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VERBATIM REPORT

TUESDAY JUNE 1, 1971

SPEAKER: THE HONOURABLE GEORGE W. CLARKE

The House resumed at 3:00 P.M.

MR. ROWE (F.W.): The House will recall that we have a gentleman's agreement, more than that I suppose, with the Government of Canada, in the field of bilingualism and I am very happy to make a brief statement here which follows on an announcement made a week or so ago.

Several weeks ago, the Memorial University of Newfoundland and the Government of Newfoundland and Labrador made a joint announcement about a French language programme that had been opened this summer under the auspices of the Government of Canada. Under this programme our University is able to send thirty-four students to Trois Rivières in Quebec for a six week session in French language training. Since that announcement, these thirty-four bursaries, valued each at \$550, and sufficient we estimate to cover all expenses for any students or teachers taking advantage of them, these have all been allocated and so there are now thirty-four Newfoundlanders, or there will be thirty-four Newfoundlanders attending this six week programme at Trois Rivières this summer.

We have been advised that there have been a number of vacancies available also at Laval University in Montreal, for a six week session similar to that being sponsored at Trois Rivières.

I understand also that Memorial University officials have been advised that they have been awarded several additional seats at Trois Rivières and so they have a number of additional bursaries available.

These \$550 bursaries, for both Laval and Trois Rivières, are available to post secondary students, that would be the students who have completed their grade eleven matriculation or the equivalent thereof and to teachers who wish to study the French language and who meet university entrance requirements. Any interested teacher or language student may obtain further information by contacting Mr. C.K. Andrews, the Director of Special Services in the Department of Education and Youth, here in Confederation Building. Inasmuch as there will be, I am sure, quite a number of teachers and students all across the Island and

MR. ROWE: Labrador who are interested in this programme, I have prepared copies of this statement for the press, who may wish to give it as wide representation as possible.

MR. SPEAKER: Before we enter into the presentation of petitions, may I take this opportunity of drawing to the attention of the House three separate groups that we have the honour of having visit us today. In the Speaker's Gallery we have a group representatives of the Learned Societies that are meeting right here in St. John's now, in the gallery to my left, we have twenty-five students from grades VI, VII, and VIII from the school at Britannia, in charge of Mr. E. W. Raymond, and in the gallery to my right we have twenty-five boys from the four St. Patrick Boys' Scouts Troop, in charge of Mr. Garry Goose.

I know that you would like me, on behalf of the members of the House, to extend to them a very cordial welcome.

PRESENTING PETITIONS:

MR. MARONEY: Mr. Speaker, I beg leave to present a petition addressed to the hon. the Speaker and members of the House of Assembly of Newfoundland. This is the petition of the named residents of Ocean Pond and the Hodgewater Pond area in the electoral district of Harbour Main. The prayer of the petition is that whereas all the residences in Ocean Pond, Hodgewater Pond and Hodgewater Line area, in the electoral district of Harbour Main, are without the services of electricity, and whereas these residences are used continually from early spring to late fall each year without such an amenity, be it resolved that the undersigned humbly request the Provincial Government of Newfoundland and Labrador to provide electricity to the residences within the above mentioned areas and the petition further reads that the hon. House of Assembly may be pleased to have this matter taken into consideration.

This petition Mr. Speaker, is signed by 181 residents of that area. These residences, in the main, are occupied from early spring until late autumn and are in the main, summer residences. Nevertheless, I think it is fair to say Mr. Speaker, that those people who live in that area, which is a relatively short distance from areas where electricity is provided to permanent homes, these people should be entitled to have electrical services provided the summer

MR. MAHONEY: homes. These are in the main summer homes, as I have said before. I certainly support the prayer of this petition and ask that it be laid on the table of the House and referred to the Department to which it relates.

MR. DAWE: Mr. Speaker, I would like to rise in support of this petition. Many of the summer residents of this part of Ocean Pond come from the district which I represent and I have some idea of the growth which has taken place at Ocean Pond down through the years. It is one of our better, I would say, summer resort areas and I am sure that if this service could be provided to them, it would be most warmly accepted and would add to its future growth. I have much pleasure therefore, in supporting the petition.

On motion petition received.

MR. SMALLWOOD (J.R.): Mr. Speaker, I beg leave to present four petitions, one on behalf of my hon. friend the member for Placentia West, who is in hospital and cannot be present today, and the other two from the hon. member for Green Bay, who is unavoidably absent from the Chamber, and the third on behalf of Your Honour who, as Speaker of the House, is not in a position to present a petition.

The first one is from the community of Rushoon, in the district of Placentia West and it is to register a strong protest, Mr. Speaker, concerning a change that has been made in the boundary between the community of Rushoon and the community of Baine Harbour.

The petitioners feel very strongly that these changes came about without their being informed that it was going to be done. They say that the principal reason why the proportion now excluded from Rushoon was included, when Rushoon was incorporated, was to include a lake, a certain lake or pond as a potential water supply to the municipality. They pray, headed by their Parish Priest, the Reverend Joseph Barbour, and largely signed, that the matter will be rectified. I ask leave that the petition be laid on the table of the House and referred to the Department to which it relates.

On motion petition received.

MR. SMALLWOOD: The next petition, Mr. Speaker, is from the community of Rattling Brook in Greene Bay and they pray and petition that the road be upgraded and

MR. SMALLWOOD: paved from the end of the proposed pavement at King's Point through the community of Rattling Brook in the district of Green Bay, a distance of approximately one mile. I do not know whether my hon. colleague, the Minister of Highways, can find the money, the machinery and the men, to do this mile of paving but I commend it to his attention and ask that the petition be laid on the table and referred to the Department to which it relates.

On motion petition received.

MR. SMALLWOOD: Mr. Speaker, I have a petition from Nipper's Harbour, also in the district of Green Bay, and it is signed by the citizens of that place and the letter accompanying it is by Mrs. George Starkes, the secretary of the Parent Teachers Association.

The petition sets forths the fact that the members of the P.T.A. are becoming alarmingly concerned over the fact that the numbers of teachers in a school are governed by the number of pupils. This, they say, was really brought home to them through the news media when they learned that Little Bay Islands had lost a teacher because Little Bay Islands did not have the number of pupils required by Law, regardless of the number of grades. They go on to say: "We know that this Law should be changed to read, 'number of classes instead of number of pupils.' We are not faced with this situation for at least two years but what then if our number drops to less than thirty-six? We hope that before this time has elapsed, the educators of our Province will see the injustice of it. We as parents appeal to you now to please change this Law and make it possible that all children living in small communities, such as ours, will not have to attend a school with less than two classrooms." I know that this petition will be read and considered carefully and feelingly by my colleague, the Minister of Education.

I beg leave to have the petition laid on the table of the House and referred to the Department to which it relates.

MR. ROWE (HON. F.W.): Mr. Speaker, I thin, perhaps, for the information of the House I

MR. ROWE: say with reference to that petition, that the point that the petitioners have made is well taken. It is a fact that we do have regulations applying to the schools of Newfoundland with respect to the number of teachers that the school of any size may have at any particular time. There is a ratio formula, perhaps would be a better word, which says that a school of a certain size may have a certain number of teachers, no more as far as the Government is concerned. The Board which operates the school may have more teachers but, if so, then the Board has to find the money itself. The Government will not pay grants for any teachers other than those that are engaged in accordance with the ratio prescribed by law in this Province. However, we have recognized and I think that is implicit in the petition, those of us who are in the field of education have recognized that this bed of Procrustes is, in this day and age, something that we should not tolerate indefinitely. There was one thing to have it when our financial position was such that we did not dare to aspire to anything more than a simple, straightforward teacher-pupil ratio of one teacher for every thirty-five pupils or one for every thirty, whatever it happens to be, but we are no longer in that stage and we feel that the time has come when our regulations should be modified in the light of changing conditions and indeed in the light of changing aspirations of our people.

As this House knows, we do have a General Advisory Committee, set up by Law, which Committee has the right to advise the Government on all matters of educational policy. That Committee, which operates under the chairmanship of the Minister of Education, ex-officio, has had a sub-Committee examining this whole matter of teacher-pupil ratios and related matters and I believe, I am hopeful that that sub-Committee will be presenting its report to the General Advisory Committee at tomorrow's meeting. Their monthly meeting will be held tomorrow morning and I am hopeful that that report will be presented at that time. I have reason to believe that the sub-Committee, made up of prominent educators who are, of course, full aware of the problems outlined in this petition, have been aware of it for many years and particularly in recent months

MR. ROWE: and have been working on it in recent months. I have reason to believe that that Committee will be recommending to the General Advisory Committee, and their Board to the Government, since the Minister of Education has no choice but to bring before the Government any recommendation that the General Advisor Committee may make.

I believe that the recommendations will be of a nature that will enable us, if adopted, to modify these restrictions in favour of the smaller communities, particularly the isolated communities of Newfoundland where it is impossible for students to take advantage of our transportation policies and indeed on occasion, it is difficult for them to take advantage of our consolidation programmes as well, or the programmes that are instituted by the respective boards of education.

I cannot, of course, anticipate what action the Government will take but I have reason to believe that my colleagues will entertain any recommendations for modification of the present regulations with the utmost sympathy.

My own personal feeling is, and this is my final word on it at this time, that we should change the regulations in such a way that our Boards of Education will have greater latitude, more freedom of action than is possible at the present time. I heartily support that petition.

On motion petition received.

MR. SMALLWOOD: Mr. Speaker, I have the honour to present a petition from some 155 residents of Carbonear South, that is to say the southside of Carbonear. The prayer of their petition has to do with the building of a road, a new road connecting Carbonear Town with the Town of Harbour Grace. This road is, I believe, presently under construction. I drove down that way and came back again on Sunday and I went to Western Bay and I noticed that the road is very definitely under construction.

The road connecting Carbonear with Harbour Grace is a very winding and a very twisting road and, I would say, rather hazardous one to drive over, although I do not know that very many accidents have in fact occurred. Perhaps

MR. SMALLWOOD: as traffic increases in volume, the hazard will increase, I do not know.

The new road would go virtually straight between the two Towns, but the petitioners feel, I gather from the petition, that the new road will be built in such a position as more or less take Carbonear South off the direct connection with the Conception Bay Highway.

They say, "whereas it will impose a financial burden upon us as taxpayers, which we are not in a position to accept, and will therefore of necessity result in the devaluation of property because of the lack of funds for proper highway maintenance, thus lead to our area becoming depressed. . . ." By which I gather they mean that if they are not on the main Conception Bay Highway, there will be a tendency on the part of the Town Council of Carbonear, to maintain the road less acceptably as the years pass.

I think, in that connection, that the main road from the far end of Carbonear South, all the way through Carbonear South and around what might be called the Riverhead of Carbonear and over to the north side of Carbonear, to its far end, opposite, approximately opposite, across the harbour from the far end of the southside, that road, I believe, is the main road of Carbonear and is thus the responsibility of the Government of the Province, in which case the Government of the Province will have the responsibility to maintain it and keep it in good condition. I would imagine therefore that the fears of the petitions in that one respect might be unfounded and, whereas the Department of Highways would reflect discrimination by such action against this area, as the official policy of the Department of Highways has stated; "to take into consideration before a decision is made to change a road; the nature of the developments along the existing road."

This would be the only section of Conception Bay where this policy was not followed. I am not able to comment on that, Mr. Speaker. I have a certain amount of doubt as to the literal accuracy of the statement, "whereas the purpose for which this new road is being built can be achieved by coming out by Graham Legg's and this area would benefit from the new development.

MR. SMALLWOOD: Therefore, be it resolved that we, the undersigned, do oppose by this petition, any change in the road by the Department of Highways that would isolate Carbonear South and thereby lessen the value of our property and retard the future growth and development of this area."

Now Mr. Speaker, I have to say quite frankly that I sympathize completely with the fears of the people of Carbonear South. Always it is the same, wherever a road goes winding and twisting, connects any part of a community, and there is a proposal to straighten it so that certain parts of the community cease to be directly on the direct highway, there is bitter complaint that they are being cut off and isolated.

I remember the case of Clarenville and Shoal Harbour. The road would go through Clarenville and would go all the way up to the head of Shoal Harbour and go around Riverhead and then come back again on the opposite side of the water. The Government decided to shorten that road to Bonavista by putting a causeway across the water, but this would cut off the whole of Shoal Harbour. They came to me, and I sympathized completely with them but said to them; "surely ladies and gentlemen, surely you admit that it is right that we should shorten that great Bonavista Highway," they admitted that we should all right, but what they were afraid of was, once that was done, their section would be neglected. I gave the undertaking, which we had kept to this moment, and will keep as long - 1965, and that is six years, we have kept our promise to this moment and I believe that we will continue to keep it. We paved that road and we have kept it in good condition. I say the same thing to the good people of Carbonear South, who are, all of them, my friends, I think every last individual there is a friend of mine and I think perhaps of Your Honour as well, I say to them that we will not allow it to happen; because the main highway around Conception Bay is straightened, that Carbonear South will be left out of connection. We will go out of our way to keep them in good condition.

Sunday afternoon, on my way back from Western Bay, I drove over the full length of Carbonear South. Your Honour did not know that, I drove the full length of it to see how it looked and to see how the new paving we are doing there is shaping up; and I believe it will be all right.

MR. SMALLWOOD: I beg leave to table the petition and ask that it be referred, with sympathy, to the Department to which it relates.

On motion petition received.

PRESENTING REPORTS OF STANDING AND SELECT COMMITTEES

MR. STARKES: Mr. Speaker, I beg leave to table Highway Traffic Regulations made under and by virtue of the power conferred by Section 207 of the Highway Traffic Act, number 82, 1962.

QUESTIONS:

MR. WINDSOR: Mr. Speaker, I wish to table the Report of the Newfoundland Fisheries Development Authority for the fiscal year ending March 31, 1971.

MR. SMALLWOOD: Mr. Speaker, I have the answer to one question, question number 342 on the Order Paper of April 1, 1971, in the name of the hon. member for Burin. It is in three parts and the answer to the first part is - yes. The answer to the second part is - no. No there is no third part, there are only two parts to that answer.

MR. JONES: Mr. Speaker, I have here the answer to question no. 488, on the Order Paper of April 16, 1971, asked by the hon. member for St. John's West. "Has the Government or the Newfoundland Industrial Development or any Government Agency deposited any money in the Franklyn National Bank in New York, U.S.A.? If so, how much, the date the deposits were made, total amount and so forth and so on?"

I have divided the answer into three parts. Several deposits were made in an operating current account, in the name of the Provincial Building Company Limited. These funds were not on deposit for any great length of time as cheques were issued in each case. This is a non-interest bearing account and the balance as of March 31, 1971 was \$25,041,000 U.S. The Provincial Government deposited \$100 thousand Canadian dollars to the Franklyn National

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which was returned on June 18, 1970. This also was a non-interest bearing loan deposit. The Newfoundland Industrial Development Corporation deposited \$1 million Canadian with the Franklin National Bank on November 16, 1969 which was returned June 18, 1970 also non-interest bearing. "Is there now any loan in effect with the Franklin National Bank so forth and so on by Government or any agency?" The answer is, no. All the money has been paid back. Question no. 495, on the Order Paper of April 16 by the hon. the member for St. John's West. "What consultant was ^{paid} fees in the amount of \$27,055 during 1968-69 \$44,820 in 1969-70, for a total of \$71,875.00 by the Newfoundland Liquor Commission? For what services were these fees paid?" The answer is that it was Price Waterhouse Associates. The second part of the question is: A survey of beer distribution within the Province. "On what date were the said consultants retained by the Newfoundland Liquor Commission and by the Government to perform the services performed by the consultants? How was the amount of remuneration paid to the consultants arrived at?" The date was the 24th. October, 1968, a statement of these was rendered by Price Waterhouse Associates and approved for payment by Cabinet. I may add too, Mr. Speaker, that we also had an opinion from the Department of Justice and the Division of the Attorney General before these accounts were paid.

Question 492 on the Order Paper of April 16, in the name of the hon. the member for St. John's West. "In connection with arrears of insurance premium tax imposed under the Insurance Premium Tax Amendment Act, 1968, for what reason was interest not levied on arrears of this tax as noted in the Report of the Auditor General for the year ending March 31, 1970? Is the minister now levying interest on such arrears as provided for under Section 2 of the said Act?" The answer is, Mr. Speaker: Although the Act has been in force for some nineteen years the amendment providing for the charging of interest was not brought into effect until May 1968. The Act was repealed 1st. September, 1968. In the circumstances, it was decided not to levy interest on the small number of accounts that were late in being paid. "(2) If the minister is not now levying interest on such arrears, what are the reasons for such failure to levy interest?" The

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answer, Mr. Speaker, is that there are no arrears outstanding.

Question No. 493, on the Order Paper of April 16, in the name of the hon. the member for St. John's West. "During the financial year that ended March 31, 1970, why were amounts totalling \$85,213 collected as gasoline tax refunded to eight Government debtors whose debts to the Government were in arrears, who were the eight Government debtors concerned and what steps have been taken to ensure that any payments by the Province to Government debtors, whose debts are in arrears, are now intercepted and applied in reduction of their debts?" The answer is in three sections, Mr. Speaker: (a) Of the total sum \$63,314 was paid to oil companies to whom the claiming companies had assigned their claims. The question of payment of such assigned amounts in future has been referred to the Department of Justice for a ruling as to whether or not these amounts can be intercepted. Information as to debts owed by companies to other Government departments was not forwarded to the revenue branch of this department at the time. Appropriate steps have now been taken to correct the apparent inadequacies in the communication of this type of information. Section (c) which has to deal with the names of the debtors involved; Section 12 of the Gasoline Tax Act prevents the disclosure of the names of debtors involved.

Question No. 520, on the Order Paper of April 19, in the name of the hon. member for St. John's West. "Has the Iron Ore Company of Canada now been assessed for the calendar year 1965 to 1969 for mining tax and royalties for those years and, if so, on what date were they so assessed and have the said assessments now been paid by the Iron Ore Company of Canada?" The answer is that the assessments for the year from 1965 to 1969 are now being prepared. "(2) Has the additional royalty in connection with the Iron Ore Company of Canada stated by the Auditor General to be 5% amounting to \$504,076.00 now been assessed on the Iron Ore Company of Canada and paid by the Company and, if not, what is the present position with respect to the additional royalty?" Discussions are presently being held, Mr. Speaker, with officials of the Government and the company in this connection. I may say in this answer that a person in my department makes a

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point of saying that some of the delays have been due to a shortage of staff.

"In connection with the assessment notices issued to the Iron Ore Company of Canada for the year 1956 to 1964 inclusive have steps been taken by the Government to disallow as deductible expenses to the Iron Ore Company of Canada the sum of \$3,956,120.00 for municipal and school taxes paid to authorities outside the Province?" The whole question of reopening assessments through the year mentioned is at present being discussed by legal and accounting experts. It should be noted, however, that the assessments for the year 1956 to 1964, inclusive, were not made by the Department of Finance, as prior to 1967 such assessments were the responsibility of another department.

MR. FRECHER: Mr. Speaker, I should like to table the reply to Question No. 545 asked by the hon. member for St. John's Centre and appearing on the Order Paper of May 7, 1971. The question, worth remembering, is this: "Has the minister appointed any advisory committees as authorized by Section 8 of the Newfoundland Consumer Protection Act? (2) If so, who are the members of such committees? (3) What authority and duties have been assigned to these committees?" No complaints have been received which would necessitate the setting up of any committees up-to-date, therefore, no committee or committees have been established. The Act was proclaimed on the 15th. December, 1970.

MR. CALLAHAN: Mr. Speaker, a partial answer to Question No. 192, standing in the name of the hon. member for Gander, on the Order Paper of March 26. The question was directed originally to my colleague, the Minister of Supply and Services. He, in turn, directed the sections of the question that dealt with the period during which I had responsibility for the Government's aircraft services. This is a partial answer to Question No. 192. Part (3) asks: "What services were provided for Eastern Provincial Airways Limited in 1969-1970 in connection with the servicing, management and operation of Government planes?" The answer is, contract flying and maintenance of the

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two super cubs, five canso water bombers, two turbo beavers, one twin otter aircraft, three helicopters, for the forest service. There were also two helicopters for the forest inventory project. Part(4): "What was the sum paid to E.P.A. in 1969-70 for any services provided in (3)?" The answer, total paid by contract \$1,294,750. Part 12: "Did the Government during 1969 and 1970 carry: (a) Hull insurance, (b) Liability insurance on it planes?" The answer in the case of (a) yes, carried by contractor and in the case of (b) yes, carried by contractor. Part 13: "If the answer to (12) is affirmative, what was the coverage?" The answer: In the case of Canso \$100,000 each, in the case of super cubs \$20,000; in the case of turbo beavers, \$150,000; in the case of the twin otter, \$500,000; in terms of passenger liability, \$100,000, each person; in terms of public liability, \$100,000, each person, and \$300,000, any one accident; property damage \$500,000, any one accident.

Question No. 316 standing in the name of the hon. the member for Gander on the Order Paper of March 30. "Has a final report been submitted to Government by the Royal Commission on Forestry under the Chairmanship of L.Z. Rousseau?" As the House is aware, Mr. Speaker, the report has been tabled in the House. "List the names of persons or corporations to whom this report has been circulated?" That would be a bit difficult, Mr. Speaker, since the report, after being tabled, became available for public distribution. There have been very many requests from corporations, from individual persons, from universities, from various universities and other libraries. I would say that several hundred requests have indeed and in fact been made. The report is being sent out or copies of it every day are being sent out. I am not sure that it would be useful to take the time required to detail all the requests that have been filled. I think the reasonable answer is that it is in public circulation and available to

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anybody virtually who asks for it on request. Part 3: "When is it to be tabled?" It, of course, has been tabled. "What is the cost to date?" I think it would be more proper for that part of the question to be replied to by my colleague, the hon. the Minister of Finance.

Question No. 399, standing in the name of the hon. the member for Burin, on the Order Paper of April 2, 1971. This question, Mr. Speaker, has to do with the employment of radiation monitoring technicians in the mines at St. Lawrence. I believe or I have dealt in extensive detail with this matter recently in the House, on estimates. The specific question is: "How many radiation monitoring technicians are permanently employed by the Government at St. Lawrence?" The answer is one. "The name or names of such technicians?" Mr. David Rex. "The date of appointment?" The month is May - 2nd. May, 1967. "Is or are such radiation monitoring technician or technicians appointed on a permanent basis to the Civil Service of the Province?" As I informed the House sometime ago, Mr. Speaker, the intention is and indeed the action, I believe, has been taken, certainly the action has been taken by me. I think it has been confirmed that Mr. Rex is to be made a permanent member of the public service but not as a radiation technician, rather as a supervisory inspector, supervising full-time, being resident at St. Lawrence, the monitoring programme of the operating company in those mines.

Question No. 438, standing in the name of the hon. the member for Gander, on the Order Paper, dated April 13, 1971. "How many Wild Life Officers are presently employed by the Department? Give a breakdown into categories: (a) Full time (b) Part time?" Mr. Speaker, there are in fact 105 persons, officials of the Government, whose duties involve them in the enforcement of wild life regulations. These include 34 full-time officers of the Wild Life Service, officers engaged in protection and patrol as well as 12 Wild Life Field Technicians and 59 other officers who primarily are attached to the Newfoundland Forest Service but whose duties also include wild life control and enforcement of the Wild Life Regulations.

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That makes a total of 105 officers who are involved pretty well or perhaps I could say 34 full-time and the remainder part-time, on wild life enforcement. I think that is it anyway, Mr. Speaker.

MR. NOLAN: Mr. Speaker the answer to Question 507, asked by the hon. member for St. John's West on the Order Paper of April 19. Question "(1): Has the Government agreed with Newfoundland Pulp and Chemical Company Limited that electric power be supplied to that company for the proposed Pulp and Paper Mill to be located at Come-by-Chance at any particular rate per kilowatt hour, and if so, at what rate per kilowatt hour?" The answer, Mr. Speaker, is that the Newfoundland and Labrador Power Commission has not entered into an agreement with Newfoundland Pulp and Chemical to provide electric power for the operations of the proposed Pulp and Paper Mill at Come-by-Chance. The next part of the question: *What is the anticipated yearly consumption of power by the proposed Pulp and Paper Mill of Newfoundland Pulp and Chemical Company Limited?* The answer is: That anticipated yearly consumption of power by the company has not been provided by the company to the Newfoundland and Labrador Power Commission. Part (3): "If the Government have agreed with Newfoundland Pulp and Chemical Company Limited that electric power be supplied to them for the Pulp and Paper Mill located at Come-by-Chance at a rate per kilowatt hour that would return in revenue less than the cost of producing and delivering the power to the proposed Mill." (This really is not applicable, Mr. Speaker) "at Come-by-Chance what is the estimated yearly cost to the Province of the subsidy needed in connection therewith?" Part (4): Please table any agreement entered into between the Government and Newfoundland Pulp and Chemical Company Limited relating to the supply of electric power to that company for the proposed Pulp and Paper Mill at Come-by-Chance?" This is not applicable to the Newfoundland and Labrador Power Commission.

On motion of the hon. the Minister of Health, a Bill, "An Act Respecting The Transplanting Of Parts From One Living Human Body To Another Living Human Body And Respecting The Disposition Of Bodies And Parts

Thereof Of Deceased Persons For Therapeutic And Other Purposes, read a first time, ordered read a second time, presently.

MR. ROBERTS: Mr. Speaker, may we call Order 5, second reading of the Fishermen's Collective Bargaining Legislation?

MR. SMALLWOOD: Mr. Speaker, this is the third proudest moment of my public life. The first, of course, was the success of the campaign for Confederation. The second was the success of the campaign for Churchill Falls. The third is this great programme for Collective Bargaining for our fishermen. I am all the more pleased today to see in the galleries the leaders of the two unions of fishermen in our Province and other officers and leaders of those unions; Mr. P. J. Antle of the Newfoundland Federation of Fishermen and Mr. Richard Cashin of the newer union of Fishermen, Food and Allied Workers. I am personally aware of their pleasure over the introduction of this great reform. I know that it must be one of the most satisfying moments of their lives too, to see this legislation brought on here today.

This legislation, whose second reading I move, gives our fishermen, for the first time in nearly 500 years of our history, the legal right and the practical possibility to set the price of the fruit of their labour, the price at which their fish will be sold in future. No longer will they need to wait on the pleasure or convenience of others to know, to learn what prices they will get for their products. As responsible men, responsible producers, they will have a large probably decisive say in settling that matter. I know there are men in their graves today whose blood would be stirred if they could be here and know that the time had come when this kind of legislation was introduced and could be introduced with every good prospect of passing, this legislation which will mark a new page altogether in the history of the relations between the primary producers and those few people who buy their fish, package it, process it and market it and bring the dollars back into the Province for it. I want to say this about the matter: It would be stupid! It would

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be stupid in the extreme for us in this House today or for the fishermen of our Province or their unions or the people of this Province to underestimate the great contribution that has been made to the fishing industry by the trade, as we call it, in Newfoundland - the trade, the fishery trade, that is to say the merchants, the men who have, down through the very centuries, bought the fish, processed it, packaged it, shipped it, sold it and brought the money back into the Island for it.

They have played a very great part and they are continuing to play a very great part in the upbuilding of the fishery, in the lives and in the prosperity of the fishermen and in the economy of this Province, a very great part indeed. I can imagine a time coming in Newfoundland when there will not be one merchant left in the Province. I can imagine that time. It has already come for salt cod. There is not a merchant left in Newfoundland or Labrador, not one. They are an extinct species of the human race in Newfoundland. The only buyer there is for salt cod in this Province today, by law, are the Government of Canada. No salt cod fish is allowed, by the law of Canada and the law of Newfoundland, to be bought from fishermen except by the Government of Canada. They do it by the authority of an Act of Parliament and by authority of an Act of this House. The two Houses have passed laws making the Government of Canada the only buyer in Canada, in the world, that can buy salt cod fish from Newfoundland's fishermen. The Canadian Government have passed the duty of doing this over to the Salt Cod Fish Corporation and the Salt Cod Fish Corporation Marketing Board, whose head is our brilliant, young fellow-Newfoundlander, Mr. Aiden Maloney, the former Minister of Fisheries of this Province. Acting through them, the Government of Canada today buy every last cod that is salted in this Province. They ship it away to the markets and they get the money back and every dollar they get back. They pass over to the primary producers, the fishermen who produce it, deducting only

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the cost of doing it.

Now, Mr. Aiden Maloney is a hard-working Newfoundlander. He has a small staff. I do not know how many. I think there are six, eight or ten and certainly six, eight or ten persons, including females, cannot themselves, with their own hands, handle all the salt cod that is produced. What they have to do is engage people around the Province to do the physical work for them of receiving the fish, not buying it. They do not allow any one to buy it. There is only one buyer, only the board is allowed to buy but they do appoint agents to receive the fish for them into the stores where they sort it, cut it, process it, package it and then deliver it where the board tells them to deliver it. These people who do that, acting as agents for the Salt Cod Fish Marketing Board, are men who were formerly fish merchants but are no longer fish merchants. They do not buy fish and they do not sell it. They merely receive it on behalf of the board. They are paid a fee or a commission for doing it. We have now nationalized in Newfoundland the collection, the packaging, the processing, the exporting and the marketing of all salt cod. It is now nationalized. I say that I foresee the day, sometime in the future, we are not ready yet, sometime in the future I see the day when all the fish produced in Newfoundland that is not salted, will also be nationalized, so far as concerns the collection of it, the processing of it, the packaging of it, the exporting of it and the marketing of it. But that day is not yet. I do not know whether I will live to see that day, probably not, but that is the direction in which we are headed and properly so. There is no law of God nor man, there is no principle of reason nor logic nor nature which says that all the fish that is produced must be collected by some merchants, it must be packaged by some merchants. It must be exported, it must be marketed by some merchants. There is no law that requires that. There is no principle of man nor nature which says that. It is a convenient arrangement and it has worked reasonably well up to

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the present time. The one great weakness in it has been that the primary producer, who ought to have the first respect, who ought to have the top importance, who ought to come first, is the one who comes at the bottom. Your respected fish merchant is the one who comes on top. This is topsy-turvy. This is tipping the thing upside down. This is standing the pyramid on its peak. It is all wrong. This legislation today is intended to begin the reversal of that historic process, sociologically, historically, emotionally, legally, practically. This is one of the most important pieces of legislation ever presented in our long history. Why would I not be proud to be the one to introduce it? I hope my name will be associated with it long after I am dead. Now what is the legislation? This is not the time, at second reading where we are advocating the principle of the thing, where we will debate the principle and I think adopt it, this is not the time to go into the detail of the legislation. This will be done in Committee of the Whole. The principle of it is: "That fishermen shall have the right of Collective Bargaining." That is to say, when a group of fishermen, five of them or ten or fifty or a hundred or ten thousand; or any number, when a group of fishermen anywhere in this Province organize themselves into a union or what the Act calls an association, because that is what a union is, it is an association of men or women or men and women, when they do that and they notify the fish buyer that they have done so, then that fish buyer has no choice, under the law, but to sit down with that union and negotiate the prices. If he does not, he is breaking the law and he will be punished accordingly. Each time he does it, he will be punished until he is punished out of existence as a merchant. He cannot find it. There is no way to fight it; he has got to sit down and negotiate with the fish producers through their union. This will be done and the procedure will be the same, exactly as it is now, for wage workers negotiating with their employers, the same procedures, the same alternatives the same machinery.

The Act, itself, in those respects just takes the principles and the practices of the Labour Relations Act and applies them to the fishermen.

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The fishermen through their unions are given exactly the same right as the trade unions, the members of the trade unions already have in other parts of the Province, in other fields and other aspects of our economy. But, Sir, that would be a hallow mockery, if that is all they had. Can you imagine a union, a fisherman sitting down with any one of the clever and able and experienced



MR. SMALLWOOD: and brainy and educated men who run our fish industry? Can you imagine a fishermen sitting down with them to negotiate prices? If they do not have the knowledge, if they do not have the facts about the market, the facts about prices, the facts about customs duties, the facts about freight, the facts about insurance, the facts about the merchants expenses, would they then be entering into the negotiations blindfolded, groping about in the dark, able to be kidded and coddled, able to be deceived and blocked, if there was anyone who had the desire to kid or bluff them? Would they not really be defenceless? Would they really not be powerless, impotent, if they were not armed in advance with knowledge, with the facts, with the economic data upon which and upon which only you can safely and can prudently and successfully base prices?

So the one part of this legislation which makes the rest of it work, which puts sharpe teeth into it, is the part of which I am proudest of all. It is one thing for this House to pass a Law saying the fishermen, through their unions, shall have the right of collective bargaining; if they organize and they go through the procedures, then the merchants must sit down with them and negotiate. That is one thing. It is splendid. It has to be, you cannot do without it. It is the foundation, but it is only a foundation. What do you build on it? You build on that foundation a system of informing the fishermen, of putting the light of knowledge in their eyes, of making the fishermen at least, at the very least, as well informed as the fish buyers, so that they can sit down as equals.

The men who produce the fish and the men who buy it. The men whose toil brings it there as a product, and the men who buy it. The men whose work, whose risk of life, whose risk of property, and remember a fishermen is a man of property, his boat, his engine, his gear, his shore property, that that man who risks his property and his life and whose children are depending on the success of his effort, that man, the producer, shall meet with the buyer on equal terms. Why not? Why should they not? That is a great step

MR. SMALLWOOD: forward. But, Sir, the great aspect of this legislation today is our proposal to set up a system that will inform the fishermen organization, so that when they negotiate on behalf of their members, they will be at the very least as well informed as the fish buyers themselves.

Now we thought a very lot about this. We have discussed it in Cabinet. We have discussed it in groups. We tried to find the best way to do it. The first thing that occurs to you is that we set up a new division in the Government and we employ eight or ten chartered accountants, C.A.'s, Chartered Accountants, and maybe an economist, maybe a statistician. We employ them permanently, year in and year out. They would have the task of acquainting themselves with absolute thoroughness with the facts of the matter, and the facts of the production, the fish plants, and they in turn would pass the information on to the unions, or for that matter pass it on to the plants as well. Because this organization would not exist just to inform the fishermen. Equally, they would inform the fish plants, because they would be a public body paid for by the Government, employed by the Government. In other words, employed by the people of Newfoundland, they would be a public body, paid for by the public. And, therefore, the information they gathered ought to be made equally available to seller and buyer.

Now you could do that, set up a permanent body. The difficulty about that is this; that if you had a staff of eight or ten highly competent chartered accountants, you would pay them an average of about \$20,000 a year each man, on the average. You would not get them for less than that. Some you would pay \$30,000, maybe \$35,000, some you would pay \$15,000, \$18,000 but average they would cost about \$20,000 a man. These men would really work hard for about five months a year, maybe six, and for six or seven months they would really sit around with not all that much to do. And, yet, the cost would be there, they would be employed all the year around, a pretty expensive way to do it. We thought of that; we rejected it. Then we thought of this, that as each individual dispute came up, we would engage a

MR. SMALLWOOD: firm to do it. They would do it, they would get the facts, they would lay the facts before both sides, fishermen and the buyers, then they would disappear. The next time a dispute arose, a similar procedure would be followed, but each time you did that you would have to have a firm that had no connection with fishermen or fish buyers. They would have to be independent, they would have to be beholden to no one, completely independent:

Where do you go about getting one firm after the other, year in and year out, each time a different firm maybe, where do you get them? I put the matter to the test and I talked with some chartered accountants and I asked the question; "would it be possible to get a firm of chartered accountants that had never served a fish firm?" The answer I got was, "oh, yes, you could get chartered accountants, firms, companies that had never served a fish firm." All right, if we got a firm and we said to them, 'look you never served a fish firm?' 'No.' Well, would you agree that you never will, so that we can hire you to do this work?" You would never get "yes" for an answer. Always they would say "no, we will not bind ourselves for the future." I suppose a lawyer would give the same answer. I suppose a doctor would give the same answer. Any professional man is going to feel free to be employed by anyone in the future and would refuse say; "I will not agree now that I will never be employed in the future by any fish company."

In any case there are not all that many firms or chartered accountants who have had nothing to do with fishing companies. We very quickly run out of them. Then in the third place, if you did follow that procedure, you would lack a continuity of knowledge and experience. It is far better, whatever outfit you have, to have the same outfit month in and month out, year in and year out. So that outfit, whoever they are, can become wonderfully well acquainted with the whole picture, the markets on the one end and the industry on the other end, including the companies, the fish firms.

MR. CHAIRMAN: Order, please! There is a gentleman up there taking pictures of the Premier.

MR. SMALLWOOD: Taking pictures?

MR. CHAIRMAN: Yes.

MR. SMALLWOOD: The camera should be confiscated, Your Honour. Confiscated the film.

AN HON. MEMBER: Inaudible.

MR. SMALLWOOD: It does not matter, confiscate the film. They did not seek permission, Your Honour?

MR. CHAIRMAN: Not that I know of.

MR. SMALLWOOD: Nothing very serious about taking a picture, but the rule is, I understand, that you are not to take a picture in this House without permission. You are not even allowed to make notes. Strangers in the galleries are not even allowed to make notes. The press are, not strangers. It is the same among all Houses all over the world. You cannot bring in anything to read. You cannot bring in paper to write, you cannot write. You certainly cannot take pictures, this is the rule all over the world, not just here. This rule was made before any of us in this Chamber today was born, it is older than any hon. member of this House, a very old rule. It is just not allowed.

So what solution have we found to this problem, which is the most important part of the whole business, if we do not solve, this the whole thing is a mockery. What we have decided to do is this; to set up a division in the Department of Labour, a division answerable to the department and the minister administering this Law, when it becomes Law, which is the Department of Labour, not the Department of Fisheries, take note, The Department of Labour will administer this Law and to set up in the Department of Labour a new division, I think it is named here in the Bill somewhere, there is a name put on it. Anyhow, we will call it a division that is there for the purpose -

AN HON. MEMBER: An advisory board.

MR. SMALLWOOD: An advisory board, well you can call it any name you like, it is a board whose job it is to find out all about the fish industry, prices,

MR. SMALLWOOD: costs, expenses, everything connected with it and keep the Fishermen's Unions completely up-to-date and keep the firms completely up-to-date and be perhaps the most knowledgeable outfit in the world on prices of the fish, prices and costs.

We would set up that division and put one man there as a director of it. He would be a man who is a chartered accountant, a C.A., a high classed chartered accountant. He would have a small staff, a stenographer, a typist, a clerk, and an economist, that would be the division. They would be employed permanently all the year around. Permanently employed, forever, and pensionable in the end. In other words, every effort would be made to secure their complete independence, independent of the fishermen and independent of the merchants. Completely independent.

Now that division as the need arose would retain two or three chartered accountants. Obtain them from anywhere, obtain them from any of the firms of chartered accountants but detaching them from those firms, for a month, for six weeks, for two months, for three months, detaching them completely, not paying their firms but detaching them and taking them into the division to act independently of everyone except the division. In this way the division would be able to get hold of dozens of capable, of proficient chartered accountants to do the actual work of investigation that would have to be done time to time.

MR. CHAIRMAN: Order, please! I would like to say the Clerk has informed me that, of this incident that just took place, apparently there is some misunderstanding about it, and it has been settled to everybody's satisfaction, I think, the matter may be considered closed.

MR. SMALLWOOD: It is pleasant to hear that, Mr. Speaker.

Now there will be a few amendments in this legislation that we will ask the House to make. For instance, there is one clause in it which says that while negotiations are on between a union and a buyer or more than one union and more than one buyer, negotiations going on at anytime with regard to prices, the buyer, it says, "shall not threaten to close the plant nor threaten to move the plant somewhere else." He may close the plant but he

MR. SMALLWOOD: must not threaten to close it. He may move the plant but he must not threaten to move it. The threat must not be made while the negotiations are on. You cannot stop a man from closing down a plant. You cannot stop a man from moving a plant from one harbour to another harbour. This is just. This is proper. The man should have this right. There should be no law, no compulsion on a man to stay in business, if he wants to close it down. There should be no compulsion that a man must stay here, if he wants to go there and do business. But while the negotiations are on, he makes no threat, because this would be regarded as an unfair labour practice.

Now I think we are going to ask for an amendment in one respect that he must not (I forget how it goes now) he must not - first, he must not threaten to move the plant, In fact, I think it should stand that, he should not threaten anyhow. There should not be a threat.

AN HON. MEMBER: Inaudible.

MR. SMALLWOOD: Yes, well there is a point of view, I am aware of a point of view, I am aware of a point of view to the effect that a man who owns a plant ought to have the right to move it, and this I agree with. I think everybody will agree that he should have a right to move his plant, he should have the right to close his plant. But I think we may all agree also, I hope everyone in the House will agree, I hope there will be unanimity on this, that the threat to do it ought not to be used, from the moment the negotiations begin to the moment when the negotiations end. It should not be used as a weapon; a threat to close or to move the plant.

I would like to put on the record wording of a telegram sent to the Reverend Desmond McGrath on the 6th. November past. The Reverend Desmond McGrath was at that time in the Town of Burgeo. He was there in behalf of a union of, which he was one of the two founders. He sent me a telegram from Burgeo; to it I sent the following message in reply:

"Reverend Desmond McGrath, Burgeo.

Thank you for your telegram and thank you also for your invitation to me

MR. SMALLWOOD: to state the Newfoundland Government's policy toward our Fishermen and Allied Workers and other workers generally in our Province. We believe absolutely and unchangeably in the right of all workers of hand or brain to organize themselves and to bargain collectively. This right is almost as basic and precious as the right to life itself. This Government will defend and encourage it to the absolute limit. Mr. Spencer Lake has made a magnificent contribution to the up-building of the fisheries on the southwest coast. It is a great pity that we do not have many Newfoundlanders like him in that regard, for leaders in industries are badly needed in our Province today. The Government do not share Mr. Lake's attitude in the matter of trade union organization of the fishermen or plant employees. We think he is absolutely and hopelessly wrong in his attitude in this particular matter and I would plead with him to change his attitude and re-establish the fine personal relationships he and his family have and have had on the southwest coast. He is a very able and strong-willed man or he would not have been able to build the great fishing industry he has built. This might make it all the harder for him to bend at the present time but, as a personal friend, I implore him to do so and to throw his welcoming gates wide open to his workers to organize and then sit down and bargain with them.

"However, whether he does or not do this, the Newfoundland Government proudly take their stand beside the fishermen and workers in Burgeo and everywhere else in our Province.

Kindest personal regards to you, Richard Cashin and the other organizers of your union. I sign it; "Joseph R. Smallwood."

In reply Father McGrath send me the following message: "Many thanks for your telegram, your support and the Government's position in this unfortunate incident greatly appreciated by the people of Burgeo. Will contact your office in the near future concerning the specific labour law amendments to avoid similar situations and safeguard democratic rights of fishermen." Signed: "Father Desmond McGrath, Executive Member, Pro Tem of the Newfoundland Fishermen Food and Allied Workers Union."

MR. SMALLWOOD: Then, Mr. Speaker, to conclude the record, I was very proud on May 19 of this present year to receive the following message from the Newfoundland Federation of Labour. "We do not have to give any detail to this Assembly on the historic role of trade unions, since we recall Mr. Premier your welcome statement to Father Desmond McGrath last November in which you said; 'we believe absolutely and unchangeably in the right of all workers of hand and brain to organize themselves and to bargain collectively. This right is almost as basic and precious as the right to life itself and this Government will defend and encourage it to the absolute limit.'" It is no exaggeration to reply that the Newfoundland and Labrador Federation of Labour is delighted by the sentiment expressed in that quotation and we regard it as a sincere expression of the Government's views." And, of course, the legislation today gives a much more practical effect to the views of the Government.

There is one final point on which I would like to touch very, very briefly indeed and that is the constitutional right of this House to pass this legislation. We asked the House to pass it and when it is signed, as I hope it will be tomorrow, if it is ready by tomorrow, signed by the Governor, he thereby giving it the Royal Assent, the assent of Her Majesty, the Queen, it becomes Law, not to be proclaimed later, not to become Law on a date to be proclaimed but become Law the moment it gets the Royal Assent. We will carry out this Law. It is true that the Province of British Columbia had a somewhat similar Law and that they were successful in getting the Government of Canada at Ottawa to introduce legislation into the Parliament of Canada removing an obstacle that existed in Canadian Law, Federal Law, against the collective bargaining for fishermen. They were successful in that, they did get the Government of Canada to introduce that legislation. It was introduced. It was passed. It became the Law of Canada, and the British Columbia Law, therefore, thereby became valid and constitutional.

"Every man is innocent until he is proven guilty." Every law that we

MR. SMALLWOOD: pass in this House is the law of this land, until any superior body declares it unconstitutional. If that should happen, if we adopt this and it gets the Royal Assent, which we believe it will, and and it becomes the law of this land, as I am sure it will, if anyone attempts to undo it, the remedy is swift and sure and that is for the Parliament of Canada to do for Newfoundland precisely what they did for British Columbia, to remove any legal or constitutional obstacles that might exist, that might stand in the way. We have no doubt at all about the outcome. We are proud to press this legislation forward and as a Liberal Party, as a Liberal Government, everyone of us here in this Chamber is deeply proud, it gives us the deepest kind of personal satisfaction. We have taken our stand. We hope that the fish buyers will be big enough and sensible enough to realize that this makes sense, that there cannot be peace and good relations without this kind of situation. We hope they are big enough in heart and brain to see it, the inevitability of it, It had to come. We hope they will see that. We hope they will join with the unions to make it work.

Now we will say this to the unions; we passed a Law here fifteen or eighteen years ago, twenty years ago we passed a Law in this House setting up the Public Utilities Commission and that Commission has been there ever since. The Newfoundland Light and Power, the old United Towns, the Telephone Company, any public utilities in Newfoundland can raise their rates only if the Public Utilities Commission permits them to do so. they apply to the Public Utilities Commission for the right, for a permit to raise their rates charged to the public. Before giving them the right to do it, the Commission will hold a hearing and anyone who wishes to object can go in and object. But the Commission are given the authority, by this Law, not only are they given the right to do it, the duties is charged on them to do it. They have no choice. It is not something they can do if they feel like doing it, it is something that they have got to do whether they

MR. SMALLWOOD: like it or not, namely; namely this; to allow rates to be charged to the public high enough to yield a profit, a return on the invested capital of the telephone companies, the power companies or other utilities.

In other words, you cannot have a utility without investing money. If you invest money, you are entitled to return on it. That is written into the Law. So the Public Utilities Commission have not only the authority but the mandatory duty to fix rates that will return a profit on the investment of the Public Utilities. Now, I know that there is a definition of all of this, it is all defined and regulated; what is investment, what kind of a return, what kind of investment, how much, what kind, how much of it is water, how much of it is genuine. All that is spelled out in the Law. But once there is a clear definition of what is the invested capital, that capital is entitled to a return and the company is entitled to charge a price that will give them a return of so much, not more, not less, so much on their investment.

I hope that the fishermen will understand this, when they start negotiating for prices, provided they have absolute confidence, which they are not going to have for a year may be two years, provided they have absolute confidence in the ability and the integrity, the honesty and the ability, the skill and the knowledge of that division in the Department of Labour which is going to carry on, year in and year out; if they have confidence in their honour, integrity and ability, then they must be willing for the fish plants to pay a price that will yield a return, because what will happen, if they do not, it is clear, if the firms cannot get a return on their investment they have got to go down, have they not? They have got to fold. They will be washed down the drain, will they not? You can go for a year, you can go for two years maybe, with the backing of the banks, borrowing here and borrowing there, you can keep going for two or three

MR. SMALLWOOD: years without making a profit. But the day of reckoning comes when, if they do not make a profit, no bank will give them any money, no bank will trust them, they cannot sell bonds, they cannot get the money to carry on, and they go down and they go under.

We have seen that happen and we know it can happen. We do not want that to happen. We want, while we have the free enterprise system here, we want it to work. There is nothing so miserable in this world as unenterprising free enterprise. Free enterprise that is not enterprising is a misery and it cannot be enterprising if it does not make a profit.

Now I am not willing to stake my life, I am not willing to stake my life on my belief that there is enough money in it all, can be enough money coming back from the market. I am not willing to stake my life that there can be enough money all the time, year after year, coming back into Newfoundland, from the markets, to give a return to the capital invested by the merchants and a decent living to the fishermen.

I am not too sure of that. That is why it is so important to have this body in the Department of Labour that will have the facts, always the facts, and prove it beyond argument, dispute, disputation and debate, the facts and the facts should be so definite and unmistakable that they will speak for themselves. And so, with immeasurable personal pride and satisfaction, I move the second reading of this Bill.

MR. ROBERTS: Mr. Speaker, if I might rise very briefly to a Point of Order with reference to an unfortunate incident that arose out of a misunderstanding with respect to the gentleman taking pictures. I wonder would the House give leave to allow the C.B.C., I believe, to take photographs within our precinct, perhaps without the doors? They wish to take pictures of our Chamber. Would the House consent to that, Your Honour?

MR. SPEAKER: Agreed.

MR. NEARY: Mr. Speaker, as Minister of Labour (Acting), I think I would be remiss in my duties if I did not rise to support this Bill on this very historic occasion in the Provincial Legislature. All through its twenty-two years of directing the affairs of Newfoundland and Labrador, Mr. Speaker, this present

MR. NEARY: administration have shown itself, time and time again, to be people-oriented. It has proved itself, year after year and session after session, to provide our people with machinery whereby we can cut through the wrapping of bureaucratic red tape that so much of our legislation suggest.

Certainly Mr. Speaker, this administration is the most people-minded Provincial Administration probably in the whole history of Canada. This legislation we have before us is certainly another example of how people-oriented we are on this side of the House. This is a major step forward, Mr. Speaker, and is different than any other labour legislation that we have introduced in this House of Assembly in the past.

Inasmuch, Sir, as it removes the final barrier to a group of workers who heretofore were considered as individual businessmen who were selling. I have already discussed this new Act, Mr. Speaker, with members of the Labour Relations Board who convened a special meeting for this purpose. They are looking forward to the new challenge facing them when this Act becomes law.

Mr. Speaker, everywhere I look in this Province and especially in the faces of the residents of the Province, do I see indicators that the tide has completed its ebb and is once more on the flow. On that flow will rise a new solid Newfoundland and Labrador that will make our fishermen, Sir, proud and self-sustaining citizens.

It gives me great pleasure to support this Act respecting collective bargaining between certain fishermen and certain persons engaged in the processing of fish in this Province.

MR. BARBOUR: Mr. Speaker, I too would be very remiss if I did not rise to support this great legislation for the fishermen of Newfoundland and Labrador. As I look at this Bill, number 84; "An Act respecting collective bargaining between certain fishermen or associations of fishermen and certain persons or associations of persons engaged in the processing of fish in the Province," as I look at that, it makes me feel very, very proud indeed.

As you know, Sir, I represent one of the largest fishing communities in the whole of Canada, The Town of Bonavista South has somewhere around two hundred

MR. BARBOUR: and three hundred fishermen. These fishermen toil hard all day to make a living for their families and themselves and anything that would give them the opportunity to make it easier for them, I am all for it. I say, Sir, collective bargaining between the fishermen and the merchants or anyone connected with the fishery is one of the greatest things that could happen to the fishermen of Newfoundland today.

I am not fearful of what will happen between the unions, but I am glad to know that the unions can, if they want, co-operate one with the other, the unions co-operate with the merchants, and the unions co-operate with the fishermen and the fishermen co-operate with the unions, If we do that, if we do that, it will be the greatest day in the lives of the fishermen of Newfoundland and Labrador. I support the resolution whole-heartedly.

MR. NOLAN: Mr. Speaker, I rise to support this legislation and I am very, very proud to do so. I know how many people have worked towards this day, not only members in this House but also those who have been working closely with fishermen and the fishermen themselves.

I believe the key word in all of the legislation that is now being proposed in second reading, Mr. Speaker, is that we are striving in every way possible, no doubt further improvements will be made as the days and years go by, to provide to the fishermen of Newfoundland, to this Province - the key word to my mind is "dignity."

For too long they have felt and they have often voiced this opinion that they were absolute surfs. This is the type of legislation that will give them a standing in the community that they have never had before. I cannot let this opportunity pass, Mr. Speaker, without paying a tribute to the people who have worked on the Select Committee. I think, for example, of my hon. and learned friend, the member for Harbour Main, and others. I am pleased also to see in this House today Mr. Pat Antle, as has been referred to by the hon. the Premier, Mr. Richard Cashin, I notice Mr. Ray Riche is here in the House, in the Speaker's Gallery also today.

To me, in view of some of the events that have happened in the last few days and particularly if I can judge from what I have heard in press reports

MR. NOLAN: on radio, television, and in the newspapers, and some of the comments alleged to have been made by certain members of the Opposition along the following lines, (1) that there was no worthwhile legislation coming up, (2) that the present Government would not be here, so what difference does it make after this year. I find this difficult to understand, when it was well known that collective bargaining for fishermen was coming in this House.

I would like to point out further, and I am certainly subject to correction by the hon. the Premier on this, that a very definite indication was given that this would be done, long before this House opened. If I am not mistaken, while it may have been referred to in the Speech from the Throne, it was referred to long, long, long before that time, during this past year. So to me; I believe, as the Premier said, that the unsalted fish produced in this Province in the future, it will come, will be nationalized. I ask this House, Mr. Speaker; "why not?" This to me is as inevitable as the fact that night follows day. The primary producer, the fishermen, deserves to get a break, that is why I continue to return to the word "dignity" that the fishermen long for.

Not always the matter of the dollar is involved. They have never felt that they have got a just break. What makes me so anxious to support this legislation is not merely bringing in the necessary technical and legal trappings of their life but they are backing it up with the personnel, skilled and otherwise, who will befriend the fishermen, who will know the facts and who will be in a position to see to it that the fishermen are treated fairly. Some years will be good, and some years bad, but at least the fishermen, from the knowledge that they will have provided and if they have the confidence and trust in the people that will be appointed and that they will be working with; based on this, Mr. Speaker, I feel that we are moving into a new era in the fisheries in this Province for the fishermen themselves.

Surely to God, this is the one group that should have been thought about first. So I am very, very happy indeed to stand at this time and to support second reading of this legislation.

MR. MAHONEY: Mr. Speaker, it gives me a great deal of pleasure and pride, as a private member of this House and one who has had some small part to play in this stage that we have arrived at today, in putting into action what started off as an expression of policy of Government, Government policy, unless it resolved into action, means virtually nothing.

Today, here now, we have before this House the expression of the policy of this Government and of the members of this House who are here, and in this way I agree with the hon. member for St. John's South that one of the key words is "dignity" and the dignity of the fishermen. I think, over and above all that and together with it, another thing that goes hand in hand with it, is the word "collective."

What we are doing, here today, is putting the fisherman of Newfoundland, who in the main is nobody's employee and because he is nobody's employee, the Labour Relations Act, without this legislation, could not apply to him; he is not an employee. What we are doing, what is proposed to be done now, by this legislation, is to give the fishermen of Newfoundland the same rights that his brother worker has in any other industry in this Province. That is the right, as if he were, which he is not, but if he were an employee to be represented by an association or associations that are capable of representing him and an association that, through the exercise of his own free will, is the one that will represent him, nothing can be foisted upon him. He has a right, through the majority rule, to be represented by the association of his choice and thus to be put on a par with the employer, with the processor or, as the draft Bill would say, the operator, the person who buys and processes fresh fish in this Province.

One of the most important words that are used in this context is the word "collective," because I firmly believe that by collective bargaining, by common sense, practical, collective bargaining, by both sides being well informed, having all the information that is necessary to the job at hand (and that job at hand is to negotiate a collective agreement that is totally satisfactory to the fishermen and the association that represent him on the one hand and the operator or the fish processor on the other hand) that the word "collective "

MR. MAHONEY: is the most important word in this whole context. This means that the parties must get together, that the fishermen must be done right by, and equally that the operator or fish processor must be done right by. As the Premier quite properly said; "this will be to no avail if the effect of it all is that the economics of the situation are going to be so lop sided that all the fish processors in Newfoundland are going to be driven out of business."

We know that that does not make any sense. We know that this is not going to happen. We know that common sense will prevail on all sides and when these people sit down, fully informed through bargain collectively, that they will do just exactly that - that common sense will be the common denominator.

As I said before, Mr. Speaker, this Bill would give, when assented to, the same rights to fishermen in this Province that employees have under the Labour Relations Act, no more and no less. This certainly is their right and I think that this day, in this Province, by this measure being brought in by this Government, this day is the dawning of a new area, certainly in the minds of our fishermen who have always felt that even though it may not have happened in any given year and it may be the price that they were paid for the products of their labour, may have been a fair price, maybe not another mill could have been added to what the processors paid to them.

Nevertheless, from the knowledge that I have gained over the past several weeks in dealing with this matter as a preliminary before this House, you get the feeling that the fishermen were never satisfied that they were done right by. Now they cannot feel otherwise. They are being put in a position on an equal basis one party with the other. They will bargain and they will bargain hard, which is the way that industry and labour bargain today, by their collective bargaining process. This is the same situation that will apply here and I am one of those who firmly believe that this can only be of tremendous benefit to what must be the largest industry in our Province. Certainly this industry must employ greater numbers of our people than any other and certainly this industry should have the right accorded to it, the same rights accorded it, ^{as} any other industry has in this Province, that is the right

MR. MAHONEY: to be represented by an association or the union of its choice.

This means that not one union or two unions or three, but any union that can come into this Province and organize the fishermen or groups of fishermen, then as many units as there are possible, in that way, is the possibility of as many unions coming in and organizing these fishermen.

I personally - I could not give voice adequately or eloquently enough to describe my feelings in support of this Bill. One thing that I may say before I close, Mr. Speaker, is this - that in the context of what the Premier referred to in the close of his eloquent introduction of this Bill, that with regard to the right of this House to bring you this legislation, certainly this House has a right to bring you this legislation. Certainly I feel that this Government will make representation to the authorities at Ottawa to do whatever is necessary, if anything is necessary to give consent, and I repeat again, if that consent is necessary to the validity of this legislation.

From that aspect of things, I agree with what the Premier has said, that every living subject is presumed to be innocent, certainly every Canadian is, until he is proven guilty and when this legislation goes into the statute books of this Province, then the only way it can be challenged is through the appropriate tribunal, if anybody wishes to challenge it. Personally Mr. Speaker, I give my whole-hearted support to this Bill to give collective bargaining to fishermen.

MR. MOORES: Mr. Speaker, it gives me great pleasure at this time to rise as well and lend my unqualified support to this Bill which we are debating here this afternoon.

As every good Newfoundlander, I am sure that they are all very much interested in the future of our fishing industry. This Bill which we are debating, when it comes into effect, will give the fishermen of our Province the right to bargain collectively for the price which they are to receive for their fish. That is very important and very vital.

MR. MOORES: By the same token, certain obligations and all that goes along with that, these obligations apply, as far as the fishermen are concerned, as far as the trade are concerned, as far as the union representing the fishermen are concerned, as far as the Governments are concerned, I mean all phases of Government, both Provincial and Federal. I think that just by bringing this legislation and leaving it at that in the hands of the unions and the fishermen and the trade to solve their problems, that is not going to be sufficient. I think that all levels of Government are going to have to be very closely associated and identified with all the actions which the unions and which the fishermen undertake. It is certainly in the best interest of this Province that a very sound, economic base be built under our fishing industry and I would expect that this is what we hope that this Bill will achieve.

Other countries closely identified with the fishing industry have made great success of the industry. Located where we are here in Newfoundland and with the abundance of fish which is supposed to exist off our coast, I think at the moment it is because of pressure and all being brought on it, that the supply is dwindling, but still there is a lot of fish available around our island home.

What we will have to bear in mind is to maximize as much as possible, on the fish that is available. The Premier brought to our attention, introducing the Bill which is very, very relevant, the fact that we have to make sure that the Province of Newfoundland would request that the fishing industry make the contribution to the economy which it is capable of doing. I think this should be paramount. I do not think that anyone who is a resident of this Province should be satisfied to take anything less than the best and should also make sure that we are maximizing on the fish, maximizing on the quality and, by the same token, bringing back into the Province the maximum dollar which this industry is capable of generating. We have the ability here in this Province to do that; I feel confident we have.

As far as the salt fish industry is concerned and the fact that it is nationalized, that is all very well, I am sure that the two will continue to make quite a contribution to the economy of the Province. Personally I do not get turned on when the word "nationalization" is mentioned. I do not think that

MR. MOORES: you ever get the maximum effort under nationalization. I think that you can get it, after all we are dealing with human beings, flesh and blood and the will to succeed has always to be reckoned with. I think without having to nationalize our fishing industry, I think that our fishermen and the trade and the Government, all working closer together, can achieve the end result. - I would like to think that. I think that any young Newfoundlander today who figures that our fishing industry is part of our heritage, his hereitage, he has just as much right to go in the market and sell fish as any fisherman's son who has the right to go into a boat and catch it. I think that has to be recognized.

I think that when we go into the various world markets and sell our Newfoundland products we have to know what our competitors are doing. We have to know the methods the fishermen are using, if they are using similar methods and if they are delivering the quantity of fish to the plants which our counterparts are doing in the other countries of the world. There is no reason in the world why we cannot do that. We know what the market wants and the fish processors in Newfoundland, they know what the buyers in the U.K., the buyers in the United States, the buyers in Germany want in their packages. I think that the fish processors in Newfoundland, by the same token, could know the type of fish that the fishermen has delivered to the plants. I think that running parallel along with what they are discussing here this afternoon, certain standards are going to have to be established and these standards can only be established by a body that the Government would appoint. When you talk about putting a price on fish, well that is fine, a price you set, by the same token you are paying for quality, so somebody has to set that standard of quality before ever we start to talk about the price of fish. I think that is most important.

I know that with our great Fisheries College here and the capability that it has in training our young people, it has done a good job over the few years it has been in existence but it has a greater capability, I am sure, and I believe too that we are going to have to call on the Fisheries College as well to make its contribution. I think that much greater emphasis is going to be

MR. MOORES:necessary on the fishermen's level, to make sure he is thoroughly familiar with all aspects of catching, handling, marketing, shipping, as has been outlined by the Premier, I think that is most important. He must have an overall picture of what is taking place in the market.

I have been in contact with many Norwegian fishermen, Norwegian skipper men and talking with these men and not only Norwegians, the same with the Germans, British and so on, these are all businessmen. The skippers of these boats they know what is going on and they know the price of fish in the various world markets. I am sure that a certain number of our fishermen do too but for a great appreciation, I think that there has to be more communication in different ways with our fishermen, in order to acquaint them with what is expected of them. They have a great obligation on their part, and I am sure that they are only too happy to fulfill it, as genuine, thoroughbred Newfoundlanders, but ways and means have to be placed at their disposal so that they can avail of this knowledge.

There are numerous periodicals of course where news of fishing interest is written from time to time, This is the kind of information a fisherman should have in their clubs, so they can read about the catching methods and what is going on in the various world markets and so on. Times have changed appreciably and they are changing more rapidly from day to day but I am sure we can measure up to what is expected of us.

Another thing too, Mr. Speaker, I would like to emphasize here, is the stand which our Province is going to have to take as it applies to our fishing industry. Our Government is going to have to take it and I think that there should be no doubt whatsoever that we should lay our cards on the table

MR. A. MOORES: insofar as our approach to Ottawa is concerned in respect of our fishery. We, as Newfoundlanders living on this Island, with interest in our people and in our Province, we are the ones who are in a position to state what is in the best interest of this Province as far as our fishery is concerned. I make reference to the fact, about the salmon regulations made a short while ago. This Province was probably consulted on it, I do not know, but we read from time to time, it appears that the salmon regulations were brought in without consulting with the Province. The same with respect to the sealing industry. Regulations will be brought in by Ottawa with respect to the sealing industry. I think as residents of the Province we have to tell the Federal Government what we would like to see Ottawa do to assist us in our effort. I think, too, this is one way in which we can become a factor in this nation. Sometimes it occurs to me that our Province in many cases is not a factor in this nation. There are only 500,000 people up here. You know we have seven seats in Ottawa. We have forty-two seats in the legislation here. We have 180 Town Councils to be found around Newfoundland. By the same token, we have our telephone services and so on. We see 500,000 people in Verdun today. I do not know how many seats you would have in Quebec, possibly seven. They may have three in Ottawa. They have one city council. They have one water line, one sewer line, etc., the cost of servicing 500,000 people in the City of Verdun compared with 500,000 Newfoundlanders is a horse of another colour.

By the same token, we have to become a factor in this nation; and I think that our fishing industry can help us to achieve that; but we are going to have to state our case very, very clearly, as to what we would like to see our fishery industry do.

I think too that as far as this legislation is concerned, I hope that people will not get the idea that, the impression that now that we have bargaining rights that will give us an extra opportunity to trample the fish plants. I hope there is no one who thinks along those lines because that would be a great mistake. I am sure that maximum prices can be achieved for fishermen, but they are going to have to closely co-operate with the

Mr. A. Moores industry, the government and are going to have to be very responsible in the way they approach things. I think that by doing it intelligently and responsibly that great returns to them financially will result and, by the same token, they will make a great contribution to the Province and our Province, of course, in turn will go on to greater success.

It gives me great pleasure, Mr. Speaker, to support this Bill.

MR. E. DAVE: I rise naturally with much pleasure in supporting this Bill now before the House. Coming from one of the most historic fishing communities within the Province, particularly at Port de Grave, where they have been known down through the years as the most industrious fishermen of this part of our Province and they have received the highest prices for their fish, both salt and fresh, because mainly of the quality of fish they have produced. They have been the leaders, I think, in this type of quality production. They are fortunate in having some of their closest fishing resource near the fishing plants at Harbour Grace, Carbonear and Port de Grave, I would assume that in two hours after their traps have been hauled, the fish is ready to be landed at the fish plants and then processed immediately as it arrives.

I see in this Bill, Mr. Speaker, a mutual understanding should generate between the fishermen and the processors. I have always heard down through the years, rightly or wrongly, the feeling of the fishermen that probably they have been exploited, and I am sure this advisory group that is going to be set up should dispel once and for all the fishermen's feeling in this regard. I know that the fishermen of Port de Grave in particular have been looking forward to this legislation to be brought before the House now today. They have been most appreciative of the Government's help they have received in many ways during these past twenty years. This is a further indication to them of the Government's and the Premier's concern for their mutual welfare.

MR. DAVE: This Bill, Mr. Speaker, is an historic event in the history of our Province. I see in this Bill that the fishermen will be assured that they will get a fair return for their product, a return to the amount the market can bear, and at the same time create mutual understanding and good will on both sides. I look forward to this Bill coming into effect immediately and I do hope that the proper steps will be taken so groups can be set up and the fishermen can be assured that this legislation and all the other activities related to it will come into effect as early as possible.

MR. U. STRICKLAND: Mr. Speaker, in fifteen years I have always striven to take my duties in this House very, very seriously. I want to say positively that never, at anytime since I have been associated with this House, have I ever taken anything more seriously than I did the challenge that was thrown at me and others when we were appointed to this select committee some weeks ago. I think we soon discovered, Sir, the challenge that confronted us, as a Select Committee, was this that we were to make recommendations to Government or to this House that would enable the Government to bring in legislation that would bring harmony into the whole fishing operation of this Province.

Now, Sir, let me say at the very beginning that you cannot bring harmony by divorcement, what I mean by that is, by divorcing the trade from the fishermen or vice versa. In order to have a good fishery in this Province we have got to have a trade, and they cannot operate without fishermen because the trade cannot be in business unless they have fish to handle and they have got to be able to secure that fish at a price that can enable them to pay their expenses and at the same time see a fair return on their investments, otherwise they are not going to be in business long.

On the other hand, the fishermen must be able to dispose of what fish they catch and they must be able to dispose of it at a fair price, at a reasonable price and at a price that will enable them provide the necessities

MR. STRICFLAND: of life for the families for which they are responsible. I think, Sir, that this legislation that is before this House today will do a great deal to bring harmony into the fisheries of this Province, God in Heaven knows we have had discord enough! A lot of it unwarranted, but yet discord. I think this legislation is what the doctor ordered to bring harmony into the whole fishery operation.

One good thing, and there are a lot of good things in this Bill, but I am going to be very short because there are other speakers, but the one good, bright thing that I see in this Bill, possibly greater than anything else is the fishing industry advisory board, this will be of untold benefit, both to fishermen and to the trade, and this board could be the very cement that will weld together the trade and the fishermen of this Province. And, unless we can find ways and means of welding the both together,

I think that our fisheries are doomed to failure. I believe that this fishery advisory board, men of intelligence, set up by Government, that will secure all of the data and the facts that they will relay to both fishermen and the trade, and then both the trade and the fishermen know what the other will operate on, but information both have, then I think that this fishery board will be of the greatest asset to both the trade and the fishermen. Like I said, it could be the very cement that will weld both together.

Mr. Speaker, I am delighted to have been associated with this. I certainly support this Bill. I understand from the Premier, he has already intimated that there will be a minor change or two. We support this. But, if we want to make our fishing industry something vital in the economy of this Province, Mr. Speaker, I suggest then we have got to bring both parties together and both parties will have to work together, one another and for each other, in order that we will have a satisfied trade and more than that we will have a satisfied fishermen. If the fisherman can provide the ways and means that will enable him to provide the necessities of life for his

MR. STRICKLAND: family, then the fishermen will be satisfied. If on the other hand the trade that have invested their monies in the plants and what have you, if they can pay their expenses and get a fair return on their investment, then I think the trade will be satisfied as well. With those of us who have known fishery, and I have lived all of my life almost in the fishery, even when I was going to school, come out of school and jump in a fishing boat, I have had a lot to do with every aspect of the fishery, other than the fresh frozen fish, but I know a lot about the fishery and I think this is the greatest step that ever this Government has ever taken since they have been in office, for more than twenty years, to bring the fishermen and the trade of this Province together and, in so doing, I think they are going to bring order out of chaos and they are going to bring harmony into our fisheries.

MR. CALLAHAN: Mr. Speaker, there is one reason, I think and there can only be one reason why any hon. member of this House would not support this Bill; that could only be because an hon. member was not in favour of giving fishermen in this Province the right and the protection of the law in respect of that right, to bargain collectively or to bargain together on the price that they get for their labour or for their production. This is a right that is possessed by any and every worker in this Province, who wishes to have it, and why not fishermen.

I think, Mr. Speaker, this legislation could not come at a better time. By coincidence there was tabled in the House this afternoon, by my colleague the Minister of Fisheries, the report of the Newfoundland Fisheries Development Authority, the Annual Report. On page two of the report, Mr. Speaker there is a record of production in millions of pounds of fresh frozen fish, production and shipments since 1949 in pounds and dollars. The record is that since 1949 production in millions of pounds has increased from 24.7 million pounds to 145.6 million pounds in 1970. The export value, FOB, the shipping port, in millions of dollars has increased from \$5.22 millions in 1949 to an estimated \$42 million in 1970.

MR. CALLAHAN: I venture to suggest, Mr. Speaker, that when, as they will be, these figures are reported in the news media of this Province, the first question that will appear to the minds of every and any fishermen is whether he has himself gotten a fair share of the return on that production. I suggest, as my hon. friend the member for Trinity South has just said or alluded to it, one of the ways that fishermen will know is through the establishment of the fishing industry advisory board, that is where they will get the information as to whether they are getting what might be termed a fair share and, secondly, knowing what a fair share might be, they will be in a position because of this legislation then to bargain for it.

There are other reasons, Mr. Speaker, why this legislation is appropriate at this time in the development of the Province. Some of these reasons are indicated also in the report of the Fisheries Development Authority. It is not only the increase in ground fish production but also, as we find subsequently, further on in the report, we have moved into a period of development of new fish species and exotic and very, very valuable fish species. So that on page five of the report there was reference to the shrimp processing operation on the Northwest Coast, at Port Au Choix. I had the pleasure of visiting that operation last week, Mr. Speaker, and I suggest that very few Newfoundlanders are aware of the fact that a first class shrimp product of quite high value is being produced in that plant. It is only a start. It is a pilot plant. But there were eighty-five workers on the production line last week and there was the expectation that perhaps in excess of twenty boats would be fishing for shrimp on the north coast during the present season. The production has been as high as 4,000 pounds a day at the plant. The time I was there it was in excess of 1200 pounds, when we consider the quite fantastic price that is available for this product, in comparison with to the price for say the cod fish, again there is good reason in that to ensure that the fishermen are getting

MR. CALLAHAN: a fair share of the return that comes from that particular kind of high value product.

There is reference as well in the report, Mr. Speaker, to the scallop development programme in the Port au Port area, in which I have more than an ordinary interest, which I am glad to say I had something to do with in terms of getting the scallop surveys going on that coast. Here, again, you have a very high value product. It is right that the fishermen should have the means and the information by which to obtain a fair share of the very high return that comes from that kind of product. The same thing goes, Mr. Speaker, for further reference, on page six of the report, in respect of the Irish moss potential, on the west coast again, in the Port au Port area, but in other parts of the Province as well. Here again is a product of the sea that is of considerable value and that can help lengthen the fishermen's fishing year, this period of employment, and thereby increase of course his total earnings. Again, our fishermen have the right to know that they are getting a fair share.

So as I say, Mr. Speaker, in my view this legislation could not come at a better time, particularly because we are moving into an era of new development of development of high valued productions and our fishermen have the right to know what the returns are, the total returns, so as to be able to bargain and negotiate for a fair share for themselves from the returns from the product of their labour.

I have great pleasure, Mr. Speaker, in supporting the principle of this Bill.

MR. WOPNELL: Mr. Speaker, I rise, Sir, to give my wholehearted support to this Bill. I represent, as you know, a fishing district and I could speak perhaps for half an hour on this Bill. I feel, however, Sir, that the matter has been well covered by the hon. the Premier. I congratulate him on the lucid way in which he has introduced this Bill. I do not think anyone else here can add very much to what has already been said. I will say this, however,

MR. WORNELL: Mr. Speaker, I feel that it is my duty to say it, that I would caution the fishermen against too much over optimism, because I feel, Sir, that this union, while I have every sympathy for the fishermen and while I will give every credit to the organizers, it is not the easiest thing in the world, Sir, to go around this country and visit all the many stretched out communities that we have around this Newfoundland coast. It is not very easy, Sir, to go around and organize the fishermen. I will say that they have done a tremendous job. But, I will say the facts are that first you must have fish to be caught and, secondly, these fish must be properly handled and lastly, Sir, and most importantly, there must be a market for that product. Sir, I feel as some other hon. members here have said, that if we only see the result, more understanding prevailing between fishermen and the processors, the merchants if you wish to call them, then, Sir, this union will have served a very good thought.

I give the Bill my wholehearted support and I will have more to say when it comes to committee stage.

MR. WINSOR: Mr. Speaker, in rising to support his Bill, Bill No. 84, I do so with a great deal of pride and satisfaction for two or three reasons Sir. Firstly, because I am the Acting Minister of Fisheries at this particular time and on this particular day when this legislation is brought into this House. Secondly, Sir, you will recall earlier in the year representatives of the Fishermen's Union and others accompanied me to Norway and Iceland to study methods used in the establishing of prices of fish to fishermen who dispose of their catch. A great deal of knowledge was obtained by this visit. Consequently, on our return we had a fair amount of knowledge as to the methods used in other countries for fishermen to set prices for their catch. Then, Sir, thirdly, after our return a Select Committee of the House was appointed, made up of six members and I, as Chairman. Unfortunately, today three members of that Select Committee are not here to support this Bill. I am sure they would full, wholeheartedly

MR. WINSOR: support it, if they were in the Chamber at this particular time.

Sir, the Select Committee held meetings with the representatives of the Fishermen's Union and the trade. Briefs were received. I might add, Mr. Speaker, that I would want to express the thanks and appreciation of the Committee for the co-operation which the committee obtained from the people who appeared before us. As a consequence of all this, Sir, today, we have this Bill No. 84, "An Act Respecting Collective Bargaining Between Certain Fishermen Or Associations Of Fishermen And Certain Persons Or Associations Of Persons Engaged In The Processing Of Fish In The Province."

The Bill will enable the fishermen to have considerable bargaining power in establishing prices and conditions under which they will dispose of their catches. It will give them the same opportunity as other labourers to bargain for the rights of their toil. It will also give them the same rights enjoyed by fishermen from other nations of the world. Mr. Speaker, there has always been a feeling in the minds of the fishermen, rightly or wrongly, that they were not getting their just rewards for the work which they were engaged in. This legislation, Sir, if it is carried out in an atmosphere of friendliness and good will, with no animosity, then I cannot see anything but good resulting from it.

Time is limited, Mr. Speaker, and I am extremely happy to support this legislation.

On Motion, that the Bill be now read a second time, the House divided:

DIVISION:

MR. SPEAKER: Those in favour of the motion please rise:

The hon. the Premier; the hon. Mr. Lewis; the hon. Minister of Highways; Mr. Dawe; Mr. Noel; the hon. Minister of Labrador Affairs; Mr. Strickland; the hon. Minister of Education and Youth; the hon. Minister of Public Works; the hon. Minister of Finance; the hon. Minister of Mines, Agriculture and Resources; the hon. Minister of Community and Social Development; the hon. Minister of Provincial Affairs; the hon. Minister of Social Services and Rehabilitation; Mr. Barbour; the hon. Minister of Health; the hon. Mr. Hill; Mr. Moores; Mr. Saunders; Mr. Mahoney; Mr. Wornell.

MR. SPEAKER: All those against the motion please rise:

I declare the motion carried.

On motion, second reading of a Bill, "An Act To Amend The Trade Union Act, 1960."

MR. ROBERTS: Mr. Speaker, in moving second reading of this Bill, may I say simply that it is a companion piece to the legislation just adopted by unanimous vote of all the members of this House who cared sufficiently for the fishermen of this Province to appear in this House to vote. The Bill simply provides Mr. Speaker, that the Trade Union Act, the basic Trade Union legislation of this Province, applies to the Fishermen's Union collective bargaining thing, except in such places as, the Act we just passed, or at second reading, requires it to be different.

This Act is a companion piece. It goes hand in hand with the Bill we just passed. I move second reading.

On motion, Bill read a second time ordered referred to a Committee of the Whole House on tomorrow.

Motion, second reading of A Bill, 'An Act Further To Amend The Law Society Act.' (No. 87)

MR. ROBERTS: Mr. Speaker, this Bill has been distributed to the members. Although as one might expect of a Bill drafted by lawyers, having reference to lawyers, it does tend to go on. There are a lot of words, its purpose is simply stated. It is brought in, Sir, at the request of the Law Society of Newfoundland, the governing body of the profession in this Province. The Society have requested and the Government have agreed that it should no longer be possible for a person to be admitted to the Bar of this Province, unless that person has received a law degree from a recognized law school.

Up until now, as the House is aware, a person has been able to come to the Bar of this Province by reading law. Some of our most eminent lawyers, I believe of the four Judges of the Supreme Court of the Province, the Chief Justice, and Mr. Justice Higgins, two of Her Majesty's judges in this Province have read law, come to the Bar in that way. Many, many of the great names in this Province have come to the Bar in this fashion.

The feeling is, however, with the growth of Law Schools, with the increasing size of the Bar, that the increase and complexity of the office and with the change in practice in this Province, it is no longer necessary to allow for this. Accordingly, we now ask the House to give us authority to say that from now on lawyers coming to the Bar of this Province will be first of all trained, having received an LLB Degree.

On motion, Bill read a second time, ordered referred to a Committee of the Whole House on tomorrow.

Motion, second reading of a Bill, 'An Act To Ratify, Confirm And Adopt An Agreement Made Between The Government And Noranda Exploration Company, Limited (No Personal Liability). (No. 79)

Mr. Callahan: Mr. Speaker, this Bill falls in the normal course of Bills that come to this House to ratify mineral exploration agreements entered into by the Government with various mineral exploration companies, in this case, the extremely well known and respected Noranda Exploration Company Limited.

The Bill, Mr. Speaker, would reserve areas which are delineated in the appendix, in the North Grand Lake Area, the South Grand Lake Area, and the LaPoile Area. These are reserved for a period of three years, and Noranda has been granted the exclusive rights to prospect and explore for minerals in these areas during that time.

The company is obliged to spend \$100 thousand, of which not less than \$15 thousand will be spent during the first twelve months of the exploration period, \$35 thousand the second twelve months, and \$50 thousand during the third twelve months of the exploration period.

During that period, as is normal, Noranda may obtain a development license over an area or areas not exceeding ten square miles to be selected by it from the reserved areas, in which case, of course, the remaining component of the total areas is shed. The term of the development license is for five years. Also, during the currency of any development license, the company may apply for a mining lease for any part of the areas comprised in the lesser areas, that is to say, the areas covered by the development license.

Mining leases must be issued, subject to terms and conditions set forth in the Crown Lands Mines and Quarries Act, 1961. This is a normal Bill, Mr. Speaker, of which we have had many Bills in the past, many dozen I should say, to ratify an agreement that hopefully will result in the exploration that will itself consequently and subsequently result in further development of the mineral resources of the Province. I have pleasure in moving second reading.

On motion, Bill read a second time, ordered referred to a Committee of the Whole House on tomorrow.

MR. ROBERTS: Mr. Speaker, yesterday the House passed at all stages, and gave third reading to Bill no. (77) "An Act Respecting The Attainment Of The Age Of Majority." May I now Sir, move under Standing Order (60a), that third reading of this Bill be rescinded, and that the Bill be recommitted to Committee.

In making that motion, may I explain that we have discovered, as I think Your Honour is aware, (I have spoken with the Clerk at the Table) a most technical point, that before we can deal with the Human Tissue Act, we have first to recommit this Bill, to take out of it the section dealing with the Human Tissue Act, 1966-67. So I so move.

On motion Third Reading of Bill, "An Act Respecting the Attainment of the Age of Majority", rescinded, Bill ordered recommitted to Committee of the Whole House now, by leave:

COMMITTEE OF THE WHOLE:

MR. ROBERTS: I move that section (32) of the Bill be deleted, and that the remaining sections, (33 to 54) inclusive, be renumbered (32 to 53) inclusive.

On motion, amendment carried.

On motion, report received and adopted.

Motion, that the Committee rise, report having passed Bill No. (77) with some amendment. Mr. Speaker returned to the Chair.

On motion, report received and adopted.

On motion, amendments read a first and second time, Bill ordered read a third time now by leave.

On motion, Bill read a Third time, ordered that the Bill do pass and its title be as on the Order Paper.

MR. ROBERTS: Mr. Speaker, might I have the leave of the House to proceed with the second reading of Bill no.89? Mr. Speaker, the title of this Bill is longer than the speech which I will make in moving

second reading. The title is "An Act Respecting The Transplanting Of Parts From One Living Human Body To Another Human Body And Respecting The Disposition Of Bodies And Parts Thereof Of Deceased Persons For Therapeutic And Other Purposes."

The Bill Sir, will provide the procedures for transplants. It will also provide the (and I am not going to get into that sort of partisan politics) other purposes, therapeutic and otherwise. The Bill will also provide Sir, for the disposition of remains of human beings for medical purposes.

SOME HON. MEMBERS: (Inaudible)

MR. FOREST: Mr. Speaker, I do not mind being heckled, but by my own colleagues? It is too much.

Mr. Speaker, the only difference between this Act and the Act which is repealed by it, the Human Tissue Act of 1966-67, is that this Act allows for transplants. It is a recognition of, (I suppose it is progress) but it is a recognition of new developments in medicine. This is a model Act. One that is being developed and I gather is being adopted in other jurisdictions throughout Canada. I now move it be read a second time.

On motion, Bill read a second time, ordered referred to a Committee of the Whole House on tomorrow.

MR. FOREST: I move that the remaining Orders of the Day do stand deferred, and that the House at its rising do adjourn until tomorrow, Wednesday at 3:00 P.M. In making the motion, Sir, may I inform the House that it is the Government's intention - tomorrow is private members' day and we must follow the Standing Orders with respect to private members' business. They will be adhered to, of course. Following the disposition of such business as is required by Standing Orders, there being no further private business, the Government will call Committee Stage on the Bills that have been adopted at second reading. The Election Act, The Collective

Barbaining Act, the Law Society Act, the Noranda Act, the Human Tissues Act, the Trade Union Act. It is our hope when we have waited upon His Honour The Lieutenant Governor - I understand that His Honour will be in the House at about 5:00 p.m. tomorrow afternoon for the purpose of giving assent to such Bills as may have passed third reading and be ready for presentation to him for assent.

I understand also, that assuming we do get through our business tomorrow, the gentleman of the Fourth Estate have invited us all to partake Mr. Speaker, of such refreshments spirited or otherwise as may be the wont of hon. members. I move the House do now adjourn.

On motion, the House at its rising adjourned until tomorrow, Wednesday at 3:00 p.m,