p.m.
FRIDAY, JUNE 12, 1981

The House met at 10:00 A.M.

Mr. Speaker in the Chair.

MR. SPEAKER (Simms): Order, please!

STATEMENTS BY MINISTERS

MR. SPEAKER: The hon. Minister of Finance.

DR. COLLINS: Mr. Speaker, I am pleased to advise the hon. members that a new two year collective agreement was tentatively reached yesterday afternoon in which government, on behalf of the Board of Governors of the College of Fisheries and the College of Fisheries Faculty Association. This group is comprised of approximately ninety academic, technical, and vocational instructors employed at the college.

Negotiations concluded yesterday afternoon with the signing of a memorandum of agreement and the association will be recommending acceptance of the tentative settlement to its membership during a ratification vote which is expected to be held next week. Government is pleased with the tentative collective agreement, and looks forward to continuing the very favourable relationship which has existed with this group for the past number of years.

I would also like to inform hon. members that the tentative collective agreement reached earlier with the Newfoundland Association of Public Employees with respect to the Air Services group, which consists of government pilots, co-pilots and other technical, and clerical support staff, has now been officially ratified by the membership. It is expected that the new agreement will be finalized and signed within the next few days.

Thank you.

MR. SPEAKER (Simms): The hon. Leader of the Opposition has about one minute.

MR. STIRLING: Mr. Speaker, I just want to make one comment. A new piece of information to me is that our water bomber pilots, based on that agreement we just talked about being signed, our water bomber pilots are the only pilots in Canada who are not on a full time basis and have never been given a proper training. They have never been trained in a training school. They are the only water bomber pilots in Canada to have to get all of their training by observation, and I have been told by a former water bomber pilot that the first couple of years that he was working as a water bomber on a part time basis, and they are only seasonally employed, that these people are the only ones in Canada, Mr. Speaker, the only water bomber pilots in Canada who have never been sent to a training school, a proper training school in the States. And we have the only water bomber pilots in Canada who are employed on a seasonal basis.

Now, Mr. Speaker, in connection with the statement, I would hope that the President of the Treasury Board (Dr. Collins) can check into that matter to implement a proper training programme and have our water bomber pilots sent, during the Winter when they could be employed full time, for proper training, because I have been told by the people who were former water bomber pilots that we are suffering in Newfoundland, we have actually lost millions of dollars in forest fires -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Simms): Order, please!

MR. STIRLING: - forest fires that have gotten out of hand. I realize, Mr. Speaker, I do not have very much time and maybe we can discuss it later.

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

DR. COLLINS: Mr. Speaker, the hon. the Leader of the Opposition may be unaware that the employment of the water bomber pilots is under the jurisdiction of the Department of Transportation. Treasury Board is concerned with the collective agreement. He seems to be labouring, as he often does, under a misapprehension of how government works. The water bomber pilots training and so on is the Department of Transportation.

MR. SPEAKER: If I may, for the benefit of hon. members to my right who seem to be querring this although there is no point of order, I will point out to hon. members that provision is there for members responding to statement to ask questions and seek clarification. I understood that is what the hon. the Leader of the Opposition was doing. The provision is also there and certainly the precedent is there for the minister making the statement to respond to those queries. So it is certainly permitted.

MR. STIRLING: A point of order, Mr. Speaker.

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

MR. STIRLING: Mr. Speaker, I understood that you made a previous ruling in this session that although that provision was in the guidelines, after you looked up a precedent in this House that the ruling was that any comments made on a Ministerial Statement had to be made in one session rather than back and forth, and we have presumed from that ruling that also

MR. STIRLING: the Ministerial Statement, since we cannot respond to questions, that the Ministerial Statement would be made at one time and we would make comments at one time and that that would clarify the matter. I do not need a ruling now, Mr. Speaker, but it would help if you could check that out just to clarify the matter. Because presumably if we do have a situation in which the minister is allowed to have a second time around, presumably those responding to Ministerial Statements would also have a second time around.

DR. COLLINS: To the point of order, Mr. Speaker.

MR. SPEAKER (Simms): To the point of order, the hon. the Minister of Finance.

DR. COLLINS: My understanding, Mr. Speaker, is that in commenting on the statement the hon. the Leader of the Opposition was indicating he did not understand what the matter was all about - at least what one aspect of the matter was all about; he was labouring under a misapprehension - and my remarks were designed to clarify in his mind that particular point.

MR. SPEAKER: Well, with respect to the point of order, I am just trying to find the precedent ruling which has been there in the practice, but I cannot find it. I can find one.

MR. STIRLING: There is no need to rule right now.

MR. SPEAKER: I would rather clarify it now so that we do not have to hang it up because I am familiar with it. There were two separate rulings. One is the situation where a minister may respond to clarifications or explanations or questions asked by a member in responding to the statement. That is clearly permitted. The other question is whether or not the member who responds to the statement is allowed to ask questions on subsequent occasions rather than on one occasion, and that is clearly not permitted. The ruling has been in the past

MR. SPEAKER (Simms): that the member in responding to a statement may do so on one occasion but, obviously, the minister who makes the statement has the opportunity to respond to those queries and explanations. So I hope that that is clear. It can be done on one occasion by members to my right, we will say, for argument's sake, but the minister can respond to any questions that are asked, but only on one occasion.

MR. S. NEARY: If we do not ask any questions then he cannot respond.

MR. SPEAKER: Exactly.

MR. NEARY: There were no questions asked on the Ministerial Statement

MR. SPEAKER: Well, again I do not want to belabour the point, but my interpretation of what the hon. Leader of the Opposition (Mr. Stirling) was doing in his response was that he was seeking some clarification or confirmation of information that he has received.

MR. S. NEARY: He made a few statements of fact.

MR. SPEAKER: Well, we can go on all day like that but that is the way I interpreted it.

MR. S. NEARY: That is right.

MR. SPEAKER: Any further statements?

ORAL QUESTIONS

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

MR. L. STIRLING: Mr. Speaker, in view of the fact that we are into the forest fire season, and in view of the fact that the President of the Treasury Board (Dr. Collins) says this agreement has now been signed and he then washes his hands of it and he tells me that this is now under the Minister of Transportation (Mr. Dawe), who for some reason just does not appear in this House to answer any questions, therefore, in the absence of the Minister of Transportation

MR. L. STIRLING: and the Premier, I will have to ask the acting Premier - and I am not sure whether the acting Premier is the President of the Council or the Minister of Mines and Energy, but I assume that it is the President of the Council - so the question I have for the acting Premier is why have our water bomber pilots not been given adequate training, have never been sent away for a training course and why are our water bomber pilots the only pilots in Canada who are on a part-time basis?

MR. MORGAN: We have the best water bomber pilots anywhere in Canada, the best qualified.

MR. SPEAKER (Simms): Order, please!
I am not sure whom the hon. member directed his question to.

MR. L. STIRLING: The acting Premier.

MR. SPEAKER: I am not aware of any such position. So maybe you would direct it to a specific minister.

MR. L. STIRLING: Well, because of the confusion about who is the acting Premier on the other side, I will ask it of the President of the Council (Mr. Marshall).

MR. SPEAKER: The hon. President of the Council.

MR. NEARY: The real Tory. The only Tory left outside of Billie Browne.

MR. W. MARSHALL: Thank you, Mr. Speaker.
Mr. Speaker, he knows how to butter me up. And I can tell him he is not going to get on the right side of me by throwing compliments at me today. He can try all he wants to.

SOME HON. MEMBERS: Oh, oh!

MR. S. NEARY: He is the only one who can be a minister and practice law at the same time.

MR. W. MARSHALL: The minister's law practice -
I thank him for the free advertisement too, yes.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER (Simms):

Order, please! Order, please!

MR. W. MARSHALL:

And I do the best work in town

at the cheapest prices, like Mary Brown's legs, Mr.

Speaker, down in my law firm, the cheapest prices, the

best work -

MR. NEARY:

(Inaudible).

MR. W. MARSHALL:

Yes, and I thank the hon. member

for that too, Mr. Speaker. It is very good of him to give

me free publicity.

Now I will get back to the hon.

Leader of the Opposition (Mr. Stirling) and his question

which was asked quite some time ago. The situation is,

Mr. Speaker, you know, his question has

MR. MARSHALL:

certain imputations in it, you know as to why the -
my understanding as to why the pilots could not get
training and what have you and why they were not trained.
Mr. Speaker, in answer to that I can say we are very
proud of the staff we have on hand, the water bomber
pilots.

SOME HON. MEMBERS:

Hear, hear!

MR. MARSHALL:

It is a fact, Mr. Speaker, that last -

MR. NEARY:

(Inaudible) flying two planes

at the same time.

MR. MARSHALL:

- it is a fact that last year,

for instance, that we -

AN HON. MEMBER:

What a staff. What a staff.

MR. MARSHALL:

- we loaned several of the planes -

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER (Simms):

Order, please!

The hon. President of the Council.

MR. MARSHALL:

Last year, Mr. Speaker, we loaned,

I believe, several of the bombers to other provinces which were
having difficulty and these people are skilled pilots, they are
well regarded pilots all throughout Canada and we are very
proud. So I do not know where the hon. gentleman gets the
idea that our pilots are inferior. They are not inferior.
They are amongst the best pilots in Canada. They are doing
a marvellous job and we are very proud of them. We are
very proud that we put them together.

SOME HON. MEMBERS:

Hear, hear!

MR. STIRLING:

A supplementary, Mr. Speaker.

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

MR. STIRLING: Mr. Speaker, that is typical
of the way that this government twists things around. It
is for that very purpose, Mr. Speaker, that they are the
best pilots in Canada - they are the best - but they
themselves are not being treated fairly. They have not
been given full time status. They are the lowest paid
pilots in Canada. And it is only their dedication,
Mr. Speaker, there is only this dedication that enables
the pilots to continue.

DR. COLLINS: Are you saying (inaudible).

MR. SPEAKER: Order, please!

MR. NEARY: They were forced to accept it.

MR. STIRLING: Now, Mr. Speaker -

DR. COLLINS: (Inaudible) pilots.

MR. SPEAKER: Order!

MR. STIRLING: - the question has not been answered.

The question is, these pilots, who are self taught, and the best
pilots in Canada, how come, Mr. Speaker -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order!

MR. STIRLING: - how come this government has not
made them full time and how come this government has not -

SOME HON. MEMBERS: Order, please!

MR. SPEAKER: Order, please!

MR. STIRLING: - sent these pilots to a full time
training course?

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Simms): Order, please! I must ask hon. members to restrain themselves. It is very early in the morning and the Chair is having difficulty hearing what is going on.

MR. MORGAN: (Inaudible).

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

MR. STIRLING: Mr. Speaker, the Minister of Fisheries (Mr. Morgan) is so upset with his colleague, the Minister of Culture, Recreation and Youth (Mr. Andrews) because of a real foul up in Bonavista South that he is -

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

MR. STIRLING: - so upset this morning he is smarting.

MR. SPEAKER: The hon. Leader of the Opposition has a question?

MR. STIRLING: Yes, Mr. Speaker.

MR. SPEAKER: Then ask the question.

MR. STIRLING: I have asked the question.

MR. SPEAKER: Okay.

MR. STIRLING: I have asked the question and the question is with these pilots - we have now got the best group of pilots in Canada, to keep them working with us, I am asking again the question, why is it that they have not been given full time status and why is it that they have not been sent to the proper training courses that are available which the pilots themselves have requested?

MR. WARREN: Now there you go.

MR. NEARY: During the Wintertime.

MR. SPEAKER (Simms): The hon. the President of the Council.

MR. MARSHALL: Mr. Speaker, I can only say that the pilots are employed in accordance with the manner in which this Province can afford with respect to the capacity of this Province to pay. It is trying to be fair with all of its employees in all branches of the service. It has attempted to do it and we are certainly thankful that the pilots in their negotiations with the Treasury Board have been able to see that this Province has certain limited resources. We would like to pay everybody more. We would like to be able to expand, Mr. Speaker, very, very, much their conditions of employment, but all of this costs money. The fact of the matter is, Mr. Speaker, as I reiterate again, that these pilots have signed a collective agreement now and they are satisfied with their terms of employment for the next little while. We are delighted that they have come to this agreement and I reiterate once again that I am glad that the Leader of the Opposition now has conceded the fact, instead of getting up and lambasting the pilots, has now conceded that they are indeed amongst the finest in Canada and I am glad that he, as well as us, are very proud of the people that we have who are piloting these water bombers.

MR. SPEAKER: Order, please! Hon. members should not stand until the other member has sat down.

The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, I have a question for the Minister of - the non-existent Minister of Fisheries (Mr. Morgan). Mr. Etchegary yesterday -

MR. MORGAN: You cannot see me over here this morning?

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: Mr. Gus Etchegary, who heads up

MR. NEARY: the biggest fish processing company in this Province, and President of the Fisheries Council of Canada, told a big St. John's meeting yesterday that the fishery in this Province is in an incredible mess and the items to which he referred fall under provincial jurisdiction.

MR. HANCOCK: Is that a surprise?

MR. NEARY: Now would the hon. non-existent Minister of Fisheries (Mr. Morgan) care to tell the House if the statements by Mr. Etchegary on behalf of the fishing industry in this Province are correct or was Mr. Etchegary merely paving the way, merely trying to set up a smoke-screen for upcoming negotiations with the Fishermen's Union?

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

MR. MORGAN: First of all, Mr. Speaker, I am very existent this morning and I was last evening in Bonavista-

SOME HON. MEMBERS: Hear, hear!

MR. MORGAN: - where I received lots of comments

MR. MORGAN:

on the rather ridiculous fools they made of themselves, two certain members of the Opposition, approximately a month ago.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Simms): Order, please!

MR. STIRLING: I hope the minister (inaudible).

MR. MORGAN: I fully concur, Mr. Speaker - if I could get the member for Bonavista North (Mr. Stirling) for a short, temporary period of time to keep quiet.

MR. SPEAKER: Order, please!

MR. MORGAN: Mr. Speaker, I read this morning with interest the statements, in fact, if my colleague would allow me, that 'The fishery's in a mess - Etchegary'. It goes on, to read the full story, over on Page 24, pointing out and referring to federal government policies, how they are affecting the fisheries from coast to coast in Canada.

AN HON. MEMBER: That is right, this morning.

MR. MORGAN: Gus Etchegary was talking about and referring to fisheries all across Canada, as the new Fisheries Council of Canada president. He referred, Mr. Speaker, to a situation where, over the last number of years, as a result of federal government policies, federal government programmes over the last three or four years have caused chaos in the fisheries and it is right now in an awful, terrible mess. And that is the reason why Premier Peckford is saying, and we are saying, 'Do not keep all of that total control you have over the fishing industry. If you cannot honour your responsibility and resolve the problems on federal jurisdiction, pass some jurisdiction over to us, give us some jurisdiction over the fisheries.

SOME HON. MEMBERS: Hear, hear!

MR. MORGAN: If not, Mr. Speaker, resolve the mess the fishery is in; resolve the licencing issue, resolve the trading away of raw resource to foreign countries; resolve and help the market situation.

MR. POWER: The income tax problem.

MR. MORGAN: And resolve the income tax problem.

MR. NEARY: Do not forget that one.

MR. MORGAN: Mr. Speaker, there is a major problem with the fisheries. Mr. Etchegary, unfortunately, could not refer to all of the problems. Right now today there are fishermen forced to go on welfare in Newfoundland, as of right now, today, fishermen forced to go on welfare by means of Revenue Canada placing them there.

SOME HON. MEMBERS: Hear, hear!

MR. POWER: That is right. That is exactly right.

MR. MORGAN: For example, a fisherman with eight in family was left the last two weeks - eight in family - with only \$70 to live on because the rest was taken by Revenue Canada. Lots of problems in fisheries!

MR. POWER: That is right.

SOME HON. MEMBERS: Oh, oh!

MR. MORGAN: That is the kind of problem we have, and that is the kind of example that is showing the mess we have today in our fishing industry.

Mr. Speaker, I concur with Mr. Etchegary. I think maybe it is a time for all concerned - this Province is doing it - sitting down with all concerned, the union, the fishermen, the companies, confined to our own Province. But it is time for Ottawa to come down here to take a look at the fishing industry. The union has been after Mr. LeBlanc to come down, the Fish Trades asked him to come down; finally, he is coming down next week. Hopefully, Mr. Speaker, he will recognize

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MR. MORGAN: and realize where his policies
and his programmes are causing chaos and a mess in the

MR. MORGAN:

fisheries and he will change some of these policies and if he cannot change them to the satisfaction of the fishing industry, pass over jurisdiction to us.

MR. NEARY: Supplementary, Mr. Speaker.

MR. SPEAKER (Simms): Supplementary, the hon. member for LaPoile.

MR. NEARY: Mr. Speaker, obviously the hon. gentleman thinks that his portfolio is just to continuously attack Ottawa and develop no policies of his own because there is no provincial fishery policy. And if the hon. gentleman read the statement that Mr. Etchegary made, and if he does not know it and he does not realize it, well then he does not deserve to be Minister of Fisheries. But Mr. Etchegary said that the principle problem that is causing the incredible mess in the fishing industry at the moment, that may cause some companies to go bankrupt, falls under provincial jurisdiction, namely, the marketing of the fish. That is a provincial matter.

MR. MORGAN: Provincial?

MR. NEARY: I beg your pardon?

MR. MORGAN: Come on, boy! Do not be so naive!

MR. NEARY: Mr. Speaker, the federal government -

MR. SPEAKER: Order, please!

MR. NEARY: - established the Canadian Saltfish Corporation to take care -

MR. MORGAN: Who is the spokesman on Fisheries over there?

MR. NEARY: Mr. Speaker, if I might?

MR. SPEAKER: Order, please!

MR. NEARY: The Canadian government set up the Canadian Saltfish Corporation to market salt fish and the provincial government, if they wanted to, could set up a

MR. NEARY: provincial marketing board to market the other produce of the sea in this Province. And there is the problem. Mr. Etchegary says it is a provincial matter. It is a provincial problem that this government has not lifted a finger to try to solve the marketing of the fresh fish in this Province. That is the problem. Now if the minister does not recognize that that is a provincial problem, then the Premier had better replace him as quickly as possible.

MR. SPEAKER (Simms): Order, please!

MR. NEARY: Now would the hon. gentleman care to comment on that?

MR. SPEAKER: The hon. Minister of Fisheries.

MR. MORGAN: Indeed so, Mr. Speaker, indeed so I care to comment on that. So the hon. gentleman is of the opinion the provincial government is responsible for the marketing of fish in world markets. Well, I would say, fortunately for the Opposition that member is not the spokesman on fisheries matters because he would further confuse the situation today with regard to federal policies.

The marketing of fish is primarily the responsibility of the private sector, agreed, not any government - the private sector. The large companies like, for example, Fishery Products, Nickersons, National Sea and the Lake Group, these four major players are fairly heavy and very aggressive in the market place in developing new markets in Europe, new markets in the Far East, to find alternate markets from the US market which we are too dependent on. We have to find alternate markets because, as Mr. Etchegary mentioned yesterday, because of the increased catching effort in the US. There are no restrictions in the US today of who can go fishing. Fishermen in the US, for example, the Eastern Seaboard of the US are not denied the right to fish as they are in Newfoundland. You are denied the right to go fishing today if you want to go fishing; it is no longer there.

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MR. MORGAN:

There are no restrictions in the USA and because there are no restrictions there will be increased number of fishermen, increased number of boats, increased harvesting capacity. As a result of that, that fish will go into their own market in the US. So the more fish goes into the US market, obviously, the less fish that we can sell to

MR. MORGAN:

the same market from Canada. So, the four major players in the Atlantic fishery today are aggressive in Europe, in the European Economic Community. They are aggressive in the Far East in developing markets. The Federal Government has a very clear responsibility through Industry, Trade and Commerce, to work in co-ordination with the trade to help develop markets. And unfortunately, Industry, Trade and Commerce chooses to trade away raw resource, to trade away raw resource, like we saw a few days ago, the trading away of 17,000 metric tons of squid. They are talking now about trading away a further 15,000 metric tons of Northern cod to the European economic community. And we are saying, no, do not trade away raw resource.

Now, that is the way in which Industry, Trade and Commerce is working now to help the fishery. It is not helping. What they should be doing is developing aggressive marketing programmes at the Federal level. The same kind of marketing programmes for example, Mr. Speaker, that the Nickerson Company and ourselves, the Newfoundland Government, will be embarking on within the next month. This was the new announcement. H.B. Nickerson and Sons, one of the best companies, I guess in Atlantic Canada, in the marketplace-

MR. HOLLETT: He has his press release in his pocket.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Simms): Order, please!

MR. MORGAN: Mr. Speaker, in the marketplace, the most aggressive -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. MORGAN: -Mr. Speaker, the most aggressive company in the marketplace. We had our disagreements, sure, over the processing of fish but we are now combining our efforts, Mr. Speaker, with that company to help find markets; we are going to work together, industry and government..

MR. SPEAKER (Simms): Order, please!

I want to make a comment. There are a lot of members who want to ask questions. Answers should be as brief as possible. I realize the question asked was would the minister care to comment, and obviously that could be broad and long. So I bring that to the attention of all hon. members.

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

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

MR. NEARY: Mr. Speaker, Mr. Etchegary also mentioned the matter of confrontation politics and I do not believe that can be blamed on the Government of Canada, Industry, Trade and Commerce or the Government of Canada. The confrontation that Mr. Etchegary is referring to is the confrontation politics of this government. As far as the Fishermen's Union is concerned and the fishing industry they have no friends. They have made enemies out of everybody. It is the confrontation of the minister that Mr. Etchegary is talking about. And also as far as the 17,000 metric tons of squid is concerned, that is exactly the same as last year.

MR. SPEAKER: Order, please!

MR. MARSHALL: Mr. Speaker.

MR. SPEAKER: The hon. the President of the Council.

MR. MARSHALL: Your Honour has made an observation with respect to the answers given by the hon. the minister, and the hon. member for LaPoile (S. Neary), Mr. Speaker, on the other side of the coin is doing exactly the same thing. He is making a speech. It is a supplementary question. If he wishes to ask a question he should ask it and the preamble should be much briefer than the hon. gentleman has so far indicated.

MR. SPEAKER: Well, it is quite a legitimate point of order. I was about to call the member to order myself because it appeared to me again that he was debating the answer, which really

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MR. SPEAKER (Simms): is not the purpose of Question
Period. Perhaps he could ask the question.

MR. NEARY: Two question in one, Mr. Speaker.

MR. S. NEARY: Would the hon. Minister of Fisheries (Mr. Morgan) tell the House whether the Japanese quota on squid is not precisely and exactly the same as it was last year -

MR. HOLLETT: And the year before and the year before that.

MR. S. NEARY: - and the year before that. That is my number one question. My number two question is would the hon. gentleman not agree that it is the responsibility of the provincial government, if the marketing by the private companies is failing, that they have failed to explore new markets, if it is not the responsibility of the provincial government to assist in marketing the produce of the sea in this Province?

MR. HANCOCK: If not, what have we got a Minister of Fisheries for?

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

MR. J. MORGAN: Mr. Speaker, it is a three part question. The first part regarding the deal made recently between Canada and Japan, that is true, it is the same as last year. But last year, what happened last year? The prices paid to our fisherman for squid throughout the Province went down to half what it was in 1979. Why? Because 19,000 metric tons last year was taken by the Japanese from our waters by a deal made between Canada and Japan. And that is the reason why fishermen got half their price for the squid species last year from what they had the year before. Because, Mr. Speaker, the main reason being Canada did not, and, I repeat, did not, in return for allowing the Japanese to take these metric tons of fish from our waters, did not negotiate an import quota for fish species from our country. If they were to negotiate an import quota, that Japan would take so much fish species from our Province or from all Canada, if they had done that last year, Mr. Speaker -

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MR. NEARY: I am not talking about last year, I am talking about this year.

MR. MORGAN: How can I answer, Mr. Speaker?

MR. FLIGHT: You cannot answer the question.

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

MR. J. MORGAN: Mr. Speaker, last there was no import quota and fisherman suffered by it, fishermen are suffering the consequences of trade policies of the federal government which is trading off a raw resource for other material in our country. And what is happening? They are trading off a raw resource which is damaging and having very serious consequences on our fishery.

SOME HON. MEMBERS: Oh, oh!

MR. L. BARRY: Anti-Newfoundlanders! Anti-Newfoundlanders!

MR. SPEAKER: Order, please!

MR. J. MORGAN: Because fisherman again this year, Mr. Speaker, will only get half the price they received in 1979 because of the trade off policies of the federal government in Ottawa, trading off our raw resource.

Now, Mr. Speaker, the second part of the question -

MR. STIRLING That is a lie.

AN HON. MEMBER: Untrue, untrue!

MR. J. MORGAN: Mr. Speaker, I happened to hear a comment, 'That is a lie'. That is unparliamentary.

SOME HON. MEMBERS: Oh, oh!

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

MR. J. MORGAN: Now, Mr. Speaker, on to the second part of the question. Regarding confrontation, if it means when I stand to defend fishermen and fisheries in this Province for the benefit of our Province of Newfoundland, it will be confrontation.

MR. S. NEARY: You are trying to cover up for your own lack of policy. It is a red herring.

MR. J. MORGAN: And as for working with the union, the Fishermen's Union can verify we meet on a regular basis. We are working cheek to cheek, shoulder to shoulder, hand in hand, arm in arm we are working together, the Fishermen's Union and this government. The Fish Trades Association will confirm as well, we meet on a regular basis with the Fish Trades Association. Also we meet with the Independent Association of our Province of all the independent fish plants in the Province on a regular basis. That is the way we work; we work in co-ordination with

MR. MORGAN:

all concerned, we work in co-operation. But when there are policies up there in uncle Ottawa which are going to effect Newfoundland, we are going to stand up and fight against them.

SOME HON. MEMBERS: Hear, hear!

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

MR. NEARY: You talk about silly.

MR. SPEAKER: Order, please!

The hon. member for Windsor-Buchans.

MR. FLIGHT: I have a question, Mr. Speaker, for the Minister of Forestry. Just as a short preamble, Mr. Speaker, the minister knows that the Buchans-Burgeo road over the years has been a concept that has been put forward by knowledgeable people in transportation and this administration refuses to accept the concept. Now when Price (Nfld) acquired linerboard, it was also a concept then and part of their plan that that road would be hooked up in order for Price (Nfld) to move wood West from their holdings at the head of Indian Lake to Stephenville, and Price (Nfld) intends to build that road. So I would ask the minister now if Price (Nfld) to this point in time has requested from government, from Cabinet, a permit to finish the Buchans-Burgeo road, to build the ten or twelve miles that will allow them to move their wood West? Has the company to this point in time made that request of the Premier, the Cabinet or any minister of government?

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

MR. POWER: Mr. Speaker, I am surprised that the member has not asked for an environmental study before we would come with the road seeing he is so interested in the environment.

SOME HON. MEMBERS: Oh, oh!

MR. STIRLING: You are sounding like Barry now.

MR. POWER: That is my coach. That is my coach.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Simms): Order, please!

MR. POWER: Mr. Speaker, as it relates to the movement of wood West on that road to the Stephenville mill, certainly we have agreed with Abitibi-Price that as long as it is in their harvesting operations to do so that we will certainly agree with them in any road network that they want to do. It is not, as the Minister of Transportation (Mr. Dawe) has announced many times, not a priority for a second Trans-Canada system in Newfoundland. To this date I am not absolutely sure whether Abitibi has requested use or development of that road, but I will be glad to find out if a request has come into the resource road part of my department, but I am not really sure if it has or not.

MR. FLIGHT: Mr. Speaker.

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

MR. FLIGHT: Mr. Speaker, on the same subject, and I would direct the supplementary to the Minister of Transportation (Mr. Dawe), and ask the minister specifically if Price (Nfld.) has requested permission, a permit to build that access road, what in their opinion would be a wood's access road to make the connection between the present existing road that is there and the Burgeo road? In order to move their wood West has Price (Nfld.) enquired for a permit?

MR. SPEAKER: The hon. Minister of Transportation.

MR. DAWE: As far as I know, Mr. Speaker, that request has not been made to my department.

MR. FLIGHT: Mr. Speaker.

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MR. SPEAKER (Simms): A final supplementary. The hon. member for Windsor-Buchans.

MR. FLIGHT: Well, Mr. Speaker, on the basis that obviously the linerboard mill will come onstream very shortly, and Price (Nfld) must be making plans to move wood West - it is public knowledge that with the acquisition of the Linerboard mill they intended to move wood West and intended to use that road and a lot of people saw that as the means

MR. FLIGHT:

that the road would be complete and eventually carrying the kind of traffic that would help the whole Central Newfoundland area, and that all the people in Central Newfoundland, and all of Newfoundland, who are knowledgeable about roads, believe should be built.

So I would ask the minister, has there been any negotiations with Price (Nfld.)? Has any special conditions been placed on the company inasfar as their building that road? If a permit is issued for Price (Nfld.) with their own money to complete that road, will there be any special conditions placed on the building of that road?

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

MR. DAWE: If I understand that correctly, Mr. Speaker, any time there is road construction there are certain obligations on the people who are building that road, whether the Department of Transportation or anyone else, and depending upon where it is, environmental concerns, actual construction and the class of the road and so on, would have to be addressed depending upon what type of road they are actually requesting to build.

MR. FLIGHT: A final supplementary.

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

MR. WARREN: I yield, Mr. Speaker.

MR. SPEAKER: The hon. member yields for a final supplementary from the hon. member for Windsor-Buchans.

MR. FLIGHT: Mr. Speaker, this question again is directed to the Minister of Transportation. He indicated earlier in answering questions that he is not aware that there has been an official request for the Price (Nfld.), an official request for a permit to build that road. So I would ask him this, has there been any negotiations- assuming there has not been an official request, and that is what the minister

MR. FLIGHT: said, he is on record as saying there is no official request -

MR. DAWE: That I am aware of.

MR. FLIGHT: - that he is aware of, have there been any negotiations at this point in time with regard to that road? Has Price (Nfld.) indicated a desire, or a need, to complete that road so they can move the wood West to the linerboard mill?

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

MR. DAWE: No, Mr. Speaker, not to my knowledge.

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

MR. FLIGHT: The Hansard my certainly come back to haunt you.

MR. WARREN: Mr. Speaker, my question is to the Minister of Municipal Affairs. Mr. Speaker, I would ask the Minister of Municipal Affairs whether the request from the Nain Town Council on February 5th., where they indicated they were willing to pay back \$170,000 towards the loan, has this request been accepted by the Department of Municipal Affairs and Housing?

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

MRS. NEWHOOK: Mr. Speaker, a request such as the hon. member has outlined, that has to be approved by Cabinet and I can assure him that we have prepared a paper and it has been forwarded to Cabinet and I understand now it has been reviewed with regard to the financing of it and it could be contingent on the signing of the native agreement. I am not quite sure about that, but it is being reviewed by Treasury Board.

MR. WARREN: A supplementary, Mr. Speaker.

MR. SPEAKER (Simms): The hon. member for Torngat Mountains, a supplementary.

MR. WARREN: Mr. Speaker, I would ask the minister a supplementary question, seeing the Minister of Finance (Dr. Collins) is not in his seat. Knowing that this has been outstanding since February 5th., I understand Cabinet meets at least once a week, and whereas it is so important, Mr. Speaker, and the construction season is so short, is the minister doing everything in

MR. WARREN:

her power to convince her Cabinet colleagues that this project should be okayed as soon as possible so that construction can get underway before the season comes to a halt?

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

MRS. NEWHOOK: Yes, I have followed it up, Mr. Speaker, but I understand now that there is probably some delay because of the signing of the native agreement. Now, I guess, it is under that agreement that the Council of Nain will get the funding to pay its share under that agreement, the \$170,000 a year.

I can only say that my department has made the recommendation and it has to be dealt with by Treasury Board and in Cabinet.

MR. WARREN: Supplementary, Mr. Speaker.

MR. SPEAKER: We have about thirty seconds for a question and answer.

The hon. member for Torngat Mountains on a supplementary.

MR. WARREN: A supplementary question, Mr. Speaker, to the Minister of Finance (Dr. Collins). Now knowing that the Minister of Municipal Affairs (Mrs. Newhook) said that that has passed through her department, can the Minister of Finance advise the hon. House why the Treasury Board is holding up this request for the Nain Town Council? Why?

MR. SPEAKER: The hon. Minister of Finance has about fifteen seconds.

DR. COLLINS: Mr. Speaker, I am afraid I was not here for the beginning of that. I had to drop out there just for a moment. But my understanding, if I have the right subject matter, my understanding is that this is contingent upon a native people's agreement being concluded and then subsequent to that the priorities set within that. We are expecting to get further information along that matter

DR. COLLINGS: and when we do receive it then it will be considered by Treasury Board. It has not been received yet.

SOME HON. MEMBERS: Oh, oh.

MR. SPEAKER (Simms): Order, please!

Time for Oral Questions has expired.

NOTICES OF MOTION

MR. SPEAKER: The hon. President of the Council.

MR. MARSHALL: Mr. Speaker, I have a couple of Notices of Motion pertaining to Select Committees to be established by the House.

First, I give notice of motion that:

BE IT RESOLVED that a Select Committee of this hon. House be appointed to inquire into, hear evidence upon and make recommendations relating to the suitability for introduction by government into this hon. House of the following draft legislation: "An Act Respecting Elections, Controverted Elections And Elections Financing For Member Of the House Of Assembly", either in the form as shall be set forth and the draft legislation to be filed by the Minister of Justice (Mr. Ottenheimer) with the Chairman of the Committee or with such alterations, modifications or additions as the said committee shall deem fit.

BE IT FURTHER RESOLVED that this Select Committee have power to sit at all times whether or not the House is in session, adjourned or prorogued, and in relation to the matters to them referred, the power to send for persons, papers and records.

Now, Mr. Speaker, this is a committee that was announced in the Throne Speech and if the hon. members would agree to pass this now I could then propose the complement of the committee which has been agreed by the caucuses.

MR. SPEAKER: Agreed?

SOME HON. MEMBERS: Agreed.

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MR. SPEAKER (Simms):

It is agreed.

MR. MARSHALL:

Agreed, we now pass the motion.

MR. SPEAKER:

Those in favour, 'Aye'.

SOME HON. MEMBERS:

'Aye'.

MR. SPEAKER:

Contrary.

Carried.

The hon. President of the Council.

MR. MARSHALL:

Now, Mr. Speaker, I then propose

that the following constitute the Elections

MR. MARSHALL:

Select Committee: the hon. the member for St. John's North (Mr. Carter), the hon. the member for St. John's Centre (Dr. McNicholas), the hon. the member for Placentia (Mr. Patterson), the hon. the member for Port au Port (Mr. Hodder) and the hon. the member for Fogo (Mr. Tulk).

I would ask that that motion be put and passed.

MR. STIRLING: Mr. Speaker.

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

MR. STIRLING: Just speaking to that, Mr. Speaker. On this side of the House we regard this whole subject of the election expenses as being a very important one. We have had it as policy on this side of the House for a long time. It is one of the areas, Mr. Speaker, in which this Province is sadly behind both the federal government and other provinces. It is a piece of legislation that should have been brought in, and was promised, before the last election. And I hope, Mr. Speaker, that this Select Committee can start to work immediately. We are looking forward to the Select Committee, members from our side of the House, working very closely with the Select Committee members on the other side and I very seriously believe that they will turn out, if their terms of reference are broad enough, what will truly be a piece of legislation that can be agreed to by all sides of this House as a landmark piece of legislation.

We are so far behind the other provinces as far as this is concerned that we should be in a position to learn from their mistakes and to bring

MR. STIRLING: forward a model piece of legislation. I have great confidence in the members of that Committee and we look forward on this side to the report and look forward to having that legislation introduced in this House and passed in this House before the next election.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Simms): You have heard the motion. Those in favour, 'Aye', contrary, 'Nay', carried.

Further notices of motion?

MR. MARSHALL: Mr. Speaker.

MR. SPEAKER: The hon. the President of the Council.

MR. MARSHALL: Mr. Speaker, I give notice of motion of the following resolution: BE IT RESOLVED that
a Select Committee of this hon. House be appointed to inquire into, hear evidence upon and make recommendations relating to the suitability for introduction by government into this hon. House of the following draft legislation: "An Act To Incorporate The Certified General Accountants' Association in Newfoundland", and (b) "An Act To Revise And Reform The Law Respecting Corporations" including "An Act To Consolidate, Revise And Reform The Law In Respect Of Partnerships" and "An Act To Reduce Public Confusion And Inconvenience In The Use Of Business Names In The Province" either in the form which shall be set forth in the draft legislation to be filed by the Minister of Justice with the Chairman of the Committee or with such alternations, modifications or additions as the Committee shall deem fit;

BE IT FURTHER RESOLVED that the Select Committee have power to sit at all times whether or not the House is in session, adjourned or prorogued and in relation to

MR. MARSHALL: the matters to them referred,
the power to send for persons, papers and records.

I similarly move, Mr. Speaker,
that this motion be passed.

MR. SPEAKER (Simms): Is it agreed?

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: You have heard the motion.

Those in favour, 'Aye', contrary, 'Nay', carried.

MR. MARSHALL: Coincidental upon that then,
Mr. Speaker, I move that the following constitute

MR. MARSHALL: move that the following constitute the complement of that select committee to inquire into the incorporation of the CGA's and the establishment of the New Companies Act. The hon. the members for Kilbride (R. Alyward), the hon. the member for St. John's West (H. Barrett), the hon. the member for Conception Bay South (J. Butt), the hon. the member for the Strait of Belle Isle (E. Roberts) and the hon. the member for Terra Nova (T. Lush).

MR. STIRLING: Mr. Speaker.

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

MR. STIRLING: Yes, Mr. Speaker, in supporting the motion, Mr. Speaker, these two items which have been referred to the select committee are again two important items. One, the Companies Act has been an old act that has been kicked around here for a long time. There have been many attempts to do something with it. I hope with the appointment of this select committee that the Companies Act can be brought into line with other acts in other parts of Canada. We have seen some of the time of this House taken in debating some of the things that can be more properly handled by the Companies Act. And as far as the investigation of the CGA's request, there is likely to be a very large lobby against that and I agree with the government's approach of appointing a select committee to study into that. And we hope again, using the process of select committees, we will be able to get the politics taken out of these important issues and we would like to see select committees on a lot of other matters, Mr. Speaker. But we have no hesitation in supporting and believe that this select committee will do a good job in this matter as well.

MR. MARSHALL: Mr. Speaker.

MR. SPEAKER: The hon. the President of the Council.

MR. MARSHALL: Referring to the remarks made by the Leader of the Opposition, Mr. Speaker, I just want to say that the

MR. MARSHALL: appointment of the select committees is a part of the policy of this government to involve members in a much greater degree than they have been in the past and also this procedure of appointing select committees in both instances will enable a smaller complement of this House to get together and inquire as to the opinions of people and to consider the various positions taken by people in respect to all of the matter of the select committees. So, I certainly concur with the remarks made by the Leader of the Opposition and would point out that it is part of the ongoing process of the government to attempt to bring a meaningful legislation and at the same time make this House of Assembly more meaningful.

MR. SPEAKER (Simms): You have heard the motion. Those in favour, aye?
SOME HON. MEMBERS: Aye.
MR. SPEAKER: Contrary, nay?
 Carried.

ANSWERS TO QUESTIONS FOR WHICH NOTICE HAS BEEN GIVEN

MR. SPEAKER: The hon. the Minister of Education.
MS. VERGE: Mr. Speaker, I wish to table the answer to question no. 40 on the Order Paper posed by the member for LaPoile (S. Neary).

ORDERS OF THE DAY

On motion, that the House resolve itself into Committee of the Whole to consider certain bills.
 Mr. Speaker left the Chair.

MR. CHAIRMAN (Butt): Order, please!
Bill No. 88 "An Act To Amend The
Landlord And Tenant (Residential Tenancies) Act, 1973 (No.2)."

Shall Clause 1 carry?

MR. OTTENHEIMER: Mr. Chairman.

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

MR. OTTENHEIMER: Just briefly on this clause-and
what I say here applies to Clause 2,4,5 and 6 as well- there
was some discussion yesterday, the hon. member for the
Straits of Bell Isle (Mr. Roberts) raising some question
with respect to the effect of the Supreme Court of Canada
decision on the continued capacity of Residential Tenancies
Boards to in fact set rents. And we have further looked
into it and government's policy here, of course, is to
transfer to the District Courts what is required to be
transferred by that decision, but not to transfer what is
not required because the more that can be kept in the
Residential Tenancies Board obviously the better it is
for tenants because the procedures there obviously
less complex, less cumbersome, etc., and it is our
opinion - nobody knows what the Supreme Court obviously
can decide in the future - but it is our opinion that if the
Residential Tenancies Board continue to have authority
in the area of rent setting.

MR. STIRLING: The same suggestion might be
made about Clause 3.

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

MR. OTTENHEIMER: On Clause 3. I want to speak on that.

MR. STIRLING: You will wait until you get to that?

MR. OTTENHEIMER: Yes. It was on that clause.

On motion, Clauses 1 and 2 carried.

MR. CHAIRMAN: Shall Clause 3 carry?

The hon. the Minister of Justice.

MR. OTTENHEIMER: Mr. Chairman, the main discussion yesterday with respect to Clause 3 dealt with Subsections (a) and (b) under (8). And (8) says, "In this section "group eviction" means" and then there is (a) and (b) and it was centered in on (a). The suggestion of the hon. member for the Strait of Belle Isle (Mr. Roberts) was that in (a) we delete - in other words the section which now reads, and this is defining what group eviction means, now reads, " the circumstances where fifty per cent or more of the tenants of a landlord receive notices to quit their residential premises," and he suggested it stop there. As it now reads it goes on, "or the landlord refuses to renew their leases at or about the same time." There was no difference of opinion with respect to (b), There was no difference of opinion with respect to (b). We have certainly carefully considered the remarks of the Opposition as we attempt always to do when their remarks, you know - this was not a partisan or a political

MR. OTTENHEIMER: matter, but, you know, a matter of some concern, and there there is a legitimate and honest difference of opinion. I think the hon. gentleman opposite felt, was of the opinion - I do not like paraphrasing somebody because you can obviously do it, you know, improperly-but I think it is fair to say that that was an unnecessary or an unwarranted, whichever you want to call it, intrusion into the rights to contract. I think that probably would be a fair description of his views on it.

We are of the opinion - and obviously it is a limitation on right to contract, obviously it is that - but I guess the difference of opinion is that we do not feel it is unwarranted. We think that that additional protection has social value. Because what it does, it will define as a group eviction, not only where fifty per cent - and we are talking about 50 per cent - or more of tenants of landlords receive notices to quit, but also where - and that fifty per cent governs obviously what comes after or as well-"or the landlord refuses to renew their leases at or about their same time."

So the government position is that obviously we recognize that there is a limitation of the right to contract there. So the choice comes down to, you know, do we refuse to have this limitation on the right to contract, or do we give that additional protection? And we feel that where fifty per cent or more receive - where in the case of fifty per cent or more, the landlord refuses to renew their leases, unless it is in conditions allowable under the act, that that additional protection is necessary and beneficial.

It is an honest difference of opinion. We have not certainly dismissed the views of hon.

MR. OTTENHEIMER: members opposite but that is the position that we have - that that is our position, government's position.

On motion, clauses (3) through (8), carried.

A bill, "An Act To Amend The Landlord And Tenant (Residential Tenancies) Act, 1973 (No. 2)". (Bill No. 88)

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

MR. MARSHALL: Order 4, Bill No. 3.

Bill No. 3. A bill, "An Act Respecting The Freedom Of Information." (Bill No. 3)

MR. OTTENHEIMER: Right. I do have a couple of amendments there.

MR. CHAIRMAN (Butt): The hon. Minister of Justice.

MR. OTTENHEIMER: And I am just looking for them.

I do not want you to pass the section before I get to it.

MR. CHAIRMAN: Bill No. 3.

MR. MARSHALL: Clause 25 2(b) is the first one.

MR. OTTENHEIMER: Okay. Fine.

On motion, clauses (1) through (9) carried.

MR. CHAIRMAN: Clause 10, the hon. Minister of Justice.

MR. OTTENHEIMER: Yes, Mr. Chairman, we have an amendment here and one further one. The amendment with respect to clause (10); hon. members will see clause (10), it says, "Notwithstanding," so and so "a person shall not be permitted access to personal information repecting an identifiable individual including, without restricting the generality of the foregoing " -this is a section which exempts the kind of personal information, like a person's medical record, employment, history, race, ethnic origin, religion, marital status, finger prints, etc., personal views, correspondence, that type of thing.

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MR. OTTENHEIMER: Then subsection (2) of that says if "this does not apply," this exemption does not apply for "the following classes of information." And that would be, information, for example, respecting an individual in the performance of his official duties if he is an employee of government or under contract to government and the terms of contracts for service, for example, that the government would enter into with an individual;

MR. G. OTTENHEIMER: information regarding any discretionary benefit conferred on an individual, like an ex gratia payment. That would cover that type of thing. And personal information to which a person would be entitled pursuant to another Act, and we are adding for purposes of clarification after (d) an additional one, (e). I will just read it out - the hon. President of the Council (Mr. Marshall) will move it because I cannot -

MR. STIRLING: It has not been distributed yet?

MR. MARSHALL: Oh, yes.

MR. G. OTTENHEIMER: Has it? It is so long ago since

we had it I cannot recall. But I will read it, I do not think it is a controversial matter. Included with (d) going into (e) would be, 'Information where the person who requests the information is the person to whom the information relates or where the person to whom the information relates permits in the prescribed manner access to the information by the person who requests the information'. What it comes down to is that obviously a person may ask for information regarding himself or regarding another person if that person agrees. It was omitted in the first, it is for the purpose of clarification. So if the hon. President of the Council would move its adoption.

MR. W. MARSHALL: I so move it, Mr. Chairman.

On motion, Clause 10 as amended, carried.

On motion, Clauses 11, 12, 13, 14 carried.

MR. CHAIRMAN (Butt): Shall Clause 15 carry?

The hon. Minister of Justice.

MR. G. OTTENHEIMER: Mr. Speaker, we were going to move an amendment - then by having immediately - I think -

MR. W. MARSHALL: After Clause 15, after Clause 15 is carried, Mr. Chairman.

MR. G. OTTENHEIMER: After Clause 15, yes.

On motion, Clause 15 carried.

MR. CHAIRMAN (Butt): Shall Clause 16 carry?

The hon. Minister of Justice.

MR. G. OTTENHEIMER: What we are doing here is we are asking the Committee to add a new Clause 16 and then to re-number the ensuing sections accordingly. What we wish to put in as the new Clause 16 would be the words, 'In any proceeding under this Act, the burden of establishing that access to information requested under this Act may or must be refused shall be on the head concerned'. This is the philosophy which, you know, it was implicit and intended, and indeed I think explicit as well, in the bill. In other words, it establishes the right to information. And if a head of department refuses that information, then it must be established that it is information which, in fact, number one, he either may refuse if it is the discretionary area or, number two, - another category - he must refuse where there is a requirement to so do. So what would be moved here would be this additional section which establishes that the burden is on the head of department so refusing information.

MR. L. STIRLING: It reverses the present Clause 16. The present Clause 16 goes the other way around, 'No action lies against the head'. What you are saying is that it reverses that?

MR. G. OTTENHEIMER: No. What would happen is this would go in as Clause 16 and then Clauses 16, 17 and 18 would become -

MR. STIRLING: (Inaudible) different too.

MR. G. OTTENHEIMER: - there are only Clauses 16 and 17 actually, there is no eighteen. Oh, yes, 16, 17 and 18 becomes 17, 18 and 19. It is an additional.

MR. L. STIRLING: Yes, all right, okay.

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MR. W. MARSHALL:

I so move, Mr. Chairman.

On motion, Clause 16 as amended,
carried.

On motion clauses 17 through 19
carried.

Motion, that the Committee having
passed the bill with amendment, carried.

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EL - 1

A bill, "An Act Respecting The Protection of Personal Privacy." (Bill No. 2).

On motion, clauses (1) through (12) carried.

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

A bill, "An Act To Repeal The Canada Bay Lumber Company Limited (Agreement) Act, 1974." (Bill No. 24).

On motion, clauses (1) and (2), carried.

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

A bill, "An Act To Amend The Workers' Compensation Act." (Bill No. 47).

On motion, clause 1, carried.

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

A bill, An Act To Amend The Financial Administration Act, 1973." (Bill No. 41).

On motion Clauses (1) through (5), carried.

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

A bill, "An Act Respecting The Department of Environment." (Bill No. 4).

On motion, clauses (1) through 24, carried.

MR. MARSHALL:

There are a few amendments. Would you want to make a few comments before we do them?

MR. CHAIRMAN(Butt):

The hon. the Leader of the Opposition.

MR. STIRLING:

I would invite the President of the Council (W.Marshall) to interrupt me if the amendments will deal with

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Tape No. 2429

EL - 2

MR. STIRLING: the problem. The problem here is this section of the Act, Section 25, gives the authority to the minister to use, for example, Windsor Lake for other uses-

MR. ANDREWS: Not in Windsor Lake.

MR. STIRLING: The clause allows you to decide whether or not -

MR. ANDREWS: (Inaudible) happens in Windsor Lake.

MR. STIRLING: Assuming that the present minister

MR. STIRLING: carries on the way that he has carried on since the time he became minister, which caused the Minister of Fisheries (Mr. Morgan) to say, 'The damage is already done in Boanvista,' that same kind of comment.

Mr. Chairman, no minister should have the authority to allow people to use a public water supply for other than a public water supply. We all know, in our Province -

AN HON. MEMBER: What bill is that?

MR. STIRLING: We are talking about the Environment Bill, Bill No. 4, Clause 25 which gives the authority to the minister to use public water supplies for other uses. Now, Mr. Chairman, I have already received a complaint, as has the Minister of the Environment (Mr. Windsor), as has the Minister of Health (Mr. House) from an area on the West Coast in which two ministers have already come out on record, and I would invite the Minister of Health to get into the debate, where the Minister of Health has written saying that this water supply should not be used for the landing of aircraft.

AN HON. MEMBER: Hear, hear.

MR. STIRLING: And the council in that area has not taken action to protect it.

Now, Mr. Chairman, you have a situation in which we just do not have the funds, we do not have the police and we do not have the political will in this Province to clean up pollution and to make adequate recreational facilities available under controlled conditions. And I can relate to the situation in the Indian Bay area where not a nickel has been spent to control, to put guards on, to put a fence up, to put a gate on, to employ people to control the pollution and the indiscriminate use of our countryside.

MR. STIRLING: Now, Mr. Chairman, one of the areas that we have maintained relatively good control over has been our water supply areas. And one of the reasons we have maintained excellent control is that there has been absolutely no extensions to allow people to fish in those water supply areas, to have recreational use in those water supply areas or anything of that nature. And, Mr. Chairman, once you let down your guard, once you allow people to use the water supply area you are then setting up all kinds of pollution abuse and you have the same kind of garbage used in our water supply areas as you have used now indiscriminately all over the countryside.

Mr. Chairman, the minister now has all the authority he needs to keep pollution under control. We have all the authority we need to really develop a tourist industry. And, Mr. Chairman, this is an authority that the minister should not be given, the authority to open up the water supply area. Because can you imagine, Mr. Chairman, what would happen in the Windsor Lake area, for example? And I use Windsor Lake as an example.

MR. HANCOCK: They will not put up with it out there, but he is trying to do away with (inaudible).

MR. STIRLING: and that is why I want to use that as an example, because it affects directly the people of St. John's. And the people of St. John's, if they get concerned and get after the ministers and get on the Open Line shows, then they will be able to bring into effect a benefit which will be of use to everybody else throughout the Province of Newfoundland and Labrador.

This is not a progressive piece of legislation. If, Mr. Chairman, we had policing available all through this Province, if we had the pollution and corruption that is taking place right now under control, then maybe in another 100 years you could consider allowing people

MR. STIRLING: the use of our water supply systems. But, Mr. Chairman, at the present time this just should not be accepted because we will end up with the kind of pollution that is now in effect. The Minister of Health (Mr. House) can confirm it, he has made recommendations, they have not cleaned up the situation. And, Mr. Chairman, that is certainly an absolute right that the people have, to expect that their water supply - there has been a long fight to get watershed areas set up properly and to get it under control. It has been a long fight to clean up the pollution of industry, a long fight to clean up the pollution of just the average person using the facility.

Mr. Chairman, if you start fishing, you will have gas, oil,

MR. STIRLING: rusty cans and people will dump garbage there, they will leave garbage there. They will be guilty of every kind of an offence we now see in gravel pits around our countryside.

So, Mr. Chairman, we have to recommend to the government in the strongest possible terms that they not allow the minister to have the authority in Clause 25 where it says, "Where the Minister is satisfied upon the advice of his officials that the nature and size of a public water supply is sufficiently large to preclude any pollution by any person, the Minister may define and prescribe a section or sections of the public water supply to be used by persons for swimming, fishing or any other activity". Now, Mr. Chairman, we have seen all kinds of regulations that cannot be policed and administered. You have the spectacle here in the middle of the city; you have the spectacle in a park in which to control a park you have to put on police with guard dogs. And, Mr. Chairman, that is the kind of situation where you just do not have enough police, you just do not have enough people throughout this Province. And people are afraid to let anyone tamper with the water system. Mr. Chairman, that is a section of control with a few exceptions, but by and large, it has been controlled. There has been a great effort now to clean up the pollution in rivers that are used for a water supply system, pollution in lakes, and, Mr. Chairman, I think that that authority to use the water supply systems should not be granted the minister. Therefore, I suggest in the strongest possible terms that Clause 25 be changed to take away that authority.

Now, the minister indicated that he was prepared to bring in some amendments.

MR. STIRLING: Mr. Chairman, I would hope that the amendments are such that that authority will not be granted to anyone to use the water supply system or the watershed areas in a water supply area for any purpose other than the provision of water supply to the area that is involved. And, Mr. Chairman, I make that request in the strongest terms possible, because once you start it you will not be able to stop it and will be set back and wasting money trying to control a problem that we now have under control, Mr. Chairman.

MR. ANDREWS: Mr. Chairman.

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

MR. ANDREWS: I certainly appreciate the concerns of the Leader of the Opposition. But I believe one of the points he mentioned, the problem, say, in an area such as Stephenville, where the municipality now controls the water system - this would give the provincial Department of Environment more authority to regulate that.

MR. STIRLING: No, you have the authority now.

MR. ANDREWS: We only have authority when a problem gets big enough that the Department of Environment will have to be called in. At the present time the municipality protects the water supply area.

Regarding the ultimate use of a water body for fishing, for swimming, for boating and so on, there are a few areas in the Province where double or even triple use is compatible. Certainly, one of them is not Windsor Lake, and I, certainly, as minister would never recommend it. It is a water supply for the largest community on the Island.

AN HON. MEMBER: What about Gander?

MR. ANDREWS: But there are communities, we could take, for example, say Gander Lake where, if water

MR. ANDREWS: were coming from Gander Lake to a municipality, the other end of it might be thirty miles away. I would see no problem there with permitting fishing or a little bit of boating or a little bit of swimming, properly controlled. There is no danger there of pollution.

 Under the act right now, in a lake as large as Gander Lake it is illegal to fish or boat or swim if it is being used for a municipal water supply. So I think this gives a little more leeway to the act. There are many large lakes in the Province, particularly if you get into the Labrador area,

MR. ANDREWS:

where it is ludicrous just to have them for only drinking water alone, because the body of water is large enough to absorb other activities.

MR. DINN:

Gander Lake. Gander town uses

Gander Lake.

MR. ANDREWS:

Yes.

MR. CHAIRMAN (Butt):

The non. member for Torngat Mountains.

MR. WARREN:

Mr. Chairman, I want to make a few comments pertaining to Clause No. 25. I may wander back and forth from numbers 23 to 25, Mr. Chairman. However, a while ago in a tiny community of 450 people in Hopedale, there was a questionnaire, a survey done concerning the water, the health problems, the sewerage, everything in Hopedale. Now, Mr. Chairman, I want to read out - and I could table this in the House - I want to read out what this survey showed concerning Hopedale, and it has a lot to do with the Environment Department, Mr. Chairman.

The first question asked was which way do you get rid of your garbage? Ninety per cent of the people used the words 'slop pails.' That is the only way to get rid of it, by slop pails. There is no water and sewerage system at all. They made suggestions also, Mr. Chairman. They suggested there should be some cement pits installed in the town or proper septic tanks. Mr. Chairman, the dumping site was right within the town boundaries, right within the town boundaries. Ninety-three per cent of the people said, 'Move it away from the houses, because it is awful smelly in the Summertime.' Mr. Chairman, concerning the garbage, - now, before I go on, concerning the garbage, last year the town council in Hopedale approved \$10,000 to build walkways from the shoreline out towards the ocean

MR. WARREN: for dumping garbage, because there is no other place other than right on the shore to dump the garbage. So they approved \$10,000 to take the garbage away from the houses and throw it off in the water. The Department of the Environment wrote back and disallowed it, they said, 'No way. You cannot do it,' so they were compelled, Mr. Chairman - but the Department of the Environment did not come up with an alternative and they were compelled to go back and keep throwing it back on the ground, right in the middle of the community. So, Mr. Chairman, here is what they say about garbage. "Garbage is a health hazard". Ninety-two per cent of the people said garbage in the community of Hopedale is a health hazard. And here are some of the answers. Our children get cut if they play near it. Impetigo, blue flies, maggots and dogs get in it, Mr. Chairman. So just imagine, Mr. Chairman, right in a community there is garbage that is full of maggots, blue flies, impetigo. The kids play around it. Because there is no other place available for them to dump their garbage, Mr. Chairman, the garbage is thrown around the houses. There is no other place there and the Department of the Environment have already refused - Mr. Chairman, I might be wandering from 23 to 25 but I am coming back to the water very shortly. Mr. Chairman, well, what did they say about water? Mr. Chairman, 55 per cent of the people are not satisfied. They say the water is too salty, poor tasting. And even the pump houses they have there to try to get a bit of sensible drinking water are either broken down or not operational. And 60 per cent of the people say the water, the drinking water is affecting their health, 60 per cent, Mr. Chairman. Sixty per cent

MR. WARREN: of the people in Hopedale say that the water they are forced to drink is affecting their health, It causes diarrhea, flus, stomach ache and so on. And this is because of the water. In fact, Mr. Chairman, I want to advise the hon. minister that at the present time there is only one small well that the Department of Health has confirmed as fit to be used in Hopedale, one small well, Mr. In fact, Mr. Chairman, there is garbage, there is sewage flowing in from the school and houses right into the water supply of the hospital out there, That is how bad it is in Hopedale, Mr. Chairman. The water that is coming into the nospital , there is sewerage seeping into that water supply. So, Mr. Chairman, there is something wrong, something that the Department of the Environment, through the Department of Health and so on, has to do something about,

MR. WARREN: I want to bring this to this government, that we do have a health hazard. We do have a health hazard. We have a bigger one in Davis Inlet, Mr. Chairman.

MR. ANDREWS: - the Department of Health.

MR. WARREN: Mr. Chairman, there are letters on file to the Department of Health. There are letters on file in your department, Mr. Chairman, in the minister's department.

MR. ANDREWS: (Inaudible).

MR. WARREN: Speak to the former minister. You should speak to the former Minister of the Environment, he will assure you that there are letters on file concerning those problems in Hopedale.

Thank you.

MR. CHAIRMAN (Butt): Shall clause (25) carry?
The hon. President of the Council.

MR. MARSHALL: Yes, Mr. Chairman, there are a few amendments to this. Section 25 (2) (b) is amended by striking out the words, "bathe, swim or wash", and substituting the words, "fish, bathe, swim and wash," so apparently they are going to -

MR. STIRLING: They want to make it worse.

MR. MARSHALL: No, I do not think it is worse. I think it is going to make it better, is it not?

We always, when we make amendments, we try to make them better anyway.

MR. WOODROW: And doing a good job.

MR. MARSHALL: And section 25 (3) also will be amended by striking out the words "water supply" where they both appear and by substituting the words "water supply area". I do not know why that has - it is just a -

AN HON. MEMBER: A watershed could be quite large.

MR. MARSHALL: Yes. It could be quite large. And number (b), by striking out the words, "swimming and fishing," and substituting the words, "fishing, boating, swimming and washing."

MR. STIRLING: What does that amendment apply to?

MR. MARSHALL: It applies to 25 (3).

MR. STIRLING: 25 (3), striking out which words and substituting which?

MR. MARSHALL: Well, first of all we are expanding "water supply" to "water supply area".

MR. STIRLING: Watershed.

MR. MARSHALL: Yes. And striking out the words "swimming, fishing", and substituting the words, "fishing, boating, swimming and washing," where the minister is satisfied that it is large enough. Of course, all of these things have to be exercised with a certain amount of discretion and recognize the fact of where it is and -

MR. STIRLING: I mean, the act goes on to say, "swimming, fishing or any other activity."

MR. MARSHALL: Yes.

MR. STIRLING: What is the significance of adding boating and washing?

MR. MARSHALL: Well, because the minister, if he is satisfied, upon the advice of his official that the nature and size of the water supply area now is sufficiently large to preclude any pollution, the minister may define and prescribe a section or sections of the public water supply to be used by persons for - before it was only swimming or fishing, now it is going to be fishing, boating, swimming and washing.

MR. STIRLING: The other clause that carries on, if you continue to read, says, "swimming, fishing," and then, now, these whatever other words you had, "or any other activity,"

MR. STIRLING: you know, presumably any other activity already was broad enough to include boating and washing.

MR. MARSHALL: Yes, I would think perhaps it is but I think what the draftsmen would like, you want to make regulations within the ambit - of course they have to make regulations within the ambit of what has been authorized by this House. So we want to put it front and centre as to what the situation is. And I do not think that the right - I know it says "any other activity", but it would have to be a related activity rather than a new activity.

MR. STIRLING: So the wording now reads, "fishing", the new one will be what?

MR. MARSHALL: The new one will be "fishing, boating, swimming and washing, or any other activity."

MR. STIRLING: Does that mean washing your car?

MR. MARSHALL: I beg your pardon?

MR. STIRLING: Does that mean washing your car for example?

Washing. Washing includes everything. Presumably it means washing yourself, your car.

MR. MARSHALL: Yes. Yes. But it would have to be done with the minister's approval.

MR. STIRLING: It makes it even worse, Mr. Chairman.

MR. MARSHALL: The minister's approval would have to be - you know it would have to be on advice of the official.

MR. STIRLING: All you are doing is making it more -

MR. CHAIRMAN: Shall the amendment carry?

MR. HANCOCK: No, Mr. Chairman.

MR. CHAIRMAN (Butt): The hon. member for St. Mary's-
The Capes.

MR. HANCOCK: Yes, Mr. Chairman, I would like
to have a few words on this because I think it is very important.
I think once the message goes out from this House of Assembly
of what is happening here, and the people are made aware that
their water supply can be hampered with or changed, or some
adverse effects can take place by the decision put in the
hands of the minister, I think you are going to have a lot of
chaos in certain parts of this Province.

MR. STIRLING: (Inaudible) to need it.

MR. HANCOCK: I know if people in Windsor Lake,
for example realize that people, upon the minister's own dis-
cretion, that people can wash their cars, or go out and bathe
themselves, or -

MR. STIRLING: Do their laundry.

MR. HANCOCK: - do their laundry or go swimming
or fishing or throw beer cans, this will all become a part -
this is just a normal thing with fishing, that people abuse
the system. They just go out - I have seen them standing up, the
guys, drinking out of beer cans and the next thing you know the
beer can is out in the river. I felt like throwing the bloody
person in to get the beer can out but you cannot do it. It is
not my job to do this. This happens on a day to day basis
in the Summertime. I have seen it happen and I feel that this
section here, this number 25 is about the only real danger in the
whole act. It gives the minister too much authority. We could
end up some day with an idiot for a Minister of Culture,
Recreation and Youth. I am not saying we have one now, I think
he is doing the best job that he can do and he is not a bad
minister.

MR. NEARY: With the competence he has, which is limited.

MR. HANCOCK: But just say for argument's sake
next year the minister changes, or

MR. HANCOCK: next month the minister changes and if somebody has a cabin on a river, he can designate that area, if it is a watershed or not, he can determine whether or not you are allowed to go fishing, hunting, swimming, bathing or whatever in that reservoir. So I think it is a dangerous practice, I think it should be amended. The amendments that were made by the minister just a few minutes ago did not add or take anything away, it made the act worse. Now you are allowed to go out and bathe and swim and wash and do whatever you want to do in a water supply. I think a study should be done to determine whether or not the people of this Province would want to see something like this happening in their water supply. I know in my area in the few ones we have, if you are caught there fishing there is a big uproar, you are not even allowed to fish in it. And I think if the minister was to determine whether or not you could fish in that area, he would have a number of residents upset with him. And I am sure the same thing - use Windsor Lake, for example, if the people in Windsor Lake knew that the power was vested in the minister to determine whether or not people could wash their cars in Windsor Lake, for example, it can happen.

MR. NEARY: I spoke in this House about a year and a half or two years ago -

MR. MARSHALL: It cannot happen.

MR. HANCOCK: It can happen, it can happen in this act here.

MR. NEARY: - and I was in favour of opening up Windsor Lake for fishing.

MR. MARSHALL: (Inaudible) in the area.

MR. HANCOCK: Yes, but what is Windsor Lake?

MR. DINN: What about Gander Lake?

MR. MARSHALL: Yes, but -

MR. HANCOCK: But - no, there are not 'buts' really. If they wanted to go fishing in Windsor Lake and the minister felt there were enough fish in Windsor Lake to go fishing, he

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MR. HANCOCK:

can say that I am going to -

MR. DINN:

What about Gander Lake?

MR. HANCOCK:

Gander Lake is probably one exception.

That is about the only one I can think of off hand, that is probably one exception.

MR. STIRLING:

There is nobody saying that he cannot (inaudible) anyway.

MR. HANCOCK:

I just feel, Mr. Chairman, I would like to end up by emphasizing what the Leader of the Opposition (Mr. Stirling) has said, that it gives too much power to the minister. The whole section should be deleted, Mr. Chairman. It should be up to the council of the area and the people in general in this Province, whether or not to decide what their water system is going to be used for, not to put all the power with one man to determine whether or not they can wash their cars or bathe or do whatever they want to do with the water system. I think it should be deleted altogether, Mr. Chairman.

Thank you.

MR. CHAIRMAN (Butt):

The hon. Minister of the Environment.

MR. ANDREWS:

This is more than a little bit ridiculous, the whole thing. This amendment here authorizes the department, the minister, to permit fishing or boating or swimming in large lakes such as Gander Lake. Nobody is contemplating washing cars or swimming in Windsor Lake or the water supply system of a small community that comes from a small pond or a small lake. There are a few - and in the introductory notes, if the hon. members would read them, it says that there are a few public water supplies in the Province where both uses could be compatible and there are only a few. One which stands out in everyone's mind is Gander Lake.

MR. STIRLING:

Mr. Chairman.

MR. CHAIRMAN:

The hon. Leader of the Opposition.

MR. STIRLING:

Mr. Chairman, let us agree that we would like to allow boating on Gander Lake but, Mr. Chairman, what you are doing, and maybe we have not gotten the

MR. STIRLING: point across, maybe somebody on the other side would like to think about it for a few minutes to help get the point across.

The situation is, once the public gets the impression that there are certain circumstances under which you can wash your cars in a water supply system -

MR. ANDREWS: (Inaudible)

MR. STIRLING: Yes. - then you cannot control it, Mr. Chairman. It is not possible for you to put enough police on to control it once people start using Windsor Lake to swim, fish, wash their cars, once they hear, you know, that there are certain circumstances, there are certain lakes, there are certain water supply areas. Now, I am sure, under the present authority that the minister has or the Minister of Health (Mr. House) has, there is already sufficient authority to give permission for people to use Gander Lake. If there are a few large lakes and you need to improve the legislation to give you permission to allow them to be used, then do the legislation by exception, bring in the exceptional piece of legislation that you need to give yourself that authority. But to give blanket authority to the minister to say - and if you just look at the wording where it says, 'That the public water supply is sufficiently large in the judgement of the minister'. Now, let us assume that you do not have the present minister, pick out the worst colleague that you could imagine on this side and assume that he is going to be the minister after the next election -

SOME HON. MEMBERS: On this side - on the other side.

MR. STIRLING: No, no, on this side - pick out the worst that they can consider on this side and ask themselves -

MR. NEARY: No, the worst on that side.

MR. STIRLING: No, no.

MR. MARSHALL: Why did the Leader of the Opposition, when you said that, look directly at the member for LaPoile?

SOME HON. MEMBERS: Hear, hear!

MR. STIRLING: I did not look directly at anyone. That is an exceptional - the President of the Council (Mr. Marshall) is at his best, he is at his anti-confederate best -

SOME HON. MEMBERS: Oh, oh.

MR. STIRLING: - yes, when he can get any kind of an excuse to get us off the main point in debate. He never, ever got over the fact that we became part of Canada -

MR. ANDREWS: It does not work anymore.

I will ask you something. Do you think that anyone on the Opposition side,

MR. ANDREWS:

if he were Minister of Environment, would permit swimming in Windsor Lake?

MR. STIRLING:

I would not want that authority for any minister. You see, you are missing the point. Once you allow any water supply to be used for washing of cars - your amendment only makes it worse - washing of cars, landing aircraft, fishing, swimming, bathing, as soon as that message goes out you will not be able to control it. You will not have enough people to patrol, to keep people away from polluting the water supply system, and it has nothing to do with which minister is the minister.

MR. HANCOCK:

If you are going to be allowed to fish in one, you will have to open them all up.

MR. STIRLING:

It is a question that you will not have any control over. Mr. Minister, come back to reality.

MR. ANDREWS:

You underestimate the general populace.

MR. STIRLING:

I underestimate the general populace. I mean, that kind of a comment indicates that the minister just does not have any grasp of what he is setting himself up for. Where has the pressure come to use water supply systems for washing of cars? Where did it come from?

MR. ANDREWS:

Washing of cars is not in the amendment.

MR. STIRLING:

It is in your new amendment.

MR. ANDREWS:

It is something you are pulling out of your head.

MR. STIRLING:

No, you brought in an amendment that said 'washing' - did not restrict it to washing of feet or eyes or hands, it says 'washing'.

MR. STIRLING: It could include cars, it could include anything. And this is the thing - washing your dog, washing cars, under the amendment you are permitting it.

MR. HANCOCK: (Inaudible) the minister.

MR. STIRLING: Under the amendment you are. Yes, under the amendment - the amendment is including washing.

MR. HANCOCK: It is not specific about it, somebody washing his face.

MR. MARSHALL: Sections (1) and (2) (inaudible) blanket prohibition. That a minister may define certain areas is a blanket prohibition again. Sub-section (3) says in exceptional circumstances he may permit certain limited useage in certain areas, that is all. That is what it does. So there is a blanket. Once he designates an area there is a blanket prohibition against it.

MR. STIRLING: Mr. Chairman, you are missing the point. If that is the case, then why do you not bring in a specific piece of information, a specific piece of legislation, if you want to deal with Gander Lake?

The concern that I have - I have two concerns, one is the amount of pressure that can be brought on a minister - and I saw it in the Bellevue by-election, for example; we will take a situation in the Bellevue by-election in which a fish processing plant had been refused. He did not go through the appeal procedure, but on the eve of the election, the Minister of Fisheries (Mr. Morgan) came out and called a public meeting. When the pressure of the by-election was on him and the pressure of politics was on him, the minister came out - after having refused the fish processing licences and no appeal procedure, the

MR. STIRLING: Minister of Fisheries (Mr. Morgan) came out, called a public meeting of the fishermen and the plant workers and the plant owner and said, 'If you vote for the P.C. member, here is what I can do: Here is your permit.' Bang! And he signed it. No justification.

MR. ANDREWS: Good stuff!

MR. STIRLING: 'Good stuff' the minister says, exactly. And he was out there campaigning, and if that minister had received a request from people who said, 'Look, all of us in this area want to go fishing and washing our cars. Just give us the permission under Section 25,' would the minister - as he said, good stuff - would he be able to resist the temptation to get up and say, 'I will do the same thing as the Minister of Fisheries'.

MR. ANDREWS: (Inaudible).

MR. STIRLING: Well, let us put the Minister of Fisheries in there.

MR. NEARY: Then you would be putting a real fool in there.

MR. STIRLING: Would you be able to resist the political temptation to say, 'We will give authority.' That is the key that I do not want a minister on that side to have, and in a year or two years when we form the government, I do not want our minister to have the authority so you do not have to worry about it. That is why I said use your imagination, because the authority you are giving here is to the minister and it is not being specific. It is to the minister. No matter what kind of a fool that minister may be -

MR. ANDREWS: The minister and his officials - on advice from his officials.

MR. STIRLING: Yes, and the minister has

MR. L. STIRLING: already indicated, if you look at the advice that -

MR. HANCOCK: (Inaudible) officials when you called (inaudible) stadium a monstrosity.

MR. L. STIRLING: Mr. Chairman, ministers around here have never taken very much advice from officials because the first question that this minister has under this Act, he decided not to appoint a board! He decided not to appoint a board! Was that on the recommendation of your officials?

MR. H. ANDREWS: That is not for me to tell you, Sir.

MR. L. STIRLING: No, you are right. It is because the minister on one hand is prepared to say, 'I will take advice from the officials and on the other hand say, 'I am not prepared' We just passed Freedom of Information legislation. The truth of the matter, you see, is it is pure political.

MR. H. ANDREWS: We have had two major developments in the Province since that bill was introduced, that Act was introduced, one of them was turned down on environmental grounds. That is fifty/fifty.

MR. L. STIRLING: So that is good enough. If we -

MR. H. ANDREWS: So we do use the ministerial discretion and it does work I can assure you.

MR. L. STIRLING: So what you are saying is that it is okay to give the minister discretion. He will poison 50 per cent of the water supply systems as long as 50 per cent of the water supply systems he is right in. It is okay for the minister to be fifty/fifty and that is the problem. I do not trust the minister -

MR. H. ANDREWS: Oh! We were right 100 per cent of the the time!

MR. L. STIRLING: - to have a fifty/fifty chance, because the water supply system is too important to tamper with.

Mr. Chairman, I challenge the minister or the ministry or the government to show where there is any pressure from any group at this time to extend this control to allow people to wash their cars, to allow people to bathe, swim, boat with all of the oil pollution and everything that is associated with it, to open up this business of water supply systems. I do not know where that pressure is coming from except it was something that was slipped in in the drafting not at the request of the public, not at the request of anybody knowledgeable, not at the request of any municipal council but simply somebody said, 'Well, let us slip that in because we will give the minister as much power as we can'. And I challenge the minister to show any kind of evidence that anyone has asked for this kind of authority to be granted, to use the Windsor-Lake water supply system for boating, fishing and related activities. There is none requested. And if the minister would not be so stubborn when he is wrong - the Minister of Fisheries (Mr. Morgan) has already got a problem with him down in Bonavista South, where the damage is already done. To quote the Minister of Fisheries, 'I am trying to prevent a situation in which again the damage is already done'. On the question of the environment in which under this Act this minister had to give a permit for the spray programme, the minister did not tell the whole truth.

SOME HON. MEMBERS: Oh, oh!

MR. H. ANDREWS: A point of order, Mr. Chairman.

MR. MARSHALL: You cannot say that.

MR. CHAIRMAN (Butt): A point of order, the hon. Minister of Environment.

MR. H. ANDREWS: I would ask the hon. member to withdraw that statement.

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

MR. S. NEARY: Mr. Chairman, on what grounds is the hon. gentleman asking my colleague, the Leader of the Opposition (Mr. Stirling) -

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

MR. S. NEARY: - On what grounds - the hon. gentleman just gets up and directs the Chair to ask the Leader of the Opposition to withdraw something without quoting any authority for it, without stating why he thought my colleague was unparliamentary. And he was not, by the way! He expects to manipulate the Chair. It is just a difference of opinion between two hon. members, Mr. Chairman, and I hope Your Honour will rule that way.

MR. W. MARSHALL: Mr. Chairman.

MR. CHAIRMAN: The hon. the President of the Council.

MR. W. MARSHALL: Mr. Chairman, the authority is in Beauchesne. Now, you can say that somebody has not imparted the facts properly, you know, has been mistaken as to the facts. You cannot call a person a liar, for instance, in this House, so if somebody says that a person is not telling the truth then you have to take it within the context and within the context it is, 'Was the person not telling the truth because he was mistaken as to fact, an innocent mistake, or was it because it was venom?

SOME HON. MEMBERS:

Oh, oh!

MR. W. MARSHALL:

The hon. gentleman, Mr. Chairman, should be asked, really, to withdraw it or to clarify. I mean, we do not need to go on with that.

MR. L. STIRLING:

Mr. Chairman, to the point of order.

MR. CHAIRMAN (Butt):

To the hon. point of order, one final submission, the hon. member Leader of the Opposition.

MR. L. STIRLING:

Mr. Chairman, to the point of order

MR. STIRLING: reference Page 113, Beauchesne, Page 110, since 1958 it has been ruled parliamentary to use the following expressions, "Truth, not telling the truth." The expression I used was he was not telling the whole truth. The other reference I have, Mr. Chairman, is Hansard, in which in one part of Hansard I asked the minister, "Did you read the report?" He said, "No, I did not read the report." It is clearly in Hansard. I thought it was a question of privilege which was ruled not a question of privilege. In another part of Hansard, in the same Hansard, in the same day, in the same Question Period, in another part the minister said, "Yes, I read it. It would have been two or three weeks ago." So, Mr. Chairman, the two references, one is that it is parliamentary to use the truth, the specific reference, if you check Hansard, was, I said the minister was not giving the whole truth. The minister himself in a Question Period gave two separate answers and therefore, could not be giving the whole truth because he gave two separate answers. One, "No, I have not read the report." Two, "Yes, I read the report three to four weeks ago." And that is the reference in which I did not accuse him of lying. I just said he did not tell the whole truth.

MR. ANDREWS: I am not lying, no.

MR. NEARY: No, and not telling the truth. He did accuse him (inaudible).

MR. CHAIRMAN (BUTT): In the context of what was said, I think in order to dispose of this matter, I would simply ask the Leader of the Opposition to withdraw the remarks.

MR. STIRLING: Mr. Chairman, I just quoted the parliamentary reference which indicated that "is not true" is acceptable.

MR. CHAIRMAN: Yes, I have ruled that there is a point of order in the context in which it was said and I asked the hon. the Leader of the Opposition to withdraw his remarks.

MR. STIRLING: Mr. Chairman, are we now having a new ruling that it is not acceptable to say that somebody is not giving the whole truth?

MR. CHAIRMAN (BUTT): I have ruled that there is a method - if you do not like my ruling, you know, you can appeal it to the Chair.

MR. STIRLING: Well, I have no argument with the Chairman. And I am not questioning the ruling. I am looking for some direction as to what is now parliamentary. Are you now saying that without even checking Hansard you are saying that I have to withdraw - what? - the tone in which I said something?

MR. MARSHALL: Do what the Chairman said. Do you know what you are going to do? You are going to end up having even less people here in the House than down in Beaconsfield last Monday night if you (inaudible).

MR. CHAIRMAN: Order, please!
The Chair has made a ruling and I ask the hon. the Leader of the Opposition to withdraw.

MR. STIRLING: Mr. Chairman, I withdraw whatever it is that you want me to withdraw.

MR. CHAIRMAN: Okay, you withdraw it.

MR. STIRLING: I have withdrawn whatever it is you wanted me to withdraw, although I do not know what exactly it is that you have asked me to withdraw.

MR. CHAIRMAN: Shall the amendment carry?

MR. STIRLING: No, Mr. Chairman.

MR. CHAIRMAN: The hon. the Leader of the Opposition. How much time does the hon. the Leader have left?

MR. STIRLING: I now have a new ten minutes, I presume. Every ten minutes -

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: Mr. Chairman, in order to give my colleague, the Leader of the Opposition, an opportunity to carry on the strong case that he was putting forward in the belief that there should be no authority put in the hands of the minister for the things that were outlined in this particular section of the bill, in order for him to carry on, not lose his momentum, I am glad to have the opportunity to intervene to give the hon. gentleman a chance to speak again. But I know the President of the Council (W. Marshall) is waiting for me.

MR. CHAIRMAN (BUTT): Order, please!

If I just might pass along this information to the hon. member for LaPoile (S. Neary).

MR. NEARY: Sure, boy, go ahead.

MR. CHAIRMAN: I am sorry to interrupt him, but I was thinking of Committee of Supply where each member speaks for ten minutes. But, indeed, the hon. the Leader of the Opposition has thirty minutes, therefore, he will have an additional nine minutes remaining.

MR. NEARY: Well, in that case we will give him another thirty minutes because -

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: - the President of the Council is over there -

MR. HANCOCK: You cannot beat Munn's, 'boy'!

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: The President of the Council is laying for me, waiting for me because I believe a year and a half or two years ago, I was one of the - I believe I was the only one in this House who suggested that

MR. S. NEARY: Mr. Ray Simmons, who has been a champion in the cause, on behalf of wildlife and the people who like the outdoors in this Province, that government was designating too large an area for watersheds in this Province. And I concurred with Mr. Simmons and I said at the time that I thought he was right and I even went as far as to say that I saw no reason why fishing should not be allowed in Windsor Lake. So I know the President of the Council (Mr. Marshall) is laying over there now just waiting for me to get up and speak against this amendment. Then he will get up and trot Hansard out and say, 'There you go, the member a year or two ago was in favour of this and now he is against it'.

But, Mr. Chairman, I believe the point here is that - and I agree with Ray Simmons, by the way, who writes that column for The Evening Telegram and I always read - well, I do not always read it but every chance I get I pay attention to it because he is a very practical individual, a very common-sense individual who has a great understanding of the outdoors in this Province. I really think that in a number of cases we have gone too far in restricting activities in watershed areas. I have no doubt that if the matter was put to the people of this Province of whether or not you should allow fishing in Windsor Lake, it would become a highly charged emotional issue and the people of St. John's who have to drink the water would probably vote against it. They would probably say, 'No, there should be no fishing in Windsor Lake'. You would probably have the same thing from the people in Gander as far as Gander Lake is concerned, and you would get the same reaction from the people -

AN. HON. MEMBER:

Not all over.

MR. S. NEARY:

No, not all over. But in Stephenville you would get the same reaction because the people who are drinking that water would be in deadly fear that the water would become polluted. But in the case of Gander Lake, of course, we know that aeroplanes are landing there, we know that fishing is allowed, we know that boating is allowed in Gander Lake and the people are still drinking the water. We know that in Stephenville the same thing happens. But in the case of Windsor Lake, of course, you are not allowed to fish, you are not allowed to swim. There is quite a watershed there as far as Windsor Lake is concerned. I never cease to be amazed myself, because I have to go back and forth over that road quite often - when I was living on Bell Island I went back and forth there just about every day - and I never cease to be amazed at the people who will say that you should not be allowed to fish in Windsor Lake when everything else - when the run-off down there is running into Windsor Lake, there are culverts across the road. The water runs along the side of the road down there, there are culverts across the road and the run-off runs into Windsor Lake. And God only knows what is going out in that lake. I have seen cars out in the lake, I have seen beer cartons in that lake, I have seen garbage thrown in Windsor Lake.

The fact of the matter is, Mr. Chairman, I think that members of the House would have to agree that if you are going to cure the problems of Windsor Lake, that you would have to move the highway, you would have to move the road further back, the road is too close, the road goes right along by the reservoir, right along by Windsor Lake, the road goes along there.

MR. S. NEARY: And I would suspect that there are all kinds of pollution going into Windsor Lake far worse, in my opinion, than if people were allowed to fish there. I have no doubt but a little bit of fishing goes on there now. I would say some of the prize trout on the 24th. of May have come out of Windsor Lake.

But anyway, Mr. Chairman, I am not saying now whether I am for or against allowing swimming and boating and fishing in Windsor Lake. But I will say this - and I am really sincere about this - that the area that has been allocated as a watershed is too great an area. In the ponds right now, for instance, surrounding Windsor Lake - there is a pond going down the Old Broad Cove Road, there is a pond where the overflow from this pond goes into Windsor Lake, and you are allowed

MR. NEARY: to swim there. There is swimming going on there all the time. And if you go down Bennett's Road you will find that there are Summer cottages, all the moneybags have their cottages down there, and they are built right on a lake and the overflow goes into Windsor Lake.

AN HON. MEMBER: They do everything there.

MR. NEARY: Pardon? They do everything there. They have septic tanks.

MR. MARSHALL: Is that the watershed area?

MR. NEARY: That is a part of the watershed area. And I am not pointing this out now to embarrass anybody, I am just - I mean, these are facts, these are statements of fact.

MR. MARSHALL: Why do you not get your act together?

MR. NEARY: Well, our act is together.

MR. MARSHALL: (Inaudible)

MR. NEARY: No, I agree with the Leader of the Opposition. I agree with him, Mr. Chairman, that the reservoir itself should be restricted.

MR. MARSHALL: You never disagreed with the former former, former, former leader.

MR. NEARY: A former, former, former leader.

Who was that? Who was the former, former, former leader?

MR. CALLAN: Moores, I suppose. Maybe Frank Moores.

MR. NEARY: Mr. Chairman, let me make a statement

for the benefit of the hon. gentleman. I have been - I am now going into my nineteenth year in this House, going into my nineteenth year. Next June I will start my twentieth year. And I have not changed my style, I have not changed my content. I have not changed one little bit. Although the press sometimes think I have changed. I am just as vocal. I stick by my principles just

MR. NEARY: as much now as I did the first day I sat inside the rails over there on that side of the House. I have not changed a bit.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: And I have seen leaders on that side of the House, Leaders of the Opposition come and go and I go on forever and I still have not changed and I have no intention of changing. And if I have something to say in this hon. House, as my hon. friend from Exploits (Dr. Twomey) knows, I am going to say it whether it be good bad or indifferent, whether it be right or wrong, where if I hurt somebody's feelings in saying it, I am awfully sorry to have to do that. But I have things to say and I want to say them and I have a few things to say on this particular amendment.

I think what the Leader of the Opposition is getting at, and he has a good point, that the reservoir, itself-take Petty Harbour, Big Pond - now, that feeds directly into the pipelines that carry the distribution of water into the homes in the city of St. John's, the same as Windsor Lake. And then there should be no swimming, there should be no allowing people to wash cars, or dump garbage or anything in the main reservoir. But in the watershed itself-and perhaps the medical men who are more knowledgeable in these things than I am, can tell us if water purifies itself if it has to run long distances. I do not know. Does it? Because my hon. friend who is an expert -

DR. MCNICHOLAS: It filters.

MR. NEARY: It filters.. I have no doubt but that it probably purifies itself, but you have water, an overflow, a run-off going into Windsor Lake from long distances away and I believe in these ponds and rivers, where the water is given a chance to purify itself, I think fishing should be allowed in these ponds and lakes.

MR. NEARY: Well, I believe that makes a bit of sense and I hope that the concern raised by Mr. Ray Simmons on a number of occasions in his column that he writes, The Outdoors, in The Telegram, I hope his concerns will be taken into consideration. So I am betwixt and between on this one. I am with the Opposition, with the Leader of the Opposition on polluting the reservoir as the water supply, and I can also see the advantage of the amendment. But I am very concerned and I think the Leader of the Opposition raised a very valid point when he talked about the competence of the people who would administer this act and that is a matter of concern. That is a matter of concern to me. It is a matter of concern to all the members of the Opposition and it is a matter of concern to the people of this Province.

Mr. hon. friend, I think, the member for St. John's Centre (Dr. McNicholas), who is very knowledgeable in these matters, knows what I am talking about when I am talking about the ponds and the rivers and the streams around the Summer cottages and Summers homes and so forth. But, Mr. Speaker, it is the competence of the individuals. We had a case the other day, as the Leader of the Opposition pointed out, where the minister responsible for the Environment, in connection with the spruce budworm, told us in answer to a question that he had not seen the environmental impact or

MR. NEARY: the contingency plans, in case there was an accident or plane crash in connection with the spruce budworm. And then when he got caught and he was embarrassed and he did not want to be scolded by the leader of the party, then he thought that he would try to weasle his way out of it. And that is where something less than being factual to this House came in. That is when the incorrect information was given. The hon. gentleman trying to save his political scalp, then got up and changed his story, switched his ground and it was obvious, Mr. Chairman, what the hon. gentleman was doing. We are not allowed to say what he did but it is so obvious. It would be unparliamentary to say what the hon. gentleman did. But it was so obvious to everybody. The hon. gentleman felt so uncomfortable and red in the face, and wild-eyed and frustrated and desperate that we knew what the hon. gentleman had done, he got caught. And he got caught in something that was unparliamentary. We are not allowed to say it. So we would not want to see that happen, Mr. Chairman. We are very concerned about the strengths of this government. We have a leader of the government, of the administration, who is strong in some ways but terribly weak in other ways. He is strong on confrontation. He is strong on attacking the Government of Canada. He is strong on attacking business and industry. He is strong on attacking unions. But he is too weak to develop the Province. He is too weak to negotiate agreements with Ottawa. He is too weak to develop the natural resources of this Province. So he has his strengths and his weaknesses.

You know, Mr. Speaker, he means well. The Premier means well. He is well-intentioned. But he is too weak to really do the job, too weak for the job. So the same thing applies to ministers all the way down the line. He is

MR. NEARY: very weak on manpower. He has the President of the Council (Mr. Marshall), for instance, who will not give up his law practice. He wants to be a minister, and he was to practice law at the same time. And he has a Minister of Justice (Mr. Ottenheimer) who cannot get interested in anything. He has a Minister of Justice who would prefer to be Speaker. I believe it was a mistake to -

MR. MARSHALL: Perhaps the hon. gentleman might like to do something about the (inaudible).

MR. NEARY: We have a Minister of Justice who cannot get interested in anything, who would like, still, to be Speaker, and I think that is the job for which he was best suited. And we can go all the way down the line, right down to the Minister of the Environment (Mr. Andrews), which was a desperation move, a move to try to maintain some kind of balance of power in the Cabinet, that saw the hon. gentleman brought into the Cabinet. But they are very, very low on competent manpower on the government benches, very low. And as a consequence of that incompetence, ineptness on the part of ministers, they cannot reshuffle the Cabinet. There is no way you can reshuffle the Cabinet. All you do is just take the old deck of cards and deal it over again.

So I am very concerned, Mr. Chairman, I am very concerned about putting authority in the hands of that minister and a number of other ministers on the other side of the House, most of the ministers, as a matter of fact, I am very concerned about giving them too much authority, I do not think they are capable of handling it. So I think that is a very valid point and it is something with which the people of this Province should be very concerned.

We like to see progressive legislation. We will get up in this House and we will agree with legislation when we think it is good, as we have done, when it is

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MR. NEARY: in the interest of the ordinary people of this Province. We will vote against, and speak against legislation when we do not think it is in the interest of the people of this Province. But I believe from here on in, from now until the time the Tories are trufed out in this Province, that we should vote against every amendment to every bill that gives an incompetent minister more authority.

MR. WARREN: Hear, hear!

He is incompetent, I will tell you that.

MR. NEARY: And in this particular instance, Mr. Chairman, only in a couple

MR. NEARY:

of short weeks, since that minister has taken over that particular department, we have really seen how incompetent and inept that minister is. He shagged up the Winter Games.

MR. WARREN: That is right.

MR. NEARY: He forced them to resign. He has not got a clue about the environment, not a clue. He has the Minister of Fisheries (Mr. Morgan) upset with him now. I mean, the man is just like Joe Blyxfgit, he has a dark cloud over him all the time and he is going to dig a hole much deeper for himself in the future. The hon. gentleman does not do his homework. He might have a golden voice for radio but you need a few more qualifications than that, Mr. Chairman, to be a minister.

MR. WARREN: Boy, he does not know a pond from a lake.

MR. NEARY: My hon. friend the member for Menihek (Mr. Walsh), I believe, would make a good minister.

MR. WARREN: Sure.

MR. NEARY: I have gotten to know the hon. gentleman since we went on the Public Accounts Committee and the hon. gentleman, I think, would make an excellent minister. But I do not know why the two or three good ones they have over there are by-passed. I do not know why the member for Bay of Islands (Mr. Woodrow) is continuously by-passed. The member for St. John's Centre (Dr. McNicholas) would make a good minister, if you could only persuade him to give up his professional activities. He has been offered a Cabinet post and he will not go in for the simple reason that he has the same problem that a certain gentleman in Corner Brook has, who says that he will not run in politics until he makes his first million. He will not come back in politics until ne

MR. NEARY: makes his first million. And the hon. member for St. John's Center (Dr. McNicholas) has the same problem. What we need, Mr. Chairman -

MR. STIRLING: St. John's North will soon be back in.

MR. NEARY: I think what we need is to gut her out.

MR. STIRLING: The member for St. John's North (Mr. Carter) will soon be back in the Cabinet.

MR. NEARY: The member for St. John's North (Mr. Carter) will never be invited back in the Cabinet, never, never, never!

MR. STIRLING: Yes, yes. He is working hard on it.

MR. TULK: He should be there now.

MR. STIRLING: He is going to replace 'Dinn'.

MR. CHAIRMAN (BAIRD): Order, please! We are on the amendment now, I assume.

MR. STIRLING: Yes, we are talking about the authority of the minister.

MR. NEARY: The hon. member for St. John's Centre (Dr. McNicholas) - I am glad to hear the hon. gentleman say he has made his first million. I want to congratulate him. All he has to do is find a few more people like Geoff Stirling and he will not be long before he will have his second million made. So, Mr. Chairman, therein lies the problem. The real concern of my hon. friend here - and I think he must have gotten the message through by now - is the ineptness and the incompetence of the minister. It is putting too much power in the hands of people who could not run a Sunday school picnic.

MR. WARREN: That is right.

MR. NEARY: That is the problem. And I believe for that reason the Leader of the Opposition has persuaded me at least - the other arguments, I think I have dealt with them, the other points, and I raised this matter myself a year or two ago and was very glad to do it, but the other arguments, I will straighten them out. And I know the

MR. NEARY: hon the President of the Council is ready to get up on his feet now and say, get your act together, you know, you are being hypocritical about it and all this, but I hope, Mr. Chairman, that I have given the reason, the main reason why we are reluctant to vote for this bill and that is because we do not have a competent minister. You cannot trust that minister. You cannot put any authority in the hands of that minister and as time goes on, the President of the Council and his colleagues will see how right we are. Because I will predict right now that that minister is going to dig such a hole for this government that they will never get up out of it again.

MR. STIRLING: He will not last that long.

MR. WARREN: He will be an environmental hazard.

MR. NEARY: That is right. It will be bigger than the glory hole out in Buchans, the hole that that hon. gentleman will dig for himself and for this government.

MR. FLIGHT: If they get hold of that minister, the first time he shows up that is right where he is going, right down the glory hole.

MR. NEARY: Yes, Sir, he is going to take them down the glory hole. So having said that, Mr. Chairman, I would like to - I am sorry I will not be able to stay to hear what the President of the Council has to say. I have to catch a flight at one o'clock for Port aux Basques, where I will be making my thirteenth trip this year since the first of January.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: Mr. Speaker, he is in real trouble in Port aux Basques too, he is in real trouble. I hope when he is out - I will not say, because perhaps I will get on the radio out in Port aux Basques and I can answer him in

MR. MARSHALL: Port aux Basques the weekend, what I am going to say to the hon. gentleman.

AN HON. MEMBER: Better get on the radio because (inaudible).

MR. MARSHALL: But, Mr. Chairman, we are on section 25. You would never say it from the last speech. An amendment has been proposed to section 25. The Leader of the Opposition (Mr. Stirling) wishes us to take out subsection (3) which empowers the minister where he is satisfied that the nature and size of the water supply area is sufficiently large to preclude any pollution by any person, that then he may allow these certain activities there.

It is also, Mr. Chairman, quite evident that the first part of the section preclude these activities in watershed areas only in the very, very exceptional circumstance. Now, you know, you can debate this all day, if you wish to debate it all day, that is fine, that is a prerogative, but our position is, the government's position is that this was brought up in second reading and we have looked at it after the comments that were made in second reading, and as far as government is concerned reasonable men can differ and there can be differences between reasonable men, that this is a reasonable and rational provision to have in that section of the act. And we have no intention of taking subsection 25 (3) out because we think it will be of use. And it does not mean, as the hon. gentlemen opposite make it out to be, it does not mean that we are going to permit washing, wholesale washing of cars or washing of people or fishing in watershed areas. Generally speaking, they will be prohibited and it is only, as I say, in the exceptional circumstance. So government has no intention of changing it, the amendment is before the Committee and I have to say, in relation to what the member for LaPoile (Mr. Neary) has indicated when he talked about the present minister of the department, that

MR. MARSHALL: as far as government is concerned it could not be in better hands. And while the hon. gentlemen are - for many years thereafter, when the hon. gentlemen there opposite get to pay the penalty which they are going to pay, when they next face the electorate, for their support of the denial of jurisdictional rights, etc. to the people of this Province and the promise of the future to the people of this Province, that the hon. minister will have many more gray hairs enjoying the portfolio.

MR. STIRLING: What?

MR. MARSHALL: He will grow many more gray hairs in the portfolio that he is in, and other portfolios that he will undoubtedly succeed to.

SOME HON. MEMBERS: Oh, oh!

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

MR. STIRLING: Mr. Chairman, this is with a great deal of interest to the comments pro and con made on both sides. And as far as I can see, I have even become more firm after hearing the examples given by the Minister of the Environment (Mr. Andrews).

Mr. Chairman, I looked at the contingency plan that, first of all, the minister did not read and then within a matter of the same Question Period, within fifteen minutes, he read three or four weeks ago. In that same report, Mr. Chairman, that contingency plan is nothing more than a list by the Junior Red Cross or the St. John Ambulance, about things you should do if you come in contact with poison. That is all that is in the contingency plan, the whole contingency plan that says if a supply has to be dumped it cannot be cleaned up. 'If a supply has to be dumped by one of those spray planes, it cannot be cleaned up'. Now, that is the contingency plan. No plan as to if it is dumped then what do you do, it just starts with the statement that nothing can be done. The contingency plan, in fact, provides no contingency plan.

MR. STIRLING: Mr. Chairman, in New Brunswick this year there have been four or five incidents, either because the planes are not properly maintained or some other problem or a different kind of plane, whatever the problem is - and I would invite the Minister of Lands and Forests (Mr. Power) to get into the debate because -

MR. TULK: They dumped four loads in one pasture.

MR. STIRLING: Yes. The fact of the matter is that they have had problems,

MR. STIRLING: They have had crashes and there are large concentrations. There have been all kinds of incidents and one in which I believe somebody in federal Fisheries is taking somebody to court because people were actually sprayed, fishermen were actually sprayed on in an area that they had indicated would not be sprayed.

Now, Mr. Chairman, this minister was responsible for developing a contingency plan and the contingency plan does not deal with what happens if a 'plane crashes, it simply says there is nothing you can do about it. What happens if the supply must be dumped? It simply says you cannot do anything about it.

AN HON. MEMBER: Where is that?

MR. STIRLING: It is the contingency plan I am referring to. Check the contingency plan. Check the contingency plan and enter into the debate. And on the basis of the contingency plan that is in effect for the spray programme this House has received no assurances of the minute detail of the controls and the checking to make sure that the 'planes are the types of 'planes, all of the sorts of things that have caused the problems in New Brunswick.

MR. POWER: It is a different type of 'plane. The Minister of Forestry (Mr. Power) says it is a different type of 'plane. This House has not been assured of any of that.

Now, you are asking that same minister to be granted the authority to decide on the use of a water supply system. And, Mr. Chairman, there is no question that for any number of reasons, pure political pressure, incompetence, somebody manoeuvring somebody else, that is one set of reasons.

MR. STIRLING:

The other set of reasons is the fact that once the public gets the impression that they can use a water supply area, you will not be able to police it. You will not be able to put on enough police force to police it. And all you have to do is look at any of the situations around any of our roadsides, any of our gravel pits or any of the countryside that is now open to the public. Once you start it you will not control it. And the only way you can control it is by preventing it absolutely, as is now done.

Mr. Chairman, it appears that the government is not going to listen. We have made the points. The minister is the best example of why he should not be given the authority. The very fact that this minister will now have the authority to allow people to use Windsor Lake for the washing of cars - a specific amendment brought in to include washing - washing of cars, pollution, whatever needs to be done can be done. Mr. Chairman, I find that a completely unacceptable position for this government to be taking and I am going to have to vote against that Clause 25. We have made the points in second reading, we have made it again now in the Committee stage, where we normally only bring up specific points on specific clauses, and I think we have made the point. The government is clearly aware of the responsibility that they now have. It is not just past their noses. We have told them about incidences in the Stephenville area, we have told them about the concerns in the St. John's area; and the member for Pleasantville (Mr. Dinn), who is so proud of his majority in Pleasantville, should tell the people that he is sitting in a government that is voting for allowing the minister to have the discretion about whether their water supply system can be used for

MR. STIRLING: washing of cars, boating, pollution and all the things that go with roadside events.

Mr. Speaker, the government is aware. I think we have done our job. We have brought it to their attention and we have asked them to change that clause.

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN (Baird): Order, please!

MR. STIRLING: Carrying it on another two or three days or six months is not going to change the government's minds. So, Mr. Chairman, we have made our point and we will be voting against that legislation, and I would urge the members, particularly those who represent the St. John's area where the people are very concerned about the water supply area, to think twice about voting to give that kind of authority into the hands of any minister.

On motion, Clause 25, as amended, carried.

On motion, Clauses 26 through 38, carried.

MR. CHAIRMAN: Shall Clause 39 carry?

MR. BENNETT: Mr. Chairman, I am not hearing your clauses as they are coming up.

MR. BENNETT: I am either deaf or you are not speaking loud enough and there is a few comments I would like to have made myself.

MR. CHAIRMAN (BAIRD): I will speak louder, if you wish.

MR. BENNETT: Yes, I wish you would speak louder or I will have to get some hearing aids. Have we passed Clause 33?

MR. CHAIRMAN (Baird): About five minutes ago, we did pass 33. Did you have a question on 33?

MR. BENNETT: I would like to have had a question on 33, yes.

SOME HON. MEMBERS: By leave.

MR. CHAIRMAN: Agreed. The hon. the member for St. Barbe.

MR. BENNETT: Thank you, Mr. Chairman. Just a slight explanation there. Clause 33, 'Without limitation of any powers given by the other provisions of this Act or by the regulations, any inspector or other officer appointed under this act or the regulations may enter into and go upon any land or body of water for the purpose of carrying out any of his duties, powers and functions, including, without limitation of the foregoing, inspecting and testing of any air, soil or body of water.' Now, to me this is quite far-reaching. And back after the first line, somewhere after the first line, 'without any limitation of any powers given by the other provisions of this Act', it seems to me that if any officials, the powers of any certain officers, can enter into - you would have to study the whole - you would have to understand, a victim would have no argument. I would like to see that more fully explained so that -

MR. MARSHALL: Mr. Chairman.

MR. CHAIRMAN: The hon. the President of the Council.

MR. MARSHALL: Mr. Chairman, the observation is well taken in one respect but in another respect, if the hon. member will realize that there will be instances where an inspector

MR. MARSHALL: may have to enter upon private property for the purposes of, for instance, seeing that you know locating the source of any effluent which was contaminating a water supply, that you have to have provisions in the act or otherwise the owner of the property can rely on the basic right of, you know, private property and you cannot come in. A person cannot come in on another person's property unless that person has a right and that right is given under the law. And this particular section is there for that purpose. It is very difficult to define, but it has to be in relation to the purposes in the act that an inspector goes in. If an inspector went in on property for purposes other than the act, under the guise of using his power to go in, under the guise of using the act, and he was not so authorized, he was not in on a purpose under the act, he would then be liable for prosecution. That is the word that is used now, really it is really a suit for trespassing, you know, the normal rights. But it has to be in there and it has to be in there for that purpose.

MR. BENNETT: This probably would not have come to my attention if I had not had personal experience of a bulldozing effect on the part of officials, government officials in the past. And when I have been obliged to ask them for what gives them the right to intrude upon my premises, and indeed my affairs, they have had to leave my premises under other acts of government, other departments of government and I think this is - well, it may not be giving in total - in the first instance here, it looks to me like the power given certain officers is that they can bulldoze their way in and I think this here, Clause 33, should be more fully explained.

MR. WARREN: Eliminate it altogether.

MR. BENNETT: Or eliminate it altogether until it is written in a better manner.

MR. MARHSALL: I do not think we can eliminate it altogether. I can agree with what the hon. gentleman is saying because from time to time you get officials--because of the way some officials act, the word official itself has sort of a negative connotation to it to an awful lot of people. If a person comes in on your property, be he an official or otherwise, and he has not got the right to do it under the law, as I said, he can be dealt with accordingly. I am quite sure in instances like that, if the hon. gentleman wishes to give instances to the ministers of the departments concerned with respect to that, I am sure they would be only too happy to look into it because this ministry is very sensitive to the abuse of power

MR. MARSHALL: by officials. With respect to this it has to be exercised, as the hon. member will see, in the carrying out of his duties, powers and functions. So he can only go in there insofar as it is necessary to carry out these functions and this contains a limitation as it is. I am afraid that you do not like to infringe on the - as least as possible - we all like to infringe as least as possible on the rights of other people in legislation. But this particular section is very, very necessary for the carrying out of the intent and purpose of the act.

But your observations are well taken and, as I say, you can give us any specific instances outside and we will look into it for you.

MR. CHAIRMAN (Baird): The hon. member for St. Barbe.

MR. BENNETT: Thank you, Mr. Chairman.

So many of our people in the Province today they fear, they live in the fear of inspectors. They look like monsters and sometimes they act like monsters in the presence of very humble people around the Province, people who are small business people, people who are trying to develop services for the Province such as campsites or motels, service stations or anything. And I am not very happy with the way this is worded here. The power is given to an officer, all he need do is take this bill with him, splash this in front of an operator who is humble and not too well-informed, except in the way of making a livelihood for himself and his family, and he can read this out to that person and say, "Well, here is where I get my powers to intrude upon your premises."

MR. WARREN: Shame!

MR. BENNETT: "And you have got no recourse but just permit me to go and raid your territory."

MR. MARSHALL: No. Yes you have. Yes you have. Because it says - I can understand the concerns of the hon. member but it says, "for the purpose of carrying out his

MR. MARSHALL: duties, powers and functions."

Now, one of his duties, for instance, is, "preventing or restricting the pollution, discoloration, or rendering unwholesome the bodies of water." Now say, for instance, near a water supply somebody had a septic tank and the septic tank - the effluent was pouring into the water supply. The only way that you can prove it is to get on the land.

Now, you know, when I am saying it, I am not arguing with the position taken by the hon. member, all I am saying is that this section has to be in there. I will agree that there are certain times when officials overstep their boundaries, their bounds, and I would say that if he has any specific instances, if he wants to give them to us we would certainly be happy to look into them. If he does not want to give them to us, there are procedures through the Ombudsman, for instance, where the Ombudsman - this is an area that the Ombudsman could well be involved in.

What I am saying is your position - I am not arguing with your position and your comments, but this section, unfortunately, is necessary there for the effective operation of the act and we are going to have to leave it in there.

MR. CHAIRMAN (Baird): The hon. member for St. Barbe.

MR. BENNETT: I can understand what the hon. gentleman is saying but I do think there should be a clause injected which would demand notice to be given before an official of the department would be permitted to enter upon the property of other persons. Some of the officials, not all of them mind you, but some people do carry an arrogant attitude when they come as inspectors. They like to wield the heavy hand. And it is not impossible for the inspectors to enter upon premises

MR. BENNETT: that would embarrass people who are living in seclusion. Around their property they have certain privacies and I think that there should most certainly - somewhere in clause 33 there should be something injected to suggest, or to recommend, that there certainly should be notice given before anybody enters upon the private property of individuals so that these people are given due warning so that they can get out of their bathing suits or whatever is necessary, which might cause embarrassment - or get into their bathing suits, I should say.

MR. MARSHALL: Mr. Chairman.

MR. CHAIRMAN (Baird): The hon. President of the Council.

MR. MARSHALL: I am certainly prepared to take it, you know, to take it under consideration. Now you could not get to the stage where you give notice because in some of these cases quick action and speedy action is necessary. In some cases if you give notice they can hide the cause of the problem, what you are seeking to do. There may well have to be -

MR. W. MARSHALL: possibly what the hon. member is saying, perhaps there should be a provision with respect to, not just this, but all inspections, that the inspector should have to give specific reasons of why he is in there and perhaps leave them with the owner of the premises which he is visiting so that that would be a check on them.

That is something we can look into but we cannot amend the bill at this stage. And I think it would apply not just to this but it would apply to all inspectors, generally. It is something we can take into consideration. As to your observation on arrogance, and some of the officials are arrogant because human nature, I suppose, is such. Some of them are not arrogant, some of them are arrogant and it is rather difficult to legislate against human attitudes of human people. We will certainly consider what the hon. member says but we cannot make an amendment at this particular stage without considering all of the import and implications of it.

But his observations - I am not arguing with his observations, I hope you understand - I am just trying to point out how we have to maintain a balance between the public good and the individual's rights.

MR. W. CALLAN: Mr. Chairman

MR. CHAIRMAN (Baird): The hon. member for Bellevue.

MR. W. CALLAN: Mr. Chairman, I am not sure that this is the appropriate time to relate an incident -

MR. CHAIRMAN: Are you talking on Clause 33?

MR. CALLAN: Yes, 'Powers of certain officers.' But anyway, perhaps - I do not know how wide-ranging this debate is and perhaps I have to be very specific.

MR. W. CALLAN: I know what Clause 33 is all about and I understand what the hon. member for St. Barbe (Mr. Bennett) has been saying over the past five or ten minutes, and, of course, the President of the Council (Mr. Marshall) in his responses. Well, I believe that that particular clause goes a bit too far, there is no notice given, as he says. He says there should not be any given because the people might have a chance to cover up, I think, is the essence of what he said. Well, there was a famous Prime Minister who said that government has no business in the bedrooms of the nation, a very famous Prime Minister.

MR. FLIGHT: Yes, a very famous Prime Minister.

MR. W. CALLAN: I want to relate an incident, Mr. Chairman, that involves the RCMP. Now, Mr. Chairman, I did not kick up any stink over this or report or so on - a

MR. FLIGHT: (Inaudible) pages in another three weeks.

MR. W. MARSHALL: The hon. member's colleague was instructing (inaudible).

MR. W. CALLAN: Yes, that happens.

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

The Chair is having difficulty hearing the hon. member for Bellevue.

MR. W. CALLAN: Well, Mr. Speaker, let me relate an incident which, even though it probably does not pertain to this bill as such, perhaps it is good to have it on the record. About a month and a half ago - it was actually during a campaign that was being carried on out in the district of Bellevue but which was totally unrelated to it - two RCMP officers were in pursuit of a gentleman whom they suspected of drinking, I believe. And perhaps the man was drinking, because they pursued him to a certain point in the town where I live and the gentleman abandoned his car and decided to run for cover. The two RCMP officers

MR. W. CALLAN: pursued him and in the pursuit this gentleman decided that he would pretend, at least pretend to the two RCMP officers, that he was entering this particular house. Now, around the bay, as most people recognize, not very many people bother to lock their doors and so on. So anyway this gentleman ran behind this house but did not enter the House even though the door was unlocked. He may have pretended to enter the House but he went behind the House and hid in the trees and so on. The two RCMP officers came along, found the door unlocked, walked in the porch, walked in the kitchen, walked right into the bedroom, Mr. Chairman, of two senior citizens. And when they woke, two o'clock in the morning, they saw two RCMP officers with two flashlights at the foot of the bed. And this particular couple, Mr. Chairman, did not know what to think. And the RCMP officers said to them, 'Where is your son? 'Well, we do not have a son. There is no one living here with us'. Anyway, they got out of the bed and

MR. CALLAN:

they came out talking to the RCMP officers, out in the living room and so on, and tried to explain to them, you know, 'there is nobody in this house'. 'Oh, yes, there is, Where is your son?' 'Well, I have three sons; two are in Ontario and the other one is in Newfoundland but he does not live here'. And then they asked the RCMP, 'Well, are you sure that there is someone in the house, did you see them come in'. 'Oh, yes, we saw him come in, we saw this man come into this house'. They looked under the beds, they looked in every bedroom, in every room, went down in the basement they looked around and so on and so on. Anyway, finally- and the RCMP officers would not accept the word of this particular couple, those two senior citizens, you know, would not accept it. And they finally explained, you know, the mother did, she said, 'you know, I have four children, two of them are in Ontario, there is one in this Province and the only one who is in this Province there is his picture right there'. Now, the picture she pointed at, Mr. Chairman, was a picture of myself which- you know, 3,500 households in the district of Bellevue could have pointed at the same picture because they all had the picture either in the window or somewhere.

But, Mr. Chairman, the point I am trying to make is that here we have law enforcement officers who, I believe, are taking a little bit of liberty. You know, what would have happened if that woman, for example, or either one had had a heart attack, not knowing what to expect at two o'clock in the morning with two RCMP officers at the foot of the bed. I did not bother to take it to the Department of Justice and that sort of thing because, obviously, what would happen is that if anything did happen, then the RCMP officers involved at the Whitbourne detachment would obviously make sure that I got

MR. CALLAN: mine, you know, for embarrassing them and so on. So for that reason I did not go public on it. But I believe there is a message here and it pertains to powers of certain officers, you know, that perhaps some of these officers should exercise their authority with a little bit more discretion and a little bit more common sense. You know, a lot of these officers, we are told that they are our friends and that sort of thing. That is not very friendly I do not believe.

Anyway getting back to 33 here, I agree with the member for St. Barbe (Mr. Bennett) that, you know, without any notice being given, for somebody to walk in on your land and so on, it is a little bit much.

I thank you, Mr. Chairman.

MR. CHAIRMAN (Baird): I might remind all hon. members of Standing Order 44 (b): 'Speeches in Committee of the Whole must be strictly relevant to the item or clause under consideration'.

MR. CALLAN: Thank you, Mr. Chairman.

MR. CHAIRMAN: Shall clause 39 carry?

The hon. member for St. Barbe.

MR. BENNETT: If the hon. House Leader (Mr. Marshall) wants specific cases I shall give them to him but not in the House of Assembly, because they are not exactly the types of things I would like to talk about in the House of Assembly.

MR. FLIGHT: Mr. Chairman, they were not only irrelevant they were irreverent..

On motion, clauses 39 through 52.

Carried.

On motion, that the Committees report having passed a bill, "An Act Respecting the Department of the Environment" with Amendment, carried (Bill No. 4).

June 12, 1981

Tape No. 2448

AH-1

MR. MARSHALL:

Order 10 Bill No. 19.

A bill, "An Act To Amend The Newfoundland And Labrador Housing Corporation Act For The Purpose Of Intergrating The Newfoundland And Labrador Housing Corporation And The St. John's Housing Corporation."
(Bill No. 19)

On motion, clauses (1) through
(6), carried.

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

MR. MARSHALL:

Order 11 Bill No. 28.

A bill, "An Act To Amend And Consolidate The Law Respecting Boilers, Pressure Vessels And Compressed Gas."
(Bill No. 28)

On motion, clauses (1) through (50),
carried.

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

MR. MARSHALL:

Order 12 Bill No. 29

A bill, "An Act Respecting Amusement Rides," (Bill No. 29).

On motion clauses (1) through (26),
carried.

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

June 12, 1981

Tape 2449

EC - 1

MR. MARSHALL:

Order 13. Bill No. 6.

A bill, "An Act Respecting The Drilling Of Water Wells And Conservation And Use Of Ground-Water." (Bill No. 6).

On motion, Clause 1, carried.

MR. CHAIRMAN (Baird):

Shall Clause 2 carry?

MR. MARSHALL:

Mr. Chairman.

MR. CHAIRMAN:

The hon. the President of the Council.

MR. MARSHALL:

A technical amendment to Clause 2(e), replacing the words there. It says, "Minister" means the Minister of Consumer Affairs and Environment;" Of course, as a result of passage of the act, it is now the Minister of Environment, so I move that Paragraph (e) of Clause 2 of the bill be amended by striking out the words 'Minister of Consumer Affairs and Environment' and substituting the words 'Minister of Environment'.

On motion, amendment carried.

On motion, Clause (2) as amended, carried.

On motion, Clauses (3) through (16) carried.

On motion, that the Committee report having passed the bill with amendment, carried.

MR. MARSHALL: Order 14. Bill No. 18.

A Bill, "An Act To Amend The Historic Objects, Sites And Records Act, 1973". (Bill No. 18).

On motion, Clause (1) carried.

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

MR. MARSHALL: Order 15. Bill No. 31.

A Bill, "An Act To Establish The Newfoundland And Labrador Youth Advisory Council". (Bill No. 31).

On motion, Clause (1),
carried.

MR. CHAIRMAN (Butt): Shall Clause (2) carry?

MARSHALL: Mr. Chairman.

MR. CHAIRMAN: The hon. the President of
the Council.

MR. MARSHALL: On Clause (2) there is just
again an inconsequential amendment, but one that has to
be made, changing the Minister, as it appears here,
'Tourism, Recreation and Culture' to 'Culture,
Recreation and Youth', so I move that Paragraphs (b) and
(d) of Clause (2) of the bill be amended by striking out
the words 'Tourism, Recreation and Culture' and
substituting the words, 'Culture, Recreation and Youth'.

Shall the amendment carry?

MR. STIRLING: Mr. Chairman.

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

MR. STIRLING: It may be just as well to find
out from the government at this stage whether or not they
have given consideration to the points made in debate
about the fact that from our point of view there does not
seem to be any need to appoint three members to baby-sit
the nine members on the Youth Council. The view on this
side is that there should be a Youth Council, that should
be completely free of political influence, that it should
be elected under the terms and conditions set out by the
Council. They should reflect the views of youth; they
should be not interfered with at all. And we believe
that there is a temptation in appointing three people
that the government - and it does not make any difference
whether it is the present government or the next
government - that the temptation will be there to
appoint three people who will be seen by the young people

MR. STIRLING: on that Council as having the authority on the Council. They will be there as members, they will be there as advisors, and we think that having people who are seen by them as an appointment in the establishment or from the establishment or by government, that they will not feel comfortable with that kind of an appointment of three people. The first reading indicates that they will be over twenty-one when, in actual fact, it appears that they can be over fifty-one or forty-one and that they are not youth at all, that they are appointed almost as they would be teachers or the people to do the guidance. And the belief on this side is that if we

MR. STIRLING:

are going to have a youth advisory council that is should truly be a youth advisory council made up of youth. That they should set their own rules and regulations. They should elect their own people, instead of nine being elected and three additional appointed. It is the feeling on this side of the House that all of the twelve should be elected and to allow the youth council to decide who they want as advisors. Let them set up their own advisory board if they want an advisory board, but to appoint three advisors, in our view is a mistake, in our view is the same kind of mistake that the government made when they set up the advisory council on women and made the administrative assistant of that council subject to taking projects assigned by the Premier, assigned by the Cabinet. We think that that is an interference. We think that that is setting up what in fact will become a group that will feel that they do not have the complete freedom and then if there is a clash, since the government provides the funding and the government appoints three members, then these people will be influencing the young people. And our view is that the situation in Newfoundland and Labrador right now is desperate in so many areas involving youth. It is desperate in the area of Education. The ability of young people to go to university. With the cutback now in the programme that many people are going to be affected by it. We believe the Youth Council should have absolute freedom to deal with that problem of education.

Another area which is of great concern to youth, is the area of employment and the whole idea that young people are not being trained, not being given the opportunity to get experience so they can put that experience to use. The Youth Council has a definite role to play in making recommendations involving employment and employment opportunities.

MR. STIRLING: Another area of great concern to the youth of this Province is in this whole question of recreation, leisure time, the abuse of alcohol, the abuse of drugs, and the rehabilitation programmes necessary for these young people. That whole area deserves the attention of youth.

We support the concept of the Youth Council but we do not agree with the concept of appointing three people who, in fact, will not allow the youth to have the absolute freedom. We believe that they should have the freedom to go to wherever they wish for meetings, to discuss any subject that they wish and to bring recommendations to this House of Assembly. The Youth Council should be responsible to this House of Assembly instead of a specific minister. And there should be, except for the budgetary controls— the only controls that should be administered are the ones that say, 'here is your budget, you spend it as you wish'.

We believe that if you are going to have confidence in young people, then you should have confidence in the young people. Allow them to elect their own twelve, allow them to run the Advisory Council as they wish.

Mr. Chairman, on this side of the House we have complete confidence that given the opportunity, the youth of this Province have something meaningful to say, something meaningful to say about the problems and the solutions, the solutions to why 16,000 young people in this Province are unemployed, why there is a real problem getting into university, why there is a real problem in coping with all of the potential that they have to get involved in the offshore and the ocean related projects.

Mr. Chairman, and that is why we would like an indication from this government now before we go through the clause by clause, to see whether or not they have decided to accept the advice, not only of members in this House

MR. STIRLING: of Assembly during the second reading but from the youth themselves. They know they have received recommendations and resolutions from youth themselves, asking that they be given the kind of freedom, the freedom from political interference.

MR. MARSHALL: Mr. Chairman.

MR. CHAIRMAN (Butt): The hon. the President of the Council.

MR. MARSHALL: We debated this, Mr. Chairman, in second reading. It was debated extensively. The situation here is that the adult people, people over twenty-one who are on this council, are chosen by the youth on the Committee, the nine on the Committee itself and they are rubber-stamped, in effect, by the Lieutenant-Governor in Council. And we feel

MR. MARSHALL:

that this is the best way. We have no intention of making any change at this point in time. It is working well now despite what the Leader of the Opposition (Mr. Stirling) has indicated. Our main concern is to see that councils of this nature function effectively. If in the future it is determined that this is an impediment and it is necessary for any changes to be made, we will make them. But at the present time it is working well, it is working effectively. And I guess you might say the issue is joined, because as far as the government is concerned it has no intention of leading any amendment with respect to that.

MR. CHAIRMAN (Butt):

Shall the amendment carry?

MR. STIRLING:

Mr. Chairman.

MR. CHAIRMAN:

The hon. Leader of the Opposition.

MR. STIRLING:

It shows a little bit of the arrogance of the government to say that this is now in place and working before the legislation is even passed. There was, in fact, a piece of legislation in force that gave the government much more control and when they introduced it in 1976, I think the date was, they felt they needed all that control. And it effectively ruined the Youth Council, and the Youth Council has not been operating. And if it has been operating, why is it that they needed to have new legislation? This is a new piece of legislation and, in fact, we now hear that the people have been appointed, the elections have taken place, and it is now operating and government is not the slightest bit interested in having it operate smoothly in accordance to the legislation, because they have had it in force, acting, operating and the legislation has not even been passed, the kind of arrogance that obviously should show young people throughout the Province, that they really had no interest in doing anything for youth, it was to get a group of people under their care, custody and

MR. STIRLING: control and then, eventually, it would get the legislation around to make the legislation fit what is now happening.

I presume then that you are now, sometime, going to set out clearly when you are going to have new elections to put in a new council and that these new appointments, presumably, will be subject to the recommendation of the new council.

So it is a little bit of a farce unless the President of the Council would give us the date on which the new council members are going to be elected.

MR. ANDREWS: Mr. Chairman.

MR. CHAIRMAN (Butt): The hon. Minister of Culture, Recreation and Youth.

MR. ANDREWS: I just want to make one quick comment. It appears to me that the hon. the Leader of the Opposition (Mr. Stirling) has not read this at all. It says here three of the members shall be appointed by the Lieutenant-Governor in Council on the recommendation of the other nine members which are the youth. We are just rubber stamping. These are not government appointments. These are people who are recommended by the Youth Council.

MR. STIRLING: Mr. Chairman.

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

MR. STIRLING: Mr. Chairman, the very point, I would like to discuss this with the minister for the couple of minutes we have left. If it is only a rubber stamp why do you leave all twelve? Just change under (a), instead of nine change it to twelve, twelve of them to be elected on a regional basis. Why do you need the three if they are going to be rubber stamped by the Lieutenant-Governor in Council? If it is only a rubber stamp, why do you need the three? Why not allow the twelve to be elected? So why the rubber stamp?

MR. ANDREWS: That would not give the youth a choice then, see.

The youth have indicated that they would like to have three adults and we let them choose them.

MR. CHAIRMAN (Butt): Order, please!
The hon. Leader of the Opposition.

MR. STIRLING: Mr. Chairman, I would challenge you now -

MR. ANDREWS: You do not have to challenge me.

MR. STIRLING: - I would challenge you again to table anything that you have had from the Youth Advisory Committee indicating that it is their recommendation that three adults be appointed to their Committee. I challenge you to show any documentation that the youth asked for that. You just said that the young people asked for three people to be appointed, Well, I challenge you to show any evidence that the young people asked for it.

MR. CHAIRMAN: Shall the amendment carry?

MR. BENNETT: Mr. Chairman.

MR. CHAIRMAN: The hon. member for St. Barbe.

MR. BENNETT: The hon. minister, Mr. Chairman, I wonder if he would give us a general format of what the - you know, I think in essence this bill can be a good thing and I would not want to see it get to be a political thing, a political tool. And I wonder if the minister could explain the general terms and what the limitations of the principles involved in this Youth Advisory Council might be? Give us the general scope of what they might be able to become involved in.

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

MR. H. ANDREWS: I think if the hon. member read the bill -

MR. T. BENNETT: Mr. Chairman, I do not have a copy of the bill. I do not have one on my desk and there has never been one placed on my desk. Just for the record I would like to have the hon. gentleman - you see, Mr. Chairman, I have just suggested that I think to establish a Newfoundland and Labrador Youth Advisory Council is a very good thing unless, Mr. Chairman, it got to be a political tool, like I suggested. Now, I would like to see advice coming from these young people with regard to, most certainly, sports and recreation. And I would be reluctant to see hundreds of thousands of dollars on stadiums that never function when we need quarter of the dollars that get wasted in stadiums. I would like to see it in communities like in my district, like in Port au Choix, where we have quite a substantial cash flow, and if we could have this Youth Advisory Council suggesting, making recommendations that we will have stadiums built in the Province to take the youngsters off the streets, take them away from some of the abuses they get involved into. This is the reason I am asking the hon. minister if he would give us a general outline on what their rate is.

I would like to, while I am on the floor, Mr. Chairman, know why these bills have not been placed on my desk, because I do not have one.

MR. MARSHALL: All I can say -

MR. T. BENNETT: I have not seen it. I know I can get one.

MR. W. MARSHALL: All I can say to the hon. gentleman is they are distributed and put on everybody's desk. If the hon. gentleman does not have one it is because of inadvertence.

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN (Butt): The hon. the Minister
of Culture, Recreation and Youth.

MR. ANDREWS: I think the question
is what will the Youth Advisory Council do? Is that
generally the question? I think, as I have said before, it
is in the Act here, 'To promote, operate and conduct or
assist in the promotion and operation of workshops,
seminars, courses of instruction, conferences and related
activities; enquire into, initiate, promote, supervise,
assist or implement any proposal, request, activity,
programme or undertaking associated or connected with the
purpose of this proposed Act', and it goes on.

The purpose of this
group of young people is to advise government on what we
are doing right, what we are doing wrong, what types of
programmes we should have in place to help the youth.

MR. CHAIRMAN: Order, please!
The time has expired.

Is it agreed to stop the clock?

MR. STIRLING: We will not finish
our comments today (inaudible).

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

MR. STIRLING: Just to ease this
along while the Deputy is reporting —

MR. SPEAKER (Simms): Is it agreed to stop
the clock?

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: Agreed.

MR. STIRLING: — it would help matters
on this bill if you could give us the names of the
Executive Secretary who has been appointed, who the present

MR. STIRLING: nine members are of the Council, and who the appointed people are and the dates of these appointments. Since the bill is now a new bill, it would help the discussion along if that information were tabled.

MR. MARSHALL: Mr. Speaker, that information the hon. gentleman has already been given in second reading but we will run it again. We will get it again, no problem.

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

MR. CHAIRMAN (Butt): Mr. Speaker, the Committee of the Whole have considered the matters to it referred and have directed me to report having passed Bills Nos. 88, 2, 24, 47, 41, 19, 28, 29 and 18 without amendments and Bills Nos. 3, 4 and 6 with amendments, have made some progress on Bill No. 31 and ask leave to sit again.

On motion, report received and adopted, Bills Nos. 88, 2, 24, 47, 41, 19, 28, 29 and 18 ordered read a third time, on tomorrow, Committee ordered to sit again on tomorrow.

On motion, report received and adopted on Bills Nos. 3, 4, and 6 with amendments.

On motion, amendments read a first and second time, Bills Nos. 3, 4 and 6 ordered read a third time, on tomorrow.

MR. SPEAKER: The hon. the President of the Council.

MR. MARSHALL: Mr. Speaker, I move that the House at its rising do adjourn until tomorrow, Monday at 3:00 p.m. and that this House do now adjourn.

MR. MARSHALL: We will be doing the concurrence debates, the Budget debate and the Finance Bills before we get back on legislation.

MR. STIRLING: The concurrence is first, then the budget -

MR. MARSHALL: Then the Budget and then the Finance Bills, before we get back on ordinary legislation, except for third readings of course.

On motion, the House at its rising adjourned until tomorrow, Monday, June 15, 1981 at 3:00 p.m.

I N D E X

ANSWERS TO QUESTIONS

TABLED

JUNE 12, 1981

*Tabled by Hon.
Minister of Education
12 June, 1981*

REPLY TO QUESTION NO. 40 - ORDER PAPER DATED MARCH 30, 1981 -

QUESTION

40. - MR. NEARY (LaPoile) to ask the Honourable the Minister of Education to lay upon the Table of the House the following information:

What is the number of journeys involving public business which she has made since March, 1979 to places outside Canada, showing for each journey:

- (a) the names of the countries visited;
- (b) dates of the journey;
- (c) the total cost to the Government for hotel accommodations, meals, ground and air transportation and other expenses;
- (d) whether or not any member of her staff, or any other person, accompanied her for all or a portion of her journey, and if so
 - (i) what is the name of each such person;
 - (ii) what is the title of the position each such person holds or held;
 - (iii) what was the total cost to the Government for hotel accommodations, meals, ground and air transportation and other expenses for each such person;
- (e) the nature of the public business attended to on the journey?

ANSWER

I have made one journey involving public business since March 1979 to places outside Canada.

- (a) The country visited was Denmark.
- (b) The dates of the journey were July 12, 1980 to July 19, 1980 inclusive.
- (c) There was no cost to the Government of Newfoundland and Labrador for any expenses related to this journey.
- (d) No members of my staff nor any other person accompanied me for all or any portion of my journey.
- (e) At the invitation of the Government of Canada through Honourable Lloyd Axworthy, Minister Responsible for the Status of Women, I was a member of the Canadian delegation to the United Nations World Conference on Women, "Equality, Development, Peace" (sub-themes: employment, health and education) held in Copenhagen.

June 12, 1981