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VERBATIM REPORT

FRIDAY, JUNE 13, 1975

SPEAKER: THE HONOURABLE M. JAMES RUSSELL

The House met at 11:00 A.M.

Mr. Speaker in the Chair.

MR. SPEAKER: Order, please!

PRESENTING PETITIONS:

MR. SPEAKER: The honourable Minister of Rehabilitation and Recreation.

HON. T. DOYLE, Minister of Rehabilitation and Recreation: Mr. Speaker,

I have here a petition from the Community Council of Ferryland, the prayer of which reads as follows; that the fishing industry of Ferryland is vital to the social and economic existence of its people; that at present in Ferryland there is a severe lack of suitable premises for the fishermen of Ferryland to satisfactorily process fish in a marketable condition; that at present in Ferryland there is a shortage of space where fishing gear can be stored and repaired, and that for the very existence of the fishery there a community stage is of vital importance.

Mr. Speaker, I support this petition which is signed by 238 residents of the Community of Ferryland, my district, about two-thirds of the voters in that community. In supporting the petition, Mr. Speaker, I would like to point out that in the report of the Select Committee on the Inshore Fishery, presented in this House last week, there is a section on shore facilities which very briefly states that the inadequacy, the woeful state or the total absence of facilities for the landing, handling or holding of fish at some landing points was the subject of complaints by many fishermen. Mr. Speaker, I, as I said, support this petition wholeheartedly and would place it on the table of the House and ask it be referred to the department to which it applies.

MR. SPEAKER: The honourable Leader of the Opposition.

MR. E. ROBERTS: Mr. Speaker, those of us on this side of the House would like to join in supporting the petition. We think it is an entirely reasonable request. The Southern Shore is one of the premier fishing areas of this Province. It always has been, hopefully and almost certainly will be. The fishermen along that shore, Sir, largely are inshore fishermen. I guess it is one of the strongholds of the traditional inshore fishery, the fishery which twenty years ago existed everywhere

in Newfoundland and now it exists only in certain portions of the Province, it still survives and flourishes along the Southern Shore.

The request for these facilities, the member tells us, is justified and from our own knowledge I think the request is eminently so. I should not think the amounts of money involved are overly large and in view of the exceptionally generous assistance which the Regional Economic Expansion Department

they are putting into the provision of fisheries facilities in this Province this year to the order of \$6 million or \$7 million, I would think that surely something could be done for the fishermen of Ferryland. I am not suggesting that DREE should do it. DREE cannot do everything. In any event if we are going to be a Province and have our own government we have got to assume some responsibilities on our own.

What I am saying, Mr. Speaker, is I think the Minister of Recreation is clearly on the spot. He is in the cabinet. I think it is up to him to ensure that the few thousand dollars, relatively speaking, that are necessary to provide these facilities this year be provided. I think DREE have done their share by putting in a number of millions. That has freed up surely some provincial money that otherwise would have had to go on the projects that DREE has funded. I can think of no acceptable, rational reason why the fishermen of Ferryland, the petitioners, should not see the prayer of their petition granted this year.

MR. SPEAKER: The honourable Member for Bell Island.

MR. NEARY: Mr. Speaker, I would like to present a petition on behalf of forty-two fishermen of Fortune Harbour, Cottrell's Cove and Moore's Cove, no relation to the, no connection with the honourable the Premier.

The prayer of this petition, Mr. Speaker, is that these fishermen say that they are in desperate need of some kind of income to feed themselves and their families. Right now, they say, the only way they can describe the situation there in their communities is a complete disaster area. They underline 'disaster area', Sir. They have lost many of their lobster traps. They cannot put out any fishing gear in the water due to the worst ice conditions that they have ever known. They have no income, Mr. Speaker, of any kind for the last several weeks.

They go on to say that if some kind of assistance by the government does not soon come forward, they cannot see how they can survive under such drastic conditions. The situation along the Northeast Coast, Mr. Speaker, is absolutely desperate. It is a drastic situation. The Minister of Fisheries, Sir, as Your Honour probably knows, because I believe these communities are in Your Honour's own district - unfortunately Your Honour is not in a position to support the petition. But, I am sure if Your Honour was that he would give this petition his wholehearted support -

and the Minister of Fisheries did undertake, Sir, did make a commitment to the fishermen in the Notre Dame Bay area that he would carry out a survey and then determine what action if any the government could take. I want to know now, Sir, if the report has been submitted to the Minister of Fisheries.

I also did a little investigating myself and discovered that no representation up to this moment has been made to the Government of Canada in connection with this matter. So, Mr. Speaker, I wholeheartedly support the prayer of this petition, Sir, and I hope that the government the Minister of Fisheries will not dilly-dally, not delay one moment longer in deciding what his government is going to do to help the fishermen in the Notre Dame Bay area who have lost income and lost lobster pots and lost gear as a result of the worst ice conditions that they have ever known in their whole history. Give us a bit of support on that now.

MR. SPEAKER: The honourable Minister of Fisheries.

HON. J.C. CROSBIE (MINISTER OF FISHERIES): Mr. Speaker, I think I spoke about this last week and said that a survey was underway and that when we had accurate information, we would be deciding what to do, if anything or anything could be done about this situation. I described the losses that we estimate there were of lobster pots along that area, and on the Port au Port Peninsula. When I have any further information, I will certainly provide it to the House. All I can say is that this matter is being looked into. There is no representation being made to the Government of Canada yet because until we know exactly what the damage is, we can hardly make a representation to them, in addition to which of course the only provision under which they would partake in any programme would be a disaster over a widespread area of the Province such they participated in last year. That will be discussed with them once I have a final report on the damage.

MR. SPEAKER: The honourable Leader of the Opposition.

MR. ROBERTS: Mr. Speaker, if I may say a word or two in support of that petition: I think my colleague, the gentleman from Bell Island, has stated the prayer of the petition and has stated our position on it. But, let me say a word with respect to the Minister of Fisheries attitude as he has just outlined it to us.

The disaster on the Northeast Coast, Sir, is far larger than a matter

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of some lobster pots, as serious as the lobster pots situation is. The
honourable gentleman yesterday winged his way in from Edinburgh and I assume

came via Gander and if it was at all a fine day he would have been able to see what amounts to an ice blockade which I am told stretches from about Cape Freels in the south to Cape Norman and Cape Bauld on the northern tip of the Northern Peninsula. I am told, Sir, that effectively no fisherman along the Northeast Coast has been able to get fishing this year to this date. Normally by now in every part of the Northeast Coast the fishery would be underway. But as far as I can determine the fishery has not been able to get underway, and the reason for it is ice. Now I am not going to blame this government or any other government for sending the ice. Weather, as I have always, is federal. But, Sir, the fishermen along that coast have no income, they have no means to earn an income, and they cannot earn an income until they can get fishing. I think it is the role of the government of this Province, Sir. We have asked a number of questions. We have made a number of requests here in the House all to no avail but I think, Mr. Speaker, that it is the role of the government of this Province to take those steps which are appropriate and necessary to get those men compensation. They are facing a disaster, Sir, in an economic sense if no other. Most of them had no income at all since their unemployment insurance benefits expired, in some cases in mid-March. They have had no income, Sir. They have no immediate prospect of obtaining an income.

June 13, Sir, is the period when the fishery should be well underway along the Northeast Coast. It is not. So I would say to the minister that once he has settled down from his jaunting hither and yon - and I am not denigrating his attendance at Edinburgh, apparently he achieved nothing but still, you know, it was forth the effort to go. That matter is important too - But I would urge him to put some attention on this. The fishermen expect some attention and the fishermen expect some help. And, Mr. Speaker, they deserve it.

MR. SPEAKER: Are there any other petitions?

The Hon. Member for St. George's.

MR. DUNPHY: Mr. Speaker, I would like to present a petition on behalf of thirty-eight farmers in Western Newfoundland in the district of St. George's.

The prayer of the petition: We, the undersigned, members of the Western Farmers Producers Co-operative request the Government of Newfoundland and Labrador to match the subsidy given by the federal government on potatoes as of April 1, 1975. Many groups in this Province that have been fortunate enough to have powerful unions behind them have received substantial increases for their goods and services. I might also note here that included in that would be federal government members' salaries. It is their wish that I quote to you a few increases they have had over the past two years. Of course, these increases are not the type that were desired or of any help to them. The cost of fertilizer over the past two years has risen to eighty per cent. The cost of insecticides is up to one hundred per cent. New farm equipment is up eighteen per cent. The cost of fuels is up ninety per cent. Labour is up thirty to thirty-five per cent. The cost of general farm maintenance, maintenance of equipment is up one hundred per cent. Hay seed is up sixty per cent. Farm fencing and equipment is up fifty per cent. Twines and shipping containers are up sixty-five per cent. Farm buildings are up forty per cent.

And the price paid to farmers for potatoes is down 200 per cent. In light of the above figures the farmers feel that they are justified in requesting the provincial government to matching the subsidy given by the federal government April 1, 1975.

I was just in my district recently, and I visited with the farmers in the Beatherton - Highland area, and I did not feel too good coming away from there. Presently there is approximately 26,000 bags of potatoes that have not moved. The moving of these potatoes is very slow, and it looks as though in due course these potatoes will have to be dumped. As a matter of fact there is some on the warehouse premises there now, away from the farm storage, that have deteriorated and had to be dumped. Now this is a very sad state of affairs in our Province particularly when we pay so much attention to other resources and so little to this one. I think it would be in order that the farmers get some assistance from the provincial government and enable these farmers to go back putting in their crop again this year because if they do not get this assistance some of them may not be able to do so, because this situation has them near ruin. Farming in Newfoundland has not gotten the encouragement it deserves, and I think a step in the right direction would be to see that they do receive the subsidy to bail them out at this time, because it is a very bad situation.

Mr. Speaker, I hope this will reach the proper people within the Department of Agriculture and that it will be given serious consideration, very serious consideration, and I look forward to getting some favourable news back very, very shortly because time is of the essence. I will place this upon the table of the House and ask that it be referred to the department to which it relates.

MR. SPEAKER: The Hon. Minister of Forestry and Agriculture.

HON. H. COLLINS: (Minister of Forestry and Agriculture.) Mr. Speaker, perhaps a few words concerning the problem facing the potato farmers particularly in Newfoundland might be worthwhile. After many representations this past Winter and Spring to the federal authorities I have run into the difficulty with which our potato farmers were faced. It was finally

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agreed by the federal authorities that a subsidy would be made available and we had a little difficulty in getting the subsidy to apply to Newfoundland. First of all it was designed for P.E.I. and New Brunswick where the vast majority of the potatoes, of course, in Eastern Canada are produced. We finally did get the federal government to agree to \$1.67 per hundredweight subsidy which works out to roughly \$.85 for a fifty pound sack. We have also put on a publicity campaign that ran for a couple of months outlining the difficulties of the farmers and appealing to the Newfoundland consumer, the Newfoundland housewife, to recognize this problem. And because of the fact that the Newfoundland product was of high quality we encouraged people to buy them and consume them. There were three problem areas, really. One in Pasadena, one in the Musgrave Town and Lethbridge area and another on the section of the West Coast to which my honourable friend refers.

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I have been keeping in daily touch with it for - not daily touch, but weekly touch for this past two or three months. The great majority, in fact, I think it is almost safe to say that the problem in Pasadena is just about solved. The problem in Musgravetown-Lethbridge area is just about solved and that the potatoes have been moving. But the farmers unfortunately had to reduce their prices. I do not know how far they did go, but I suspect that they reduced their prices to the extent of the federal subsidy which means that they could stabilize the prices at around \$3.50 I believe, \$3.85, the last I saw them at.

I understand that the farmers on the West Coast have not been so fortunate in moving their potatoes. Possibly one of the reasons is that the wholesale outlets on the West Coast have not been responding apparently to the requests which we have made, and that the wholesalers of course not responding by buying potatoes from the farmers and making Newfoundland potatoes available through the retail outlets, then of course any publicity campaign can only fail. I can certainly appreciate the problems that the honourable member has. When he says that there has not been enough done for farmers, I suppose that could be said for any group of people in Newfoundland or for that matter in Canada or anywhere in the world.

But, when we look at all of the programmes which are in place to assist farmers in Newfoundland, I think everybody will agree that a great deal has been done. The new Capital Assistance Programme is in place, which is of great benefit to the farmers. The loan board, the Farm Loan Board, has been improved. Just a couple of months ago we announced the setting up of regional equipment banks on the West Coast, Central Newfoundland, and on the East Coast. We have increased Land Clearing Grants. There is a great deal which has been done, but because of the tremendous overproduction in the States and in Prince Edward Island and New Brunswick last year, the markets have been flooded with potatoes. This is where the problem derives from.

I can assure the honourable member that I will take another look at it just as soon as we receive this petition.

MR. SPEAKER: The honourable Leader of the Opposition.

MR. ROBERTS: Mr. Speaker, the presentation of the honourable gentleman from St. George's in itself would have been enough to bring me to my feet

to support the petition which he presented so eloquently and with such detail and such knowledge. But, even if it was not for his remarks I would have wanted to say a word or two on the merits of the matter. Even if that was not sufficient, Sir, - and I do not know if this is connected or not with the honourable gentleman's visit which he related to us, but I have a letter here from the secretary of the Western Farmers Producers Co-operative. "We the members of the Western Farmers Producers Co-operative respectfully request your party's support for our petition for a provincial government subsidy on potatoes to match that granted by the Government of Canada as of April 1, 1975. This petition is being presented by our member shortly."

That in itself, Sir, if it were not for those other two facts, would have been enough to bring me to my feet on this occasion. Let me state quite briefly, Sir, because my friend and colleague, the gentleman from Bonavista North who speaks for us on agricultural matters may well wish to say a word or two in detail, but let me say that I think the case is well made for assistance to the potatoe farmers, the West Coast farmers and the ones in the Musgravetown-Lethbridge area and for that matter, if it is relevant, the ones in the North West River in behind Gambo. The farmers throughout Newfoundland, the potatoe farmers have come on a very hard time through no fault of their own but through the operation of market forces. You know, this is not the place, Mr. Speaker, to debate the philosophy or the practice of marketing boards because that is a two-edged sword. But suffice it to say, Sir, that if anybody doubted what could happen to a small local industry, small in terms of overall consumption, they need only look at what has happened to the potatoe industry in Newfoundland this past year because I understand that the real root of the problem is the fact that Prince Edward Island potatoes are coming in at, you know, rock bottom prices. They are in effect just dumping them. If it were another country dumping them into Canada, they would not be allowed to do it because of the International Agreement on Trade and tariffs.

But, of course, because we cannot have barriers on inter-provincial trade nor should we, they can do it to Newfoundland. We have an unprotected

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industry and one which is very much at the mercy of economic forces
and the economic forces this year have operated with ruthless
effect and the result of that will be unless there is additional
assistance made

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MR. ROBERTS: available to farmers, as I understand the situation very few of them are going to be able to plant this year because very few of them have been able to afford to get into the planting of potatoes this year. And if we are every going to have an agricultural industry in this Province we are going to have to support it and to make it possible for it to grow, Sir. The experts have looked at it over the years and I think they have agreed that at least in the root crops, potatoes, turnips, that type of crop, we can be much closer to self supporting. Successive generations of agricultural ministers have hoisted that standard to the flagpole and saluted it. The only problem is, Sir, apparently whatever has been done is not enough. We are today in the situation where our potato industry is in a very parlous state indeed.

So I support the petition. I think the honourable gentleman presented it well and that in itself would lead me to do it. If that did not the merit of the petition would and then finally, as I have said, the secretary of the group, the Producers Co-op wrote me and made a point of asking us to support us and for that reason too, Sir, I am happy to say a word or two in support.

MR. SPEAKER: The honourable Member for Port de Grave.

MR. WILSON: I too as a member of a district would like to add support to this petition so ably presented to this House. In the District of Port de Grave which I represent there are also small farmers and they have the same problems and surely if this government can do anything to help out farmers as well as fishermen and what not, surely we would all lend our support to it. And I do not see any reason why our own farmers are not presented wisely to attend to raise crops and to encourage them as well as they are on the Mainland. I think there is something wrong with our Province that we have to import every potato we eat, supposing we have to go on record to have the people even buy our own produce without importing it and I think where people and farmers are willing to work, I think we should stand by them and help them the best we know and the best we can. I thank you.

MR. SPEAKER: The honourable Member for Bonavista.

MR. THOMS: Mr. Speaker, I rise in support of the petition so ably presented by the Member for St. Georges. This petition, Mr. Speaker, to me is of great importance because if the prayer of this petition is not answered, and by answering it I mean within a very limited period of time, we are going to have a very serious situation, especially among the Western farmers of Newfoundland. I understand that the farmers in Central and Eastern Newfoundland are well ahead in planting this year and that they have found sufficient funds to undertake this project.

The situation in Newfoundland for the past six months in the potato industry has been a very serious one, one of the most serious that we have witnessed for some time. This of course is being caused by a tremendous crop in Eastern Canada, specifically New Brunswick and P.E.I., and in the State of Maine and because of this over-abundance of crop, and of course we also had a tremendous increase in the acreage planted in Eastern Canada last year, this has caused prices of potatoes to drop to rock bottom and as a matter of fact they have been sold for way less than they can be produced. And while I congratulate the federal authorities, the Federal Department of Agriculture on implementing a subsidy of \$1.67 per hundred weight, this was indeed a good gesture on the part of the federal government and I am sure helped many farmers in Eastern Canada, however, it was not the answer as far as the Newfoundland farmer is concerned -

MR. NEARY: He had to sell the potatoes first.

MR. THOMS: - because the stipulation was that the potatoes had to be sold as Canada number one before this subsidy could be collected and Mr. Speaker, what happened in P.E.I. was that the farmers bagged their potatoes and sold them for one cent per seventy-five pound bag and this of course undercut every price or any price in Eastern Canada, whereby many of the farmers in P.E.I. sold their potatoes, the potatoes of the farmers in Newfoundland stayed in storage. Some of them in storage at the present time are reaching the point where

breakdowns in potatoes are becoming common. Of course because of the tremendous amount of volume in storage at the present time, I would predict that very soon you are going to have a tremendous amount of these potatoes dumped this year. The prayer of the petition -

MR. NEARY: Give them to the Minister of Social Services.

MR. THOMS: - suggests that the provincial government also implement a subsidy. I certainly agree with this. I believe the provincial government should become involved financially here and help out our farmers who are at the present time at the verge of bankruptcy. Many of them cannot find the funds to plant this year. This in itself is going to cut down the already small production which we do have in Newfoundland because Newfoundland at the present time in 1974 imported approximately ninety per cent of its consumption of potatoes. I believe that this should be reversed. It can be if we have a proper farm programme implemented in Newfoundland.

Mr. Speaker, I sincerely support this petition. I trust that the provincial government will see fit to implement a subsidy, not necessarily on the basis that the federal subsidy was implemented because if it is, Mr. Speaker, I do not believe it will be as effective in Newfoundland as a subsidy should be. I trust that the Minister of Finance, Minister of Forestry and Agriculture and his colleagues will see fit to implement such a subsidy within the very near future because, Mr. Speaker, here time is of the essence.

MR. NEARY: They should buy the potatoes.

MR. SPEAKER: Are there any other petitions?

The honourable Member for St. George's.

MR. DUNPHY: Mr. Speaker, I would like to present this petition on behalf of all of the residents of the community of Black Duck in the district of St. George's. The prayer of the petition says, whereas there has been a large increase in heavy vehicular traffic on route 460, the district of St. George's, and whereas there has been, recently been a large increase in the number of children living alongside the highway in the Black Duck area, and whereas the Black Duck area caters to a large number of tourists and whereas there were three fatalities, three, Your Honour, and a number of injuries as a result of traffic accidents in the Black Duck area during 1974, we the residents of Black Duck, St. George's district do hereby request of our member to present this urgent petition to the House

of Assembly asking that an immediate order be passed directing that a thirty miles per hour speed limit zone be placed into effect on route 460. That is the route that goes from the Trans-Canada Highway through Black Duck into Stephenville Crossing.

Also to include the side road known as the Loop to a point approximately one-half mile East of Harrys River Bridge on route 460, and that signs be posted immediately to this effect and that in addition a speed limit of twenty miles per hour be immediately posted on the side gravel roads known as the Loop and farm roads which travel through portions of the community of Black Duck.

Your Honour, this is a very serious petition. It deserves by the Department of Highways serious consideration. I may point out that on past occasions I have presented to that department similar petitions asking for the reduction of speed limit and to date no action has been taken in that direction, which in my estimation is a very high lack of responsibility on behalf of that department. Unfortunately the Minister of that department is not present in the House today, but hopefully he will soon get the message and see that something is done in regard to these other requests, and in particular this petition on behalf of the citizens of Black Duck. Now, it is a very serious matter when the people have to implore their member to present this petition. They do not have to implore. It is a pleasure and I support it. But, on the other hand whereas the member has to implore the department to take action and action is not taken.

I assure you, Mr. Speaker, that I will be following this particular one through to make sure that it does go through. I am not at all happy with other requests, and I expect immediate action on this particular request on behalf of these people because it is no joking matter when people are being run down on the highways through too high speed limits in a congested community where there are many children and people moving to and fro. This has to be looked at in a very serious light and some very serious action taken. Immediately upon receipt, the action should be initiated. I place this upon the table of the House. It should get there as soon as possible and action to be received as soon as possible. Thank you.

MR. SPEAKER: The honourable Member for Bell Island.

MR. NEARY: Mr. Speaker (excuse me), it is obvious, Sir, that the Member for St. George's and the people who he represent, who sent him here as an elected member of the House of Assembly have very, very strong views on this matter of reducing the speed limit in the Black Duck area and in the Loop Road area and on some of the farm roads in the member's district. From what I can gather from the member's remarks, Sir, it is a very emotional issue and one that should be dealt with without further delay.

Anybody who has travelled in that area, Sir, knows the hazards of some of the roads in that area. They are narrow in some cases. There are a lot of turns in some of the roads. Only recently I drove through the honourable member's district. Unfortunately he was not there to greet me. But this is the thing that struck me, Sir, about some of these roads. After the Spring thaw, Sir, there were a lot of bumps in the road too, I think the member will agree, more than I have seen in probably any other of the paved roads in the area. It is a very reasonable request, Sir. As I say the member has very strong feelings on the matter when he strongly

condemned the minister and the department for not taking the action that he asked before. If the member becomes further frustrated I would suggest that he might consider moving his seat over on this side of the House if he cannot get the required action from the minister. But I am sure that his emotionally charged request this morning will be heard by the Minister of Transportation and Communications because after all, Mr. Speaker, this is not going to cost the Provincial Treasury one penny. They already have the signs made over in the highways depot. It is only a matter of getting somebody to stick up the signs and changing the speeding regulations in that area. It will not cost the public treasury one cent. It is a reasonable request, Sir, and one that should be granted without further delay.

MR. SPEAKER: Are there any other petitions?

NOTICE OF MOTION:

MR. SPEAKER: The Hon. Minister of Fisheries.

HON. J. C. CROSBIE (Minister of Fisheries): Mr. Speaker, I give notice that I will on tomorrow ask leave to introduce a bill, "An Act To Provide For The Reversion To The Province Of Certain Mineral Lands In Labrador." I am speaking on behalf of the Minister of Mines and Energy.

MR. SPEAKER: The Hon. Minister of Education.

HON. G. OTTENHEIMER (Minister of Education): Mr. Speaker, I give notice that I shall on tomorrow ask leave to introduce a bill, "An Act Further To Amend The Memorial University Act."

ANSWERS TO QUESTIONS FOR WHICH NOTICE HAS BEEN GIVEN:

MR. SPEAKER: The Hon. Minister of Finance.

HON. H. R. V. EARLE (Minister of Finance): Mr. Speaker, yesterday I undertook to get some answers to questions asked me by the Opposition. As I recall the first question was if the former Comptroller and Deputy Minister of Finance was paid anything when he severed his connection with the government. Yes, he was paid ten months severance pay which is not unusual in a person of that standing and that position. Actually his severance pay for ten months amounted to \$29,900.

MR. NEARY: Resign!

MR. SPEAKER: Order, please!

MR. EARLE: The deputy ministers who were retired on pension before their pension was due are being paid full salary at present. They are as follows: Mr. Fred Gover, Deputy Minister of Mines, who retired on full salary effective December 4, 1972, He will be placed on pension June 1, 1976. Mr. Eric Gosse, who was Deputy Minister of Fisheries, is being paid full salary. He will come on pension as of November 1, 1977. Mr. John Cochrane is also in the same position. He retired on December 4, 1972 and he will come on pension on May 1, 1976. Mr.

David L. Butler, Deputy Minister of Labrador Affairs, he retired on full pension, December 4, 1972 and will come on pension- on full salary I am sorry, December 4, 1972 and will come on pension September 1, 1974. There are no changes nor are there to be any changes in the salaries prior to the date of pensionability.

MR. ROBERTS: Does that mean they are drawing the salaries that they drew at the time -

MR. EARLE: At the time they retired, yes. There are to be no changes in these salaries.

Concerning the other questions yesterday as to the legal representatives in bond issues, I inadvertently gave a wrong answer for which I apologize to the House. But, the practice of government is that it employs no legal counsellors in bond issues except in one case. That is in the case of the market of New York where the situation is so complex that we have been employing for some time now the firm of Mudge, Rose, Guthrie and Alexander who are New York attorneys.

MR. ROBERTS: Mudge, Rose and Mitchell -

MR. EARLE: These are the - this is the only law firm to whom the government pays any retainer. In the case which I mentioned yesterday, they as usual were retained by the underwriters and of course the settlement of fees is between the underwriters and themselves. So, I am not familiar with what the amount was. Incidentally as there is some publicity in the paper this morning, I should say that as my son happened to be a member of that firm he did no work on the issue, received no fee or commission of any sort.

ORAL QUESTIONS:

MR. SPEAKER: The honourable Member for Bell Island.

MR. NEARY: Mr. Speaker, in relation to the answer just given by the Minister of Finance, I wonder if the Minister of Finance could inform the House if he and the Member for St. John's South before he became Minister of Health made a trip to Paris in connection with that bond issue or any other bond issue or any other business on behalf of the government?

MR. EARLE: Yes, Mr. Speaker. It is customary, in fact it is necessary that the Minister of Finance goes to sign the necessary documents of all these bond issues. Now, I was in Paris for that particular issue. The

honourable member referred to was there on behalf of his firm who as I said represented the underwriters. There may have been other lawyers present, but I did not recognize them.

MR. ROBERTS: Were there other Newfoundland lawyers present?

MR. EARLE: No.

MR. HICKMAN: Yes there was.

MR. EARLE: Oh, yes, I am sorry. Vince McCarthy was there from the Department of Justice.

MR. NEARY: Mr. Speaker, a supplementary question. Would the minister indicate to the House whether the Member for St. John's South paid his own expenses or if they were charged on the public treasury?

MR. EARLE: Of course he paid his own expenses, as far as I know. I have seen no travel imprest or anything go through for him.

MR. ROBERTS: Mr. Speaker, a further supplementary which I suspect the honourable gentleman will wish to take as notice. Would he get for the House and make public, Sir, the following information in connection with the bond issue in Paris: the amount of the bond issue, the interest rate, the commission and the net amount drawn by the government of the Province as representing the proceeds of the bond issue, and include in that any expenses or fees which the government of the Province may have paid directly or indirectly in connection with the bond issue.

Of course, as the minister knows in these bond issues we draw, we, the Province, draw a net amount. There is subtracted from that, from the amount raised, the expenses which are paid by the underwriters in connection with the issue.

MR. CROSBIE: Mr. Speaker, on a point of order.

MR. SPEAKER: Order, please!

MR. CROSBIE: It is not a question. The honourable gentleman is making a speech.

MR. ROBERTS: Mr. Speaker, to that point of order, Sir, I submit that is a perfectly improper point of order. The honourable Minister of Fisheries has been away from the House recently, and has obviously forgotten the rules of order. I was merely attempting to make sure that the Minister of Finance understood the question. In view of the Minister of Finance's willingness to help, as he has demonstrated, I think it is only right and proper that we should try to help him. It is a very detailed question.

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proper that we should try to help him. It is a very detailed question. I think the minister will have to take it as notice. If he wishes, I would be happy to see him outside the House and go through it in detail with him.

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MR. SPEAKER: Order, please!

The question was detailed but the Chair feels, too, that the Hon. Leader of the Opposition was almost getting involved in a debate in asking a question which was certainly longer than the Chair feels necessary.

The Hon. Minister of Finance.

MR. EARLE: Mr. Speaker, if the Hon. Leader of the Opposition read the papers most of the particulars he asked for have already been given.

MR. ROBERTS: No, not the one -

MR. EARLE: The bond issue was sold at nine and a half per cent coupon and \$20 million was the principal amount.

MR. ROBERTS: Eight years.

MR. EARLE: And fortunately it sold at par which meant that it sold at one hundred. So as far as the charges by the underwriters are concerned I do not have these at my finger tips. Of course, I can get them.

MR. ROBERTS: Mr. Speaker, a further supplementary. I thank the honourable gentleman. I like the term of it which I believe was eight years and, of course, the real question is what is the net draw down because we have to pay back \$20 million, and I want to know exactly how much we drew? We did not draw \$20 millions.

MR. EARLE: I have not got that information.

MR. SPEAKER: Order of the Day.

The Hon. Member for Bell Island.

MR. NEARY: Mr. Speaker, I would like to direct a question to the Acting Minister of Public Works whoever he might be, Sir, and I would like to ask the Acting Minister to tell the House what action has been taken on charges made this week during meetings between the government, between the Acting Minister and representatives of the government, and the Bricklayers Union, charges that were made that material and labour at the Health Science Complex is being diverted for use on personal projects,

building homes, putting basements in private homes of individuals who are management members, and burying dogs of members of management either on the site now or formerly on the site of the Health Science Complex?

MR. SPEAKER: The Chair understands that the Acting Minister of Public Services is the Minister of Transportation and Communications who is not in his seat today. The Chair could be corrected on that.

MR. NEARY: Mr. Speaker, there is no Acting Minister.

Well, Mr. Speaker, I will wait until the minister comes back to his seat.

MR. ROBERTS: Perhaps the Minister of Justice then could possibly help. This is very serious.

MR. NEARY: Does the Minister of Justice know anything about that matter?

MR. HICKMAN: I never heard of it.

MR. NEARY: Never heard of it.

MR. ROBERTS: You will hear a great deal more.

MR. NEARY: Well we will hear about it when the Minister of Transportation gets back on Monday.

Mr. Speaker, I have a question for the Minister of Municipal Affairs and Housing, Sir. Would the Minister of Municipal Affairs and Housing tell us, give us an update, a progress report now on the grievance, the objections made to the minister and to the government by the people who live in government owned houses and over at the Wallace Place, Newtown Road, Whiteway Street, Hoyles Avenue and Graham Street who thought that they were paying off their houses when they were paying the rent and who are now objecting to the prices set on these houses, the purchase of these houses?

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

MR. PECKFORD: Mr. Speaker, in several meetings held by people who rented these houses on Whiteway Street - Hoyles Avenue area, several meetings that were held from 1953 to 1972 with the honourable, the then Premier, Mr. Smallwood and with Mr. Vardy, who was responsible for the Housing Corporation, they were continually told verbally by those people that -

MR. ROBERTS: What?

MR. PECKFORD: Okay.

- they were continuously told by these people that the agreement was a rental purchase one. There was nothing legally on paper to indicate that it was. All the documents relating to that project and the building of those houses indicated that they were going in there to rent them and at some point in the future they would have the opportunity or the option to buy them. There was no mention in any of the documents of a rental purchase agreement. When the people came to me two or three months ago and gave me their story they had no legal case from the advice that was given to me. But because they seemed to have a moral case I pursued the matter and sent a proposal to the CMHC head office in Ottawa and asked for a reconsideration of their request indicating that there be some formula devised whereby if you are in there for twenty years the amount your house would cost would be reduced by a certain amount and your retainer would be so much less and so on, to give them an opportunity to reduce the cost of the houses so that they would be in a better position to buy them and to purchase them. The CMHC board in Ottawa turned down the proposal that I put to them, flatly and indicated that they would not do it and so the position now is simply that if the people want to buy those houses they have to buy them for the cost that they have been told that the Housing Corporation is selling them for. That is where it stands right now,

MR. PECKFORD: and as far as I know CMHC are going to remain in the same position they have been before whereby they will not consider any rental purchase agreement.

MR. YOUNG: You mean those two fellows promised those people homes -

MR. NEARY: Mr. Speaker, a question for the minister. As the Province -

MR. YOUNG: - and did not live up to it?

MR. SPEAKER: Order, please!

MR. NEARY: As the Province has a twenty-five per cent financial involvement in these houses, has the minister given any consideration to writing off the Province's twenty-five per cent in order to reduce the purchase price of these homes?

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

MR. PECKFORD: Mr. Speaker, because the agreement was a federal-provincial one, we in a submission that I put before CMHC had agreed to take care of our twenty-five per cent, eliminate our twenty-five per cent on the formula that was in the proposal, but because CMHC did not go along with the proposal that of course no longer is valid.

MR. NEARY: Mr. Speaker, I have a question for the Minister of Health, I wonder if the Minister of Health, Sir, could tell us, as time is running out, if he is still optimistic about the possibility of avoiding a strike in the hospitals that is scheduled to take place on June 20, is the minister still optimistic that this can be averted, headed off?

MR. SPEAKER: It is not so simple, Mr. Speaker, that I can reply in a word yes or no, The position is that the matter is now before a conciliation board and we read in the papers and we have heard statements that there is to be a strike on the 20th. Now I for my part understand that if the conciliation procedure is going through as it has already started, and I am sure it will, that the earliest date that a legal strike could be held is likely to be somewhere in the second week of July, So that if any strike takes place on the 20th. of June, as we read in the papers and hear by statements that it may, then that would be of course an illegal strike.

MR. MURPHY: Well it is not correct to say, Sir, that they cannot strike on the 21st. as we hear over radio and everything else.

MR. WELLS: If they strike on the 20th. of June it would have to be an illegal strike. Now I am optimistic in this sense, Mr. Speaker, that I have sufficient confidence in the public employees of the hospitals and the people who represent them that they would not precipitate an illegal strike on the 20th. of June while at the same time going through the process which government has provided for the settling of disputes. So I cannot accept now the position that while on the one hand taking part in the legal process they would at the same time walk out illegally on the 20th. Now what the conciliation board will report I do not know, but I am hopeful of course that settlement will be reached after the board's report. But I would say and say very clearly that we expect these public employees and their representatives to go by the law which has been established and we do not expect an illegal walkout on the 20th. and I think we would be all very sorry to see that take place while the legitimate process is underway and being used.

AN HON. MEMBER: Hear! Hear!

MR. SPEAKER: The Member for Bell Island.

MR. NEARY: Mr. Speaker, would the Minister of Health, Sir, tell us now about the position of the nurses, when will they be in a legal position to strike or is the minister optimistic that there will be no strike amongst the nurses?

MR. WELLS: Certainly, Mr. Speaker, I would be optimistic that there would be no strike. It is appreciated that all groups bargaining with the government and in boards and groups, hospitals and the like, you know they have legitimate concerns and money is of course an important concern, But the nurses, too, I suspect and hope and am optimistic that they are not going to take precipitate action that would cause difficulty to the people whom they serve and that the process of bargaining is underway and I think that we ought to wait until that process is fully exhausted before even thinking in terms that there will be a strike, or certainly an illegal strike.

MR. NEARY: Have they gone into conciliation?

MR. MURPHY: No. No.

MR. WELLS: I do not believe they have. They of course will be dealing with

Treasury Board. My understanding is they have not yet asked for conciliation services.

MR. NEARY: Mr. Speaker, I have a question for my honourable and learned friend the world traveller, the Minister of Fisheries, Sir. Could the minister inform the House if there is any late news, any new developments on the matter

of the construction of a fish plant for Burgeo as the Town Council and the people down there are severely peeved with the minister and the government for delaying this project?

MR. SPEAKER: The honourable Minister of Fisheries.

MR. CROSBIE: Mr. Speaker, I should tell the honourable gentleman that really he should direct his question to the honourable Minister of Regional and Economic Expansion because the ball has been in his court for quite a long time in this situation, for at least a year. It is probably longer. The Government of Newfoundland has been prepared to proceed with the construction of a new fish plant at Burgeo under a carefully structured and complicated arrangement with National Sea Products Limited who are managing the plant. An application has been before the Department of Regional and Economic Expansion for a year now if not longer in that connection. Once the final arrangements are made - there was a meeting some two weeks ago on the matter.

The Minister of Industrial Development met with Mr. Jamieson there about a week ago. He is away today and I do not know if there is any late breaking news. But, certainly this is a matter that the Government of Newfoundland has been prepared to proceed with at every instant over the last year and a half and still is. When the Minister of Industrial Development comes back, he can give the House the latest news on that. But, certainly this government is well recognized by the town council and the people of Burgeo as having pushed and promoted this proposal for the last eighteen months and we are ready to proceed with dispatch as soon as we know that the Government of Canada at Ottawa are going to contribute also in a substantial manner.

MR. NEARY: Mr. Speaker, a supplementary question. Could the minister confirm or deny that they are now talking about a different kind of fish plant for Burgeo? I do not know what kind but I heard about some public statements saying that they were talking about revising the plans, the original plans. They will not now proceed with the original plans to build a fish processing plant in Burgeo similar to the one, for instance, that we have in Marystown. Is there any foundation to this?

MR. CROSBIE: This could very well be true, Mr. Speaker, but I will have to - you know, I can only tell the honourable gentleman that I would have

to wait to speak to the minister who is directly concerned with it, the Minister of Industrial Development. He will be here next week and he could give any details. The honourable gentleman can rest assured that no matter what kind of fish plant it is, it will be up to date and will be one that will provide at least as much employment as is now provided in Burgeo if not more employment when construction is finished. But, for the latest details, we will have to wait for the Minister of Industrial Development.

MR. NEARY: Mr. Speaker, another question for the Minister of Health, Sir. Will the Minister of Health bring the House up to date on the shocking news that we received yesterday about twenty-five cases of silicosis in Labrador City? What about the situation at the ERCO plant where the workers down there are complaining of very poor working conditions and health hazards? What is the real situation in Labrador City and what is being done about it? What about Baie Verte, the asbestos mine in Baie Verte? Would the minister care to bring us up to date on these very, very serious problems?

MR. SPEAKER: Order, please!

I sincerely hope that the answer by the honourable Minister of Health will be brief because the Chair feels that it could be a rather lengthy one, and as such it could go on, the question could go on the Order Paper. But, if the minister is prepared to be brief, then I shall permit him an answer.

MR. WELLS: I will only say at this stage, Mr. Speaker, that this also concerns the Department of Mines and Energy, the question of mines and asbestos fibers, these sort of things. There is continuing liaison and work between the Departments of Health and the Department of Mines and Energy on this. It has been brought to the attention of the Department of Health that potential danger exists, well, practically in every mine and there is study and monitoring at all times in conjunction, and most of this I think is being carried out, most of this work, by the Department of Mines and Energy.

But, I am glad the honourable member raised it. It is something that we are very conscious of and something that is going to be watched and followed up very carefully in future. If the honourable member wishes, I can get more detailed information and present it to the House at a later date.

MR. NEARY: Yes, Mr. Speaker, I would appreciate a full report because of

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serious nature of this problem. I would appreciate a full report. I am sure that the members of the House would be very happy to get a report on this.

MR. WELLS: Yes, and that will be gladly provided, Mr. Speaker.

MR. NEARY: Mr. Speaker, I want to direct a question to the Minister of Manpower and Industrial Relations. Would the minister tell the House whether or not he has received a request from the St. Lawrence Miners Protective Union

MR. NEARY: to intervene in that dispute in St. Lawrence between Alcan and the St. Lawrence miners?

MR. SPEAKER: The honourable Minister of Manpower and Industrial Relations.

MR. MAYNARD: Yes, Mr. Speaker, I have received a request by telegram yesterday morning and by talking to Mr. Curtis, the bargaining agent for the union, yesterday afternoon.

MR. NEARY: Mr. Speaker, supplementary; Would the minister tell the House what action he has taken on that telegram, on that request, and will the minister become personally involved in that, apparently which is developing into a very serious labour dispute in St. Lawrence where the employees have been locked out?

MR. MAYNARD: Mr. Speaker, meetings have been arranged by this time by my Assistant Deputy Minister, Mr. Bannister, I believe for tomorrow morning but I have got to check that out a little bit later on. I do not plan to become personally involved in the conciliation procedures as such at this point in time. I will however meet with both parties sometime tomorrow and discuss the situation with them. Any conciliation efforts that are done I will have one of my conciliation people or Mr. Bannister the A.D.M. do that job.

MR. SPEAKER: The honourable Member for Bonavista North.

MR. THOMAS: Mr. Speaker, I would like to direct a question to the Minister of Forestry and Agriculture, Could the minister inform this honourable House if there is a water bomber at the present time stationed at Goose Bay and if there has been any request from the fire officials in the Wabush Area for that water bomber to take part in putting out the serious fire which is in that area at the present time?

MR. SPEAKER: The honourable Minister of Forestry and Agriculture.

MR. COLLINS: Mr. Speaker, I have been in touch with the people in Wabush since two-thirty this morning, had numerous telephone calls with people there and kept in touch until five minutes ago. A water bomber arrived on the scene from Goose Bay at six-thirty this morning. I might add for the information of the House that the fire is burning in what is commonly called

caribou moss. There is no flame now. There is a considerable amount of smoke. It has burned to the edge of the open pit mine.

MR. ROBERTS: Wabush?

MR. COLLINS: At Wabush, yes, There is another water bomber at Montreal which should be available in a day or so and we are also in touch with the Government of Quebec and we hope that if we need it we can get a bomber from them from Bagotville. So the thing is well in hand.

MR. THOMS: A supplementary question, Mr. Speaker, Is there any danger at the present time to the Town of Wabush and if so is there any evacuation taking place?

MR. COLLINS: No, Mr. Chairman, there is no flame. It is a matter of smoke now and it is pretty well under control and it is raining.

MR. NEARY: Mr. Speaker, I wonder, Sir, if the Minister of Justice could tell the House whether he issued instructions to have additional police sent to St. Lawrence yesterday or the day before? Oh, and Mr. Speaker, would the minister care to tell the House who issued the instructions to send additional R.C.M.P. officers to St. Lawrence?

MR. HICKMAN: No, Mr. Speaker, I have no idea.

MR. NEARY: Mr. Speaker, a supplementary question. Would the minister tell the House whose responsibility it is to decide whether or not additional police should be sent to a community during a labour dispute?

MR. HICKMAN: The appropriate officer in whichever police force is involved in the Province, Mr. Speaker.

MR. NEARY: Well, Mr. Speaker, a supplementary question, Has the minister objected to the presence of all these police officers in the Community of St. Lawrence, the peaceful Community of St. Lawrence?

MR. HICKMAN: No, Mr. Speaker, I would not be as irresponsible to take that act.

MR. SPEAKER: Order of the Day.

MR. ROBERTS: Mr. Speaker, is the question period expired?

MR. SPEAKER: Not quite, no.

MR. ROBERTS: Well then I have a question for the Minister of Education, Would the minister please tell us whether the government have accepted the recommendation made by Dr. Harris in his report to the effect that all of

the schools should be, I do not want to use the word amalgamated, or integrated because they all have connotations in the education field, but it says here that they should all be brought together and that the government should take over directly the educational systems in the Province?

MR. SPEAKER: The honourable Minister of Education.

MR. OTTENHEIMER: No, Mr. Speaker, I can state that the government certainly has not accepted that recommendation.

MR. ROBERTS: Mr. Speaker, I am not altogether surprised by the minister's answer but I wanted to have it on the record. Perhaps I could go a step further with a supplementary, Is the government giving any consideration to that recommendation or have they rejected it?

MR. OTTENHEIMER: Mr. Speaker, it is not the intention of government to take over the schools.

MR. ROBERTS: Mr. Speaker, I did not think it was but I wanted to have it on the record.

MR. SPEAKER: The honourable Member for Bell Island.

MR. NEARY: I want to get back to the Minister of Justice there again, Sir. Was there any prior consultation between the gentleman in charge of the R.C.M.P. and the Minister of Justice before these additional police were sent to St. Lawrence? Were there any?

AN HON. MEMBER: No.

MR. NEARY: No prior consultation with the minister? The minister did not know of it?

AN HON. MEMBER: No.

MR. NEARY: Did not know a thing about it?

MR. HICKMAN: Did not know a thing about it.

MR. NEARY: Okay, Sir.

ORDERS OF THE DAY:

AN HONOURABLE MEMBER: Inaudible.

On motion of the Hon. Minister of Justice, a bill, "An Act Further To Amend The Stamp Act," read a first time, ordered read a second time on tomorrow.

On motion of the Hon. Minister of Justice, a bill, "An Act To Amend The Public Libraries Act, 1975," read a first time, ordered read a second time on tomorrow.

On motion of the Hon. Minister of Transportation and Communications, a bill, "An Act Further To Amend The Highway Traffic Act," read a first time, ordered read a second time on tomorrow.

On motion of the Hon. Minister of Education, a bill, "An Act Further To Amend The Memorial University (Pensions) Act," read a first time, ordered read a second time on tomorrow.

On motion of the Hon. Minister of Provincial Affairs and Environment, a bill, "An Act Further To Amend The Automobile Insurance Act," read a first time, ordered read a second time on tomorrow.

Motion second reading of a bill, "An Act Respecting A Plan Of Legal Aid For The Province."

MR. SPEAKER: I think the honourable Member for Placentia East adjourned the debate last night. I recognize the honourable Member for Placentia East.

MR. ATWARD: Mr. Speaker, when we adjourned the debate I had made a few observations with respect to this bill and also in reply to the remarks by the honourable Member for Bell Island, who, I respectfully submit, Mr. Speaker, either did not read this bill, or if he did completely misunderstood it because this particular piece of legislation, Mr. Speaker, is designed to do what the honourable Member for Bell Island says should be done.

His great quarrel is that this is empire building and that it is only a milch cow for the lawyers. Mr. Speaker, I hope he does not postulate the position of the Opposition on this bill because if he does I think it is very, very sad because this is a great piece of social legislation. It is a great step forward for Legal Aid. I think it culminates the aspirations of the Law Society and people concerned with Legal Aid for many years.

What this act does, Mr. Speaker, is take over, authorize the

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Minister of Justice to enter into agreement with the Law Society to take over the administration of Legal Aid, and that is the whole purpose of this bill, section (72).

MR. NEARY: Why not take over the whole Province?

MR. AYLWARD: The minister

may enter into such agreement or agreements as he thinks necessary and reasonable with the Law Society respecting the takeover by the Commission of Legal Aid. Now, this is what this legislation is for, to take over from the Law Society the administration of Legal Aid. That is the whole purpose of this bill.

MR. NEARY: Do not be so foolish, boy.

MR. AYLWARD: Do not be so foolish! Does he read, Mr. Speaker? Does he read? Or if he cannot read, can he hear? If he will refer to Section (72) this is the purpose of this legislation. That is the whole purpose of it.

Now, who controls Legal Aid? This commission. And this commission reports to whom? To the Minister of Justice who reports to the House of Assembly and all regulations of course respecting Legal Aid have to be passed by the Lieutenant-Governor in Council. These regulations, Mr. Speaker, the act enables the Lieutenant-Governor in Council to make regulations dealing with all aspects of Legal Aid including the fees to be paid to solicitors for professional services under this act or the regulations.

So, Mr. Speaker, complete authority will be vested in the Lieutenant-Governor in Council to make and set the fees. Now, to hear the honourable Member for Bell Island holler and scream about all the money the lawyers are making and their empire building and how much is the director of Legal Aid being paid, Mr. Speaker -

MR. ROBERTS: He is being paid out of public funds, is he not?

MR. AYLWARD: Of course. Of course. There is nothing secret about it. But, Mr. Speaker, the connotation is given that, oh, somebody is making a pile of money.

AN HONOURABLE MEMBER: How much is the director being paid.

MR. AYLWARD: The director of Legal Aid in Newfoundland, Mr. Speaker, is the lowest paid director in about six or seven or eight provinces of Canada. In fact in the provinces of New Brunswick, Saskatchewan, Quebec, Manitoba, and Ontario they pay double what the man in Newfoundland receives.

MR. ROBERTS: How much is our man getting?

MR. AYLWARD: Our man is getting \$14,000, \$14,000.

MR. NEARY: That is only half what Dirk Pepper got for being dismissed.

MR. AYLWARD: Right, right! And the man in New Brunswick gets \$26,000 plus

a car, plus expenses. The man in Saskatchewan gets \$26,900. The man in Quebec gets \$30,000 plus insurance and other benefits. The man in Manitoba gets \$31,000, Ontario, \$32,000 now going to \$36,000. And our man in Newfoundland is getting \$14,000 and someone stands up, what is he getting?

MR. ROBERTS: He is putting in for a raise, I would hope, now.

MR. AYLWARD: I think he should. He has requested a raise and I sincerely trust that if this is transferred to the commission that when his contract with us with us expires in July, he has done wonderful work, I would be certainly very, very happy to recommend to the committee if it is in our jurisdiction or the commission when it takes over, that his salary be increased.

What do they have, Mr. Speaker? He has one other lawyer down there with him. The purpose of obtaining the services of the other lawyer was to be able to deliver a better service at a cheaper cost. Now, how are the bills paid? As I said yesterday, Mr. Speaker, all bills under \$200 are taxed by the provincial director and all bills over \$200 by the Taxing Master who is the deputy registrar of the Supreme Court.

In addition the Auditor General has audited the books of Legal Aid since its inception. In fact when the Legal Aid, when the Government of Newfoundland entered into an agreement with the Government of Canada we had at that time Lee and Martin do our books and the Auditor General not alone agreed to do the audit but in fact this is the only audit that the Legal Aid requires now. So, all our books are being done, are being audited by the Auditor General.

Every cent in Legal Aid, Mr. Speaker, is being spent, I respectfully submit and spent very, very well. What this act does and the principle of it is to pass it over now to a Legal Aid Commission. I sincerely hope that this commission will continue to administer the plan and will set up the area directors in different parts of Newfoundland. What this act states and authorizes the commission to do is to set up different areas throughout the Province where there will be area directors and in remote parts of the Province where there are no lawyers practicing and people have problems trying to find out about Legal Aid, get to Legal Aid, a special statutory provision is made designating Legal Aid agents. That is referred to in Section (29). These will be individuals

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in different communities of Newfoundland who will distribute information and assist people who want to find out about Legal Aid. It is an attempt to bring Legal Aid out to the people. I think this is a wonderful idea, Mr. Speaker.

This is the kind of suggestion

MR. AYLWARD: that we would have liked to have heard from the Opposition.

MR. ROBERTS: The Opposition have been making that for about four years.

MR. AYLWARD: Mr. Speaker -

MR. ROBERTS: You cannot be accurate- if you cannot be complete at least be accurate.

MR. AYLWARD: I have heard only one member speak so far, Mr, Speaker, I know a little about this -

MR. ROBERTS: We have made that suggestion in this chamber three or four times in the last three or four years.

MR. AYLWARD: I know, Mr. Speaker, that I have dealt with the honourable and learned gentleman, not really in his capacity of Minister of Justice but I remember himself -

MR. ROBERTS: I have never been Minister of Justice.

MR. AYLWARD: Not in the capacity of minister but -

MR. SPEAKER (STAGG): Order, please! Order, please! When honourable members may indulge one another by allowing interruptions this is not correct and I suggest to the honourable Leader of the Opposition that the member speaking has the right to be heard in silence.

MR. AYLWARD: Thank you, Mr. Speaker. But I remember, Mr. Speaker, meeting the honourable and learned gentleman, the Leader of the Opposition with his former colleague from White Bay South in the then Attorney General's Office when I was trying to extract some money from the administration for Legal Aid.

MR. MURPHY: What did you get, \$1,000?

MR. AYLWARD: And what did we get, Mr. Speaker, in 1968 and 1969, 1970 and 1971? For three years we had \$10,000! In 1971 it went to \$25,000, in 1972 it continued at \$25,000 and in 1973 to \$100,000. Now this year it is hard to say, Mr. Speaker, I suppose what portion is really from the provincial and what is from the federal, But now the budget, the total budget I think this year is around \$380,000, But, Mr. Speaker, we are compelled to provide Legal Aid to all individuals who cannot afford the services of lawyers who are charged with indictable offences, no matter where they are in Newfoundland and this has cost considerable money and I think, Mr. Speaker, the committee was very, very successful in delivering the

type of service that it has delivered over the years considering the few lawyers that we have practicing in rural Newfoundland and the difficulties involved in getting lawyers to go to these communities.

I would like to thank the Attorney General, Mr. Speaker, who we found very, very co-operative and has supported the efforts of the committee and all concerned with Legal Aid. In fact the society and the committee have been after this bill for years and when we requested the bill and the bill was first drafted in his department he referred it to the Legal Aid Committee and I had the director of that time, Mr. Stapleton, who was attending the meeting of Legal Aid Directors all across Canada, discuss and consider with them the different programmes and look at their legislation and as a result of these meetings he drafted up a complete new act, a complete new - well bill really, Mr. Speaker, it is not an act yet. This was submitted to the Attorney General's Department and I am glad to see there are very, very few changes. So this has the endorsement of the Legal Aid Committee and it was considered by the Benchers and they have approved as well. The society was quite concerned because Legal Aid has grown to such an extent and there is so much money involved. They are glad to see it taken over by a commission, but it is not enough to just see it take over, Mr. Speaker, anyone concerned with Legal Aid should want to see it expand, But what do we hear from the honourable Member for Bell Island? All the money the lawyers were making! He never dealt with how the programme could be expanded.

MR. NEARY: You are not on television.

MR. AYLWARD: No. Just an attack on the lawyers, and that is good for publicity, Mr. Speaker, Legal Aid is a joke! It is a milch cow! But, Mr. Speaker, is he doing his duty to the people he represents and to the people of the Province who need this service? I would hope, Mr. Speaker, that this bill receives the endorsement and support of every member of the honourable House of Assembly, not just use this bill as an excuse for cheap political gain. The lawyers, the doctors, the car dealers, anybody -

AN HON. MEMBER: Human beings.

MR. AYLWARD: No, Mr. Speaker -

MR. MURPHY: Human beings.

MR. ATLWARD: Sure, these are men. Mr. Speaker, he should be paying tribute to the men who worked so hard and did all this for nothing. His cousin, Mr. Edward Neary, who acted as secretary of this Committee spent more hours at this act and at meetings of the Committee for years. If he were paid, it would be thousands and thousands of dollars but still it is all held up to public ridicule. This is scandalous, Mr. Speaker. By all means, of course, you can criticize.

Anybody in this game understands it. But I think credit should be given where credit is due. And this cousin of his, Mr. Neary, as I said before, who spent so much time at all these meetings, went over this act and did so much work for Legal Aid and has been my right hand on this for years, if he were paid, Mr. Speaker, it would be thousands and thousands and thousands of dollars and so also for other members of the committee. But not one cent! And then he speaks about he would be happy if this lawyer took the case and that lawyer. Until 1971 all Legal Aid in Newfoundland, Mr. Speaker, was provided by the lawyers of Newfoundland free of charge.

MR. ROBERTS: That is not so. The Justice Department used to pay a certain part -

MR. AYLWARD: Ah. Well the odd case, eh? The odd case. A fellow would be charged with capital murder or something like that.

MR. ROBERTS: Let us be accurate!

MR. AYLWARD: Mr. Speaker, yes, here it is. "Steve claims Legal Aid is a joke." Three thousand people in Newfoundland last year, Mr. Speaker, three thousand, that is who the Legal Aid helped, three thousand people. Over 200 divorces alone. The programme has expanded. A greater number of people were qualified for it. And here were people who had broken homes for years and under the new law, of course, any person separated from their married partner for over three years that was their grounds for divorce. There was a backlog of them. A lot of poor women their husbands had gone off and other cases - years and years. And last year alone 200 cases! What would these 200 people say? What would the 3,000 who received Legal Aid say? Would they support this? No, Mr. Speaker, indeed they would not. They would be ashamed, ashamed that we would even listen to it because what we should be concentrating on in a debate of this nature is how we can improve the service. How can we give the poor people of Newfoundland who need Legal Aid better service than we are giving them today? How can we improve upon it? Not just use this as a great big golden opportunity to lash out at the lawyers when he sees this element of it.

Only two lawyers in Newfoundland, only two, and I will not mention them, over the years refused to take a Legal Aid case. They are not among the gentlemen mentioned by the honourable the Member for Bell Island. But he knows them and knows them well.

I am glad to say, Mr. Speaker, that when the Society brought in Legal Aid, and it was a requirement of all lawyers if a case was assigned to them to take it and take it for nothing, and if they could not take the case to retain and pay a lawyer themselves. And we have lawyers in this Province who have paid other lawyers as high as \$500 to defend people, over \$500. And, at least, Mr. Speaker, nobody expects him to be other than glorified on this. But they should be recognized. I would expect better from a man who held the portfolio of Social Services, who was supposed to be the great white knight, the greatest humanitarian that ever took a seat in this honourable House of Assembly. And what does he see and what do we hear? Oh, what money the lawyers are making! And the honourable member who is now the Minister of Social Services, just a simple request, we needed a social worker down there who we felt would round out the office and help some people who are having trouble, and I am glad to state, Mr. Speaker, that the honourable minister has acceded to that request and has placed in the Legal Aid offices now a qualified social worker who is working very, very well, hand in glove with the other people in the office and are giving the poor people not alone legal service but good advice, good, that you can hardly buy, Mr. Speaker. There is no agency in Newfoundland, there is no independent agency where you can get that type of advice on that very, very noble effort. I give the present minister one hundred percent marks for that and with no cost to the Legal Aid Committee at all, Mr. Speaker. That is paid from a vote from his department and that girl is working wonderfully well. In addition we have down in that office a girl who worked there for five years. Unfortunately, she is leaving now. She is expecting an addition to her family. She has been there for five and

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one-half years. She worked right around the clock. There were hard times. There was no money to pay lawyers anything, giving all kinds of advice and assistance. They did a

wonderful job for a great number of people. And, Mr. Speaker, I always maintain myself that the legal rights of a person are more important than any other rights that they may have. All the money we spend on health, all the money - if you break your leg, you are taken to any doctor you like. If you get a nervous breakdown, they send you to a psychiatrist. There is no amount of it. You can get medical care for the rest of your life, top-notch. If there is no one in this Province, they will send you off to the Mainland, everything on the government. Probably if you cannot travel yourself, they will send someone along with.

But, what about a person, Mr. Speaker, who has grave troubles in their home, or a contract is broken? I respectfully submit, I am sure, from where you sit, and particularly in your practice in an area of Newfoundland where there those broken homes unfortunately exist, and probably to a greater degree than anywhere else, particularly when the Americans pulled out there in that particular area, I am sure that if you could speak from where you sit, you could tell us, Mr. Speaker, from all the divorces that you have had to handle for Legal Aid, what a blessing it was, what a blessing it was that these poor people could now enforce their rights. You will no longer have a law for the rich and a law for the poor. In some areas, yes.

But, Mr. Speaker, here are these people living in - their husbands gone, no support, wanted to remarry, wanted a divorce but they could not -

MR. SPEAKER (STAGG): Order, please!

Much as I would like to listen to the honourable member further, his time has expired. I will give him a minute or so to clue up. However, I must before his time is up bring to his attention a point of order which was brought up by the honourable the Leader of the Opposition yesterday.

I have obtained a transcript and the transcript of the honourable member in referring to the honourable Member for Bell Island said as follows: "I think that no one knows any better than the honourable gentleman who has just taken his seat that, you know, he does not believe himself the half of what he says because I refuse to think that a man could be as blind as he appears to be." Well, that is a statement of opinion on the part of the honourable member but I believe that it does transgress the rules of unparliamentary language that I have read and

I would ask the honourable member if he would retract that statement.

MR. AYLWARD: Oh, by all means, Mr. Speaker.

MR. NEARY: Name him. Name him.

MR. AYLWARD: I trust the man but, Mr. Speaker, when he says, oh, it could go to \$1 million. He should be supporting efforts to get more money, to increase the service, Mr. Speaker.

MR. NEARY: Time is up! Time is up!

MR. AYLWARD: I would like to stand on a platform anywhere in Newfoundland with this gentleman when he decries Legal Aid like he has done here.

MR. NEARY: Time is up!

MR. AYLWARD: Mr. Speaker, what will they say on Bell Island.

No wonder if what I hear is true -

AN HONOURABLE MEMBER: Mr. Speaker, a point of order -

MR. AYLWARD: - he is going to leave Bell Island.

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

MR. AYLWARD: No wonder he is leaving Bell Island.

MR. ROBERTS: A point of order, Sir. Would the honourable gentleman like to sit down while I make the point. I am quite willing to listen to the honourable gentleman's ranting and ravings at any length that is permitted by the House. But, Your Honour did say just a minute or so ago that the honourable gentleman's time had expired -

MR. AYLWARD: Oh, no -

MR. ROBERTS: Yes, Sir. And Your Honour then said, as is Your Honour's courteous practice that Your Honour would allow him a moment or so to draw his remarks to a close. That is fine, Sir, but the honourable gentleman is apparently launching himself on yet another assault upon the gentleman from Bell Island. Sir, I would suggest that is not drawing his remarks to a close.

MR. AYLWARD: To that point of order. To that point of order, Mr.

Speaker, I was drawing my remarks to a close. You gave me a minute and a half -

MR. ROBERTS: Hear! Hear!

MR. AYLWARD: - and I think I spent thirty seconds of this.

Let me say this, Mr. Speaker, in closing. This is a great piece of legislation. I only hope that someone on the other side stands up and supports this because it should, and I hope will receive the support of every honourable gentleman in this House.

MR. NEARY: Would the honourable member permit me? Your Honour -

MR. SPEAKER (STAGG): Order, please!

MR. NEARY: Your Honour, there is a point of order before the House.

I believe Your Honour has to rule on the point of order before the member can throw another tantrum.

MR. SPEAKER (STAGG): We cannot have three honourable members on their feet at the same time. I might add that the honourable member's time has expired unfortunately.

The honourable the Minister of Mines and Energy.

MR. BARRY: I would like to have a few comments on this bill, Mr. Speaker. I find it amazing really that the remarks that came out of the honourable Member for Bell Island. He must have had an off day, Mr. Speaker, because it is not consistent with the normal philosophy that the honourable member espouses in this House. The honourable member sets himself up as a champion of the underdog. Mr. Speaker, he sets himself up as a champion of the consumer, a champion of all elements of our society, Mr. Speaker. And here we have him attempting to put to ridicule a bill

MR. BARRY: that I suppose as much as any other piece of legislation that will ever be put before this honourable House will do more to protect the rights, to improve the position of the ordinary Newfoundlander than any other piece of legislation we can expect to see.

We have heard, Mr. Speaker, that -

MR. NEARY: Another Indian Chief!

MR. SPEAKER (STAGG): Order, please!

MR. BARRY: It is often alleged there is one law for the rich and one law for the poor. And, Mr. Speaker, that has been true. As a lawyer who has practiced I can say that that has been true, because we know, we all know and you do not have to practice law to know this, that there are instances where some ordinary person will have what he considers to be a cause of action, what he considers to be a grievance or an injustice, which he will not pursue in the courts or elsewhere because he is afraid that he can not bear the cost that would be incurred in so doing, because he has not been able to afford the cost of pursuing the remedies that he is entitled to just the same as any other citizen of this Province, of this Country.

We have seen that some people have been in a position to pursue their remedies whether they be civil or criminal because they could afford to do so. That, Mr. Speaker, is what I mean when I say that there has been one law for the rich and one for the poor and I think that until -

MR. MURPHY: Al Vardy is the best example of that.

MR. BARRY: - Legal Aid came on the scene, this was true not just in this Province but in many other provinces. But we now have a situation, Mr. Speaker, where any citizen of this Province can go to Legal Aid, can set out a cause of action, can set out a grievance or an area where he believes an injustice has been done and can obtain from the state, from the taxpayers' dollars, can obtain assistance in meeting the cost of protecting the rights that he is entitled to protect just the same as his fellow Newfoundlander who is in a more advantageous position having a greater income or greater savings or being somewhat better off.

Unfortunately, Mr. Speaker, we have also seen in this Province that there has been one law for the urban Newfoundlander and one law for the rural Newfoundlander, because we have seen a phenomenon, again it is not unique to this Province but that has occurred, where lawyers had tended to congregate in St. John's initially and then one or two in the larger towns such as Grand Falls and the City of Corner Brook.

MR. NEARY: Where will the second mortgage money be secured?

MR. BARRY: But, Mr. Speaker, you have found that very few lawyers were out in the rural areas of our Province. Now this is changing and this will continue to change as more lawyers come into the Province and this is why I am sure the honourable Member for Bell Island will encourage more lawyers to come on the scene, to encourage lawyers moving out all around the Province.

MR. NEARY: A man should be able to represent himself in court.

MR. BARRY: Because, Mr. Speaker, if any man is permitted to represent himself in court, just as any man is able to take out his own appendix if he is so inclined, Mr. Speaker, and we might be interested in seeing the honourable Member for Bell Island attempt to engage in that or perhaps in brain surgery.

AN HON. MEMBER: In what?

MR. BARRY: In brain surgery -

MR. MURPHY: You cannot do the impossible.

MR. BARRY: I am sure -

MR. MURPHY: You have to have something to work on.

MR. BARRY: I am sure, Mr. Speaker, that there could be a set of tweezers found that could be made available to the honourable member.

Anyhow I did not mean that. I did not mean to be unkind to the honourable member.

MR. MURPHY: He is such a nice fellow.

MR. BARRY: But, Mr. Speaker, we have seen the situation develop where -

MR. NEARY: Next time I will give you more.

MR. BARRY: - throughout the years people in the rural areas of the Province have either been unable to

obtain a lawyer when they require one or else have had to pay much more in the way of legal fees because of the travelling distance incurred by the lawyer, because of the additional time the lawyer spends out of the office and so on. The individual in rural Newfoundland has ended up paying more for the protection that he is entitled to, for the legal assistance that he is entitled to the same as his fellow Newfoundlander who happens to reside in an urban area where there are lots of lawyers. So we have a bill before this House now that will benefit people in our Province who cannot normally afford to pay the cost of legal services. It will benefit the rural Newfoundlander who has up to now been at a disadvantage because of the additional cost that he has had to incur. Not only, Mr. Speaker, does this bill provide for assistance with respect to criminal matters but I found when I was practising law, and I know the situation has continued since then, that lawyers involved in Legal Aid are involved in the protection of the consumer. They are acting for the consumer and are assisting citizens in dealing with government and municipalities. They are providing counselling often in financial matters, in domestic matters. I guess, Mr. Speaker, I have had the privilege of doing a number of Legal Aid cases when I was practising, both under the Legal Aid Programme and before then, before the Legal Aid Programme got underway.

AN HON. MEMBER: Charity.

MR. BARRY: But in any event, Mr. Speaker - not charity - doing what as a lawyer you had a responsibility to do. Mr. Speaker, we got an indication of a large number of our people who are taking advantage of the Legal Aid Programme, and I am sure that they will be happy to know that the assistance they have gotten is being ridiculed by the Hon. Member for Bell Island. I am amazed really at a man who sets himself up as the protector, the promoter of the cause of the ordinary Newfoundlander, to have him pass off the obvious advantages to every man, woman and child in this Province from having this bill approved. And, Mr. Speaker, I hope that every member of this honourable House, including the Hon. Member for Bell Island, gets up and gives wholehearted support to this bill and votes for this bill when it is put before the House. Because, Mr. Speaker,

it is something that will go far to protect the rights of our citizens, and it is a step forward, a step in the right direction, and I ask the Hon. Member for Bell Island to reconsider. His, I take in good grace, and I think he is doing a very worthwhile job in keeping the legal profession on its toes, and I know every lawyer appreciates the comments that the Hon. Member for Bell Island makes, and I hope he will continue to keep the legal profession on its toes to ensure that it remains alert to its public duty. But, Mr. Speaker, he should not let his over-zealousness blind him to the obvious effects, the obvious advantages for every Newfoundlander of having this bill approved by this Legislature.

MR. SPEAKER (Mr. Stagg): If the minister speaks now he closes the debate.

MR. HICKMAN: Mr. Speaker, the Hon. Member for Placentia, for the both Placentias have very effectively answered the position of the Opposition as put by the Hon. Member for Bell Island.

MR. ROBERTS: Will you permit a question?

MR. HICKMAN: No, Mr. Speaker.

MR. ROBERTS: Okay, I thank the honourable gentleman.

MR. HICKMAN: There are two points that I wish to refer to in connection with the comments made by the justice critic for the Opposition. One, there was a suggestion that the legal profession are making a great deal of money off this operation. Mr. Speaker, I have no hesitancy in saying and advising this House that the fees being charged for the legal profession by the lawyers who participate in the Legal Aid Programme are not only modest but considerably

below that going and that would be charged in a normal practice. May I give this House just a few examples of the average cost per case which includes both fees and disbursements. Break, entry and theft, \$171.11. Fraud, forgery, and false pretenses, the average \$154.09. Narcotics cases, an average of \$278.73. Appeals -

MR. NEARY: How about getting horses out of camels?

MR. HICKMAN: -\$243.91. Hit and run, \$150.74. Willful, malicious, mischievous damage, \$110.00. Breach of parole, probation or bond, \$89.55. These are the -

MR. NEARY: Is that a minute or an hour?

MR. HICKMAN: That is an average cost, fees and disbursements per case, Mr. Speaker, which indicates to me and I would hope indicates to the taxpayers of this Province that the legal profession are indeed providing a very valuable social service to the people of this Province.

MR. NEARY: Your name will be put on the top of the list.

MR. HICKMAN: Indeed, Mr. Speaker, if we looked at even oh, some of the more -

MR. NEARY: Your name will replace Jim Green's at the top of the list.

MR. HICKMAN: In fact, here is one for the honourable the Leader of the Opposition - the honourable the Member for Bell Island. He is concerned about wild animals. I do not quite know why he is so up tight about wild animals. But the average cost of defending a case involving wild animals, \$150.00.

MR. NEARY: Is that getting a horse out of a -

MR. HICKMAN: Now, Mr. Speaker, the suggestion has been made that the Province, the Department of Justice, the Minister of Justice should assume responsibility for providing Legal Aid. May I say, Mr. Speaker, that that is not a philosophy or a suggestion that can stand the light of day. There would be such an apparent, such an obvious conflict of interest if you had a crown prosecutor, a lawyer on the staff of the Department of Justice serving as crown prosecutor and then some other lawyer in the pay of the Government of Newfoundland on the staff of the Department of Justice or even as this public defender system that has been tried in some jurisdictions with very limited success -

MR. NEARY: The Member for Placentia would run it.

MR. HICKMAN: - that conflict of interest would in my opinion not give to an accused person the kind of unbiased fair fearless representation that he is entitled to receive when he applies for and is granted Legal Aid.

MR. HICKMAN: This is a good piece of legislation, a good social piece of legislation. I know where the government of this Province stands on Legal Aid. The Province is aware of the government's attitude, the government's willingness to provide funds. The position of Her Majesty's Loyal Opposition has been very articulately put by the justice critic for the Opposition, the honourable the Member for Bell Island. I have no hesitancy in saying that the government members, the government benchers will vote for this piece of legislation and I think it should be noted that we have nothing but opposition for it from those who occupy the Opposition benches. I move second reading.

On motion a bill, "An Act Respecting A Plan Of Legal Aid For The Province," read a second time, ordered referred to a Committee of the Whole House on tomorrow.

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: This is going to be one of the longest committee stages, "Alex" you have ever seen!

MR. HICKMAN: That is because you crossed me up on Friday.

MR. SPEAKER: Order, please!

MR. ROBERTS: We did not cross you up. You were being surly.

MR. SPEAKER: Order, please!

MR. NEARY: Go get your blood pressure checked, boy!

Motion second reading of a bill, "An Act Further To Amend The Forest Fires Act." (Bill No. 48).

MR. SPEAKER: The honourable Minister of Forestry and Agriculture.

MR. COLLINS: Mr. Speaker, this amendment is brought about by virtue of the fact that since the Province has assumed control

or responsibility - I should say, control and responsibility, for forest fire fighting all over Newfoundland. There has to be a few changes made, so my officials tell me, and I agree with them, and I am sure the House will, too, in that they want to protect government in terms of the cost of fighting fires in the event that it can be shown that a fire was brought about by negligence on the part of Canadian National, for instance, or by any other company for that matter. So what we are doing, or what the amendment means, Mr. Speaker, is that the Lieutenant Governor-in-Council would have the powers to assess liabilities and also collect some cost if it could be shown that the fire was indeed caused by indiscriminate action on the part of a company or a person. Of course, in terms of a person there are very few people I suppose that we could recover any costs from. But in the event that a fire, as I say, was caused by Canadian National, or anyone else for that matter, if it was proven to be by negligence then we would try and recover some of the costs for the first two or three days of the fire.

Essentially, Mr. Speaker, that is the purpose of the amendment, and it gives me pleasure to move second reading.

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

MR. ROBERTS: Mr. Speaker, there is a very dangerous philosophical view, at least I have always felt it to be a very dangerous one, Sir, one which is an easy one to adopt, an easy trap to fall into, but a very, very dangerous position philosophically, politically, realistically and all the more dangerous because of the apparent, or first of all because of the actual ease with which one can fall into that position and then secondly because of the apparent attractiveness of it. The minister's speech, Sir, and this bill, the bill which he introduced, provide a very good example of it, what I am talking about. The philosophical doctrine, Sir, is that the end somehow justifies the means. Now, Sir, nobody could quarrel with the end of controlling forest fires, or of preventing them to begin with, and then if they do occur despite the

prevention, the prevention measures, of controlling them. Nor would anybody for one minute quarrel with what I believe should be the policy adopted by the government of this Province with respect to the fighting of forest fires, namely, that it should be the government who fights them, and I think that is the policy now. It does not matter where a fire breaks out, Sir, whether it breaks out on Crown limits, on paper company limits, on other privately held limits. As far as I am concerned, Sir, it is the duty of the government of this Province to fight that forest fire just as it is the duty of the government of the Province, which they discharge through the St. John's Fire Department or through municipal fire organizations to fight the fires which break out in homes and businesses throughout our Province from time to time. But, Sir, that is the end. If we support the end, I do not think anybody would quarrel with it. I do not see how anybody could. And if a fire breaks out on Bowaters limits or on Price limits it should not be their responsibility to fight it. They should help. They should co-opted, Their men should be made available. Their resources should be made available. And I am quite willing to say that financially they should bear at least that part of the cost which is in relation to their benefit. I do not see any reason why the people of the Province should be out of pocket, Mr. Speaker, to pay money to protect property which belongs to a private company, property which that company will use, quite legitimately, but nonetheless will use for their own private profit.

So, Sir, the end is acceptable. But, Mr. Speaker, the means in this case is open to very real question. And, Sir, this is part of the trend which this administration seems to have fallen into. I am not proposing to debate any other bill, Sir, but the principle of this bill, I submit, is exactly the same in spirit as other bills which we have seen brought before this House, Sir, some of which are still before the House. The Minister of Tourism's bill on the Wildlife Act, an infamous bill, has the same sort of principle in it, the end justifies the means. I am sorry to see the minister leaving. Maybe he is going out for a cigarette or maybe he is not leaving.

But, I think, he should listen to what we have to say because I think it is quite relevant and quite important. This bill, Sir, if it is passed without amendment, and I hope it will not be, and I hope we do not see the sort of childish surliness that the Minister of Justice just exhibited as only he can. I hope the minister will rise above that and will rise to the occasion. This bill would do far more than provide that the government can collect when they are out of pocket in connection with forest fire fighting. That is acceptable. I mean, as a statement of policy, I would be the first to accept it, to agree with it, to endorse it and to say let us

implement it. But, Sir, this bill, Section (2) - and I submit this is the principle of the bill really, it is the only thing the minister mentioned. The bill only has four sections and two of them are procedural and two are substantive - this bill would allow the government, would allow the government unilaterally, arbitrarily to determine how much they are going to collect, no right of appeal, no right of a paper company to say, hold on now, either we are not liable at all, and we are not, you know, and no means of determining that, And then if it is found that they are liable or if they agree that they are liable, no means to determine how much they should be liable for.

Now let us look, Sir, at the section, section (2) it provides let us use non-technical language but I think I am describing its import and its effect accurately, that where it is determined, in effect, that a fire has broken out on private limits, a determination made by the government, or by a person or committee da da da da and so forth. The minister should go to the Governor in Council and the minister - or the company shall pay such compensation as appears to the Lieutenant-Governor in Council to be sufficient to any person adversely affected by the exercise of the power, that is one point. The second point is in number (3), section (3), the Lieutenant-Governor in Council may, by order published in the Newfoundland Gazette, require da da da da to pay the total cost or such proportion of the total cost as may be specified in the order incurred by Her Majesty in extinguishing forest fires for such lands, and any order made under this section may specify the details of the payment and it also provides, Sir, that such an order may be, the government may take it to court and sue as if it were a debt.

Now, Sir, let me deal with section (3), because section (2) I will come back to it deals with a slightly different situation. But I think this section (3), Sir, is a very dangerous power because under it the minister and I, I am sorry, the Lieutenant-Governor in Council, presumably on the minister's initiative but Cabinet as a whole - I am willing to say acting

in good faith. They may not be but I will grant that most often Cabinets do - may arbitrarily, unilaterally, without any reference to anybody, order a private owner, perhaps my friend from Bonavista North who has, what, a lease on a couple of hundred acres up on the Gander River -

MR. THOMS: 140 Acres.

MR. ROBERTS: 140 acres, is it, on which he grows vast quantities of potatoes and turnips and vegetables. That is a legitimate interest, a proper interest and I wish we had a hundred more farmers in Newfoundland who would grow a hundred acres of potatoes each. It would be a very good thing indeed.

Now, Sir, supposing for some reason the Lieutenant-Governor in Council requires the lessee in this case, he has possession or control of lands within the Province, to pay the total cost as may be specified in the order incurred by Her Majesty in extinguishing forest fires on his land. Reasonable enough but it does not say who determines the costs. We may get a situation where the minister or the Cabinet decide that all of the costs of extinguishing all of the fires next month on the Gander River, if we should be so unfortunate as to have any, are taxed to one man's land. No, Sir, I do not need to go on at any great length on this but I want to make that one point, This act is deficient. It should be withdrawn. It should be taken back to the draftsmen. The draftsmen should be told to put a provision in that where a person against whom an order is made is aggrieved and does not feel either that he is liable, or that his liability has been properly assessed, he may have an appeal, perhaps to an arbitration board under the Expropriation Act, perhaps to a court, and that then if the appeal settles it the matter will go forward. I have no objection to it being made an automatic debt. That is not an offensive provision, that is quite a normal administrative provision. The S.S.A. Act is an example of that.

But, Sir, as it now stands this bill puts too much power in the hands of the Cabinet. I am surprised the Justice Minister, who formerly used to be a man who told us he was concerned

with civil liberties and the rights of the subject, would allow such legislation to come in. It is quite simple, Sir. The cabinet can make an order. The words are there, bald, naked, and the order can just say, to pay the total cost or such proportion of the total cost as may be specified by the order incurred by Her Majesty in extinguishing forest fires from the lands under his control. It is putting too much power in the hands of the cabinet. There can be no reason against allowing an appeal provision, no reason at all for it.

The minister will probably say, or one of his colleagues will say for him, oh well, we are going to use this power reasonably. But, Sir, the books are filled and the centuries are filled with precedents where reasonable legislation has been used unreasonably. That is why I began by saying that there is a very dangerous doctrine evidenced in this bill, that the end justifies the means. If the end is acceptable, it matters not what means we used to get that end. That is what is happening here. The end is perfectly acceptable, Sir, and it would be low of any honourable gentleman opposite, worthy only of the Minister of Justice to get up and say, oh, well, we are somehow against this bill because we feel that the means are not acceptable. The end is perfectly acceptable.

If a fire breaks out on my colleague's land and he is somehow responsible for it within the normal meaning of that, let him pay the costs. If it is to his benefit to have it extinguished, let him pay a fair share of the costs. Although I might add, if the fire breaks out in the honourable gentleman's home here in St. John's, and he sends for the fire department and they come and they put out the fire, he does not then get a bill from his colleague, the Minister of Justice or from the cabinet for that. He pays for it as part of his taxes. It would be a far more effective bill, a far more effective principle to implement the policy to say that my friend and anybody else who owns land in this Province shall pay a fire protection tax. We will raise enough money through a fire protection tax to pay the cost of our fire fighting services.

The administration, Sir, have got an acceptable end but a very objectionable means. I would urge the minister to withdraw this bill. It could be redrafted in a day or so. It would not be a difficult job, but a very important principle. I just heard the gentleman from Placentia East in one of his flights of oratorical fancy say - and I agreed with him

for once - that the rights - I am paraphrasing him and I think I am putting them accurately and I think his colleague, the Minister of Health, would agree, that the rights of the subject must be paramount, that the rights of an individual against the state must be jealously guarded and protected. Sir, this bill flies in the face of that.

Oh, maybe I am taking the unusual circumstance. Maybe in ninety-nine out of 100 that will not be the way this bill works. It could well be. But, Sir, it is the hundredth that must concern us. All of our civil liberties, all of the great landmarked cases, be they here or anywhere, where we have concerns with civil liberties, came because of the one hundredth case. Even in the bible, it tells us that, I am more concerned - I think our Saviour was speaking - he is more concerned with the one who strayed from the fold than with the ninety and nine who were in the fold.

This House, Sir, should be concerned with the exception, with the injustice that could be done. Your Honour seems about to spring up to call it one o'clock. If Your Honour wishes I will call it one and we will have a good lunch and we will resume at three and carry on with the point.

MR. SPEAKER: It is to be noted that the honourable Leader of the Opposition has adjourned the debate.

I now call it one of the clock and leave the Chair until three of the clock this afternoon.

The House resumed at 3:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER: The honourable Leader of the Opposition.

MP. ROBERTS: Thank you, Mr. Speaker. We are back on bill No. 48, "An Act Further To Amend The Forest Fires Act." I had, I think, pretty well concluded the point which I wished to make with respect to this bill, this amendment to the Forest Fires Act, and to bring the matter back into a framework I would like to just repeat the point very briefly. That is that this bill, Sir, is a very good example of the very dangerous philosophy adopted by this administration, it would seem. That philosophy is the view that the end somehow justifies the means.

The end here is eminently desirable. Anything which will increase the protection from forest fires afforded to our legislature - to our land, our forest land in this Province is something which we should very much encourage. But, Sir, to try to achieve that end by giving the cabinet the power unilaterally, without recourse to law, without recourse to appeal, without recourse to anything except their own opinion, their own judgement, to give them the power to assess unlimited sums of money limited only by the very vague phrasing, such proportion of the total - I am sorry - the very vague phrase, "and to pay the total cost incurred by Her Majesty in extinguishing forest fires on such lands," that, Sir, is too broad a grant of power.

There are no limits on that, Sir. It could be argued - I do not know whether successfully or not - but it certainly could be argued with some force under those words which are the words taken from Section (3) of the bill, it could be argued that a proportion of the salary of the Minister of Forestry and Agriculture would have to be paid by any individual whose private land had been burned by forest fire and the forest fire had been fought by government agencies. It could be maintained that the chief forester's salary in part would have to be borne.

There is nothing here to say, nothing here to limit those words, There is nothing there to provide for any appeal against a determination by the cabinet. There is nothing here to provide for anything except an arbitrary unilateral decision by the cabinet. Now, Sir, that is too wide a grant of power to give the cabinet. It is unnecessary in the circumstances. It is something that they just do not need. So, I again suggest to the

minister that he should withdraw this bill or we should adjourn the debate now and he should go back to the draftsmen and get a clause which could be put in, he should assure us it will be put in and then at Committee stage it could be put in, a clause saying simply that any order made by the minister under this act shall be appealed either as to the determination of liability, the first decision which must be made is to whether or not a person is liable, then, assuming he is found liable, the appeal against the second fact or the second factor in it which is the amount assessed.

As I said at the outset, Mr. Speaker, there is a very real danger. I think we have seen any number of examples of it in this House in this session, and if we had searched the statute books for the last twenty-five years, we could probably find many more. But we have seen the Wildlife Act come in, we saw the abortive bill, the creation of the Newfoundland and Labrador Hydro Corporation bill which we are told, and I assume we will get legislation to limit it, but as it now stands that corporation has unlimited authority to borrow money.

Here now we have a bill which gives the minister power, a wide grant of power. The Governor in Council "may by order published in The Newfoundland Gazette require owners, lessees, licensees and other persons having possession or control of land within the Province to pay the total costs or such proportion of the total costs as may be specified

in the order, incurred by Her Majesty in extinguishing forest fires in such lands, and an order made under this section may specify the circumstances in which payment shall be made, including without limiting the generality of the foregoing the location, cause, extent and period of duration of forest fires, and any payment required to be made under this section pursuant to such order may be recovered by Her Majesty as a debt following action in a court of competent jurisdiction." It is a very wide grant of power, Sir. It is unnecessarily wide, and I submit that it should not go through the House in that form. The proper way, I submit, is to allow an appeal to a judge of the Supreme Court or alternately to an Expropriation Board or a board set up under the Expropriation Act an appeal against either the finding of liability or the determination of liability by the minister, or alternately an appeal against the assessment, the actual amount of the assessment. Other than that, Mr. Speaker, the bill is largely objectionable because that is really the only substantive point in the bill. Clause (2) of the bill is essentially a procedural point. It enables the minister to have the power to appoint an Expropriation Board where, in certain circumstances, he has the duty of determining the amounts to be paid to persons affected by orders which he has made under the legislation. The minister is then allowed to appoint a board and in effect the Expropriation Act is made part of the Forest Fire Act for these purposes. I think that is a reasonable enough suggestion, and I am quite happy to go along with that.

But the other one, Sir, the point made in Section (3), the one of the grant of power to the minister, Sir, that is too much. It should not go through without challenge. It will not go through without challenge. It should not go through without amendment, and I hope the government will listen to reason on this, will listen to logic, will do what is right and proper and that is to protect the interests of the persons who could be affected and the way to protect it, as I have said, is by amending the act. Now I hope that the member for Placentia East, who is so vocal and outspoken in his defense of legal rights, will make it quite clear where he stands on this one. It is very well for him to attack the gentlemen here for voicing their views. It is very well for the

Minister of Justice to play his low little games and sly little games but let them now say where they stand on a very important principle: Do they believe - and silence from the Minister of Justice will indicate that he in fact does believe that he sponsors this legislation and endorses it and now that it has been pointed out to them and it would be charitable and assumes that they had not realized it before, they had not looked at the legislation in this light - do they believe now that the cabinet should have the power to say to an owner of land, "We have determined what the total cost of fighting a forest fire on your land is, We say what they are, You cannot challenge that, And we now say that you must pay them in all or in part, and you cannot challenge that either, And if you do not like that, you cannot do anything about it, You cannot go to court, you cannot object in any way. The law is the law, and there is the law, And if you do not pay it we are going to take you to court and we will get a judgment against you, and we will attach your wages or we will seize your property and send the bailiff to sell it?"

I think, Sir, it is too wide a grant of power, and I would ask the ministry to - the Minister of Justice is leaving now. I would assume that he or one of his colleagues will speak to indicate just where they stand on this bill. Sir, there is no need for it to go through in its present form. It will be a positive harm to the public interests of this Province, and I ask the ministry to let it stand and to reconsider it and then amended it along the lines as I have suggested. Thank you.

MR. CROSBIE: Mr. Speaker, I move the adjournment of the debate.

MR. SPEAKER: It has been noted that the Hon. Minister of Fisheries moved the adjournment of the debate.

MR. CROSBIE: Motion 4, Mr. Speaker.

MR. SPEAKER: Motion 4 is a motion on the Order Paper to be moved by the Hon. Minister of Justice. It is really the report of the Select Committee on the Inshore Fishery.

The Hon. Minister of Fisheries.

MR. CROSBIE: Mr. Speaker, I rise to move that the House adopt this motion. Now this motion, Mr. Speaker, is to thank the Select Committee on the Inshore Fishery for their report, for the diligence and perception which the committee members brought to their task. It directs the government to investigate immediately the feasibility of implementing those recommendations of the report that are within provincial jurisdiction.

Now, Mr. Speaker, in opening debate on the motion today I do not intend to be very long.

MR. CROSBIE: I will make a few preliminary remarks and then of course I would like to listen to any honourable member who has a contribution to make to the debate. And then when I speak in winding up the debate on this motion I will be able to deal with the remarks that have been made and also to discuss the recommendations in the report and what the position is on all or most of those recommendations. So first, Mr. Speaker, I would like to congratulate the Member for Placentia East and the members of his committee for the hard work and the time and effort they put in their hearings and into this report.

SOME HON. MEMBERS: Hear! Hear!

MR. CROSBIE: When the committee was appointed I said that we realize that with the time limitation that they had that there was only a certain amount they could do. But at the primary level several of the main reasons for having the Select Committee or asking the House to appoint the Select Committee was to give the inshore fishermen of the Province and those interested in the industry the chance to present their views publicly, since in the preceding months there has been the offshore or the trawler fishery that was getting most of the public attention. It was a public chance to put their views and suggestions before the public through this Select Committee or the members of the industry and members of the trade and I believe, Mr. Speaker, in that respect that the Committee was most successful. They met in many parts of the Island. They gave the opportunity to hundreds of fishermen to appear before them and to other groups to submit briefs, and I think that their report itself is a very workmanlike document, very many sensible recommendations and they are to be congratulated on it. It was not expected, of course, that it could be anything approaching a royal commission report which to do properly you would have to - it would take a royal commission, if there was one appointed, six months or a year to really study and report back. And I doubt, Mr. Speaker, whether many of the recommendations would be much different even if a year had been taken.

Now, Mr. Speaker, we are now going to have this debate on the problems that face our fishery and I am going to address myself just to a couple of those problems and to the ICNAF Conference that is going on

now in Edinburgh, Scotland. The primary problem of the fishery, which is agreed I believe on all sides now, Mr. Speaker, is the problem of the declining resource, that the resource is declining, that the catch per unit of effort, as it is called by the economists, has been declining year after year, that there are too many people out fishing for the same stock of fish off the East Coast of Canada, too many countries in the world, too many trawlers, too great an effort and of course this is reflected in our inshore fishery by the fact that fewer and fewer stocks of fish are getting inshore so that the inshore fishermen can catch them and make a living at fish catching and processing.

I believe, Mr. Speaker, that in 1973 the total catch of fish taken in the Northwest Atlantic, in the area that comes under ICNAF totalled 4,500,000 tons and I believe also that the catch taken last year in the same area was some 4,000,000 tons. a decline of 500,000 tons. And there is no question, Mr. Speaker, that for any nation that is out there fishing on any economic basis, that you can no longer operate a trawler in these conditions economically or in any sense of economic viability.

Now the thing, Mr. Speaker - because there is too much effort for the amount of fish there is out there to be caught. The point is as far as the East Coast Canadian fishery is concerned, Mr. Speaker, is that we do not have the mobility of the foreign fishing fleets, that if the Northwest Atlantic fishery is depleted so that it becomes uneconomic or no longer any great desirability to fish those stocks of fish, a fleet such as the Russian fleet and the East German fleet and the Polish fleet and other fleets, once they have depleted that fishery can move on somewhere else in the world. With the kind of fleet they have and facilities and factory ships and the rest they can move on to some other area and fish that area. But the trawler fleets of Eastern Canada and the inshore fishermen cannot move.

They do not have this viability or this ability to move to fish elsewhere. It is therefore, of course, the fact that these stocks must be protected first for the coastal fishermen. That is something that did not seem to be too well realized until perhaps the last year or so.

Well, all honourable members know what happened at the Law of the Sea Conference and that that is adjourned now until next March or April in New York. I think it is generally accepted that the majority of nations at Geneva have agreed with the concept of a 200 mile economic zone that will enable the coastal state to protect the fishing resource, not the Continental Shelf as we have requested but a 200 mile economic zone where the coastal state would determine insofar as fish are concerned what the total allowable catch should be every year for the various species, what catch the coastal state could and would take itself, and what catch would be allowed to be caught by the fishing fleets of other nations. The coastal state would then control and supervise and enforce all of this.

I think it is widely accepted that the vast majority of nations at Geneva have accepted that principle. However, they will not agree to deal with the fishery resource separate and apart from all of the other issues that are now before the Law of the Sea Conference, many of which have nothing to do with the fishery. The question of minerals and oil and gas beyond the 200 mile limit, the question of passage through international straits and a whole host of other questions that have nothing to do with the fishery are not agreed, and the nations at that Conference want a convention that is going to deal with all these matter and will not agree to deal with the fishery issue first even though it is so pressing.

That being the case, this House of Assembly has taken the position by way of resolution which we sent to the Government of Canada that unilateral action should be taken. The Law of the Sea Conference at Geneva was not successful this year. That Conference was not successful this year. Well then the suggestion -

MR. NEARY: Are they not meeting later on this year?

MR. CROSBIE: They are meeting again next year in March or April starting next year again in New York.

Now, Mr. Speaker, the next situation put forward, the Law of the Sea

Conference not having resolved these matters this year, the next position put forward was that there is going to be a meeting of ICNAF, the International Commission on the Northwest Atlantic Fishery, in June, their annual meeting in June in Edinburgh, Scotland, and that Canada was making certain proposals at that meeting which if accepted by the seventeen nations that are members of ICNAF would mean that there might be time then to wait another few months or another year to see if an international agreement can be reached on the 200 mile economic zone.

That Conference started in Edinburgh, Scotland on Tuesday. I was present there on Tuesday and Wednesday for the first two days of that meeting as an observer. The people there who represent Canada are Dr. Needler, who was a Deputy Minister of Fisheries of Canada for many years, and two commissioners, Mr. Gus Etchegary of Fishery Products Limited and Mr. Kjell Henrikson of Nickersons from North Sydney. They are the three commissioners and of course there are also other representatives of industry and the fishermen and the Department of Fisheries of Canada present at that meeting.

At that meeting Canada is making certain proposals. Those proposals may or may not be accepted by the nations who are at the ICNAF meeting. The Canadian proposals are, first, for a reduction in fishing effort on groundfish stocks in sub-areas (2), (3) and (4) of ICNAF for 1976. The Canadian delegation pointed out that in recent years the catches and catches per unit of effort of most important groundfish stocks in the convention area off the Canadian Coast have declined. For Canadian fishermen catch per unit levels have now reached the point where severe economic hardships are being experienced by most Eastern Canadian Fishing communities. To provide relieve for Canadian fishing communities and to improve the economic base for fishermen of all countries, Canada proposes a substantial reduction of fishing effort in 1976 on groundfish in sub-areas (2), (3) and (4) by all countries except the coastal state.

Now, that should be noted because there is some confusion about that.

Canada's suggestion of a reduction of fishing effort does not include any reduction by the coastal state, Canada. It is a reduction for the other foreign fishing fleets. It is proposed that the reduction take the form of decreases by each country of a number of fishing days in each ICNAF division, or in some cases groups of divisions, by their vessels in each of a number of size categories. These reductions would be a certain minimum percentage. And the percentage suggested is forty per cent below the 1973 level for each gear and size category vessels in each division. Now the analysis indicates that while such a reduction of fishing effort as that would cause an immediate reduction in catch - the reduction in catch this year would probably be of the order, in 1976, would probably be of the order of forty per cent - the resulting affect in the stocks would lead to a recovery of the catch to close to present levels within a few years to the economic benefit of all. The stocks will have a chance to come back. and then the ships out there fishing, the reduced number of ships fishing, the reduced number of fishing days, would all be more economically viable. They would have a greater catch per trip and the trawler fishing industry would again become economically viable. So that is the first proposal that is made by the Canadian delegation of ICNAF, that next year there should be a forty per cent reduction in fishing effort by all the foreign fishing fleets except the coastal states. That is forty per cent below the amount set for 1973.

There is also a second Canadian proposal -

MR. BARRY: What is the reaction to that?

MR. CROSBIE: I am going to come to that.

There is also a second Canadian proposal on the national allocation of T.A.C.'s. The T. A. C. is the total allowable catch. ICNAF was formed, by the way, Mr. Speaker, in 1949. It has been operating since 1949. The T.A.C.'s are set for each of these ICNAF areas and sub-areas each year based on the scientific evidence, the advice of a Scientific Committee, and the total allowable catch is set for each species in each area. And Canada is proposing that the

national allocation of quotas - once you set the quotas, let us say, for codfish in sub-area 2 or whatever the area is, you have to decide how much each of the nations fishing is going to get, that in allocating those quotas nationally Canada is suggesting that from the total allowable catch of each stock as recommended by STACRES, that is the Scientific Committee, and agreed by the commission, first deduct the estimated catch by the coastal state, whether in a convention area or outside it, and then divide the remainder mainly on a historical basis with an allowance for new entrants, non-members and special needs.

In other words, once the total allowable catch level is set for a particular area you deduct from that what the coastal state can catch, what its estimated catch is. Then what is left you divide among the foreign fishing fleets. But the coastal state comes first. If the Total Allowable Catch in some particular area can all be taken by Canada or by Newfoundland then that whole T.A.C. for that sub-area goes to Canada and no other foreign nation can fish for that species in that area. But if Canada, the coastal state, cannot take, let us say, the 60,000 tons of cod from that area and the coastal state could only take what they had taken in the past, they could only take, say, 10,000 tons, well then the other fifty would be divided among the foreign fishing fleets based on their history of fishing in the area and so on and so forth. But the important principle would be that the coastal state would have first priority and then the T.A.C.'s would be divided among the others. So that is the second proposal. There are certain areas where Canadian fishermen can take all the T. A.C.'s of those stocks. Those particular areas are important to Canadian fishermen whose vessels generally have a limited range in species capability and in addition, of course, the maintenance of landings is essential to the economic and social well-being of the coastal communities from which these vessels operate. And they go on to say, the difficulties caused to Canada by the declining catch per unit of effort and so on, and the communities dependent on that situation.

Now, Mr. Speaker, (I would like a glass of water if there are any water Gunga Dinns around.)

MR. MURPHY: (I have already ordered one for you.)

MR. CROSBIE: That you very much.

MR. CROSBIE: Mr. Speaker, those are the two essential positions that have been put forward by Canada, but there is a third very important issue. And the third very important issue is that the scientists base their estimate of the total -

MR. NEARY: How is it done?

MR. CROSBIE: -I am coming to that - of the Total Allowable Catch. That is based on biological data and so on and it is based on what catches are reported for the preceding year and years. Now if the catches reported are not being reported honestly and accurately to ICNAF, then if there is more fish being caught than is being reported from whatever the stock is, cod, or flounder or yellowtail or whatever, if the information is inaccurate then of course the scientific recommendation as to what the Total Allowable Catch is is also inaccurate because it can only be as accurate as the data that it is based on. And Canada now has irrefragable and irrefutable proof that some nations are not properly reporting the amount they have been catching in the ICNAF area. Not only that, another important problem there is that there are by-catches, that a nation may be fishing, say, for cod and they may be out to catch cod, but while catching the cod they may also catch flounder and other species which they cannot handle and they cannot process or deal with. And those species are then discarded, thrown back into the water and discarded.

There is evidence that certain nations are not reporting the amount of catch, by-catch which is discarded, but they are not counting that and they are not reporting that. Well if that particular nation is out to catch cod and it also turns out that when you are catching the cod you catch about half as much flounder as cod and that all that flounder is disposed of by throwing it overboard and that catch of flounder is not reported to ICNAF, then the TAC levels that the scientists are recommending for flounder are going to be completely inaccurate because the discards have not been reported.

MR. NEARY: Any evidence of any dead fish around the coast?

MR. CROSBIE: Well there is lots of evidence that this has been done. So Canada has said that it views with grave concern the fact that substantial catches of certain species are not being reported to the Commission when these catches are made in fisheries directed primarily at other species. By-catches whether discarded or retained are intended to be included in catch quota regulations and are required to be reported. Canada urges all nations to make special efforts to report these things and the importance of it. And the statement that was made by Mr. LaBlanc last Friday has been reiterated at the ICNAF meeting, and properly so, to the effect that if violations continue of failure to report the amount caught and report it accurately or failure to report the amount of by-catch discarded or of net mesh sizes or whatever, that any nation that is caught in that position or with those transgressions in future Canada will take action to forbid those nations from having their fishing ships use Canadian ports and that position has been made very plain at this ICNAF meeting.

At the present time and in order for a foreign fishing vessel to use a Canadian port you have to have a licence from the Minister of Fisheries of Canada. It is discretionary to the Minister of Fisheries whether he gives a licence or not. Canada has been granting licences. But Canada does not have to and the Minister has now said that Canada is not going to grant licences for the fishing vessels of fleets that are caught violating the ICNAF rules that I have mentioned.

MR. NEARY: Does that mean closing the ports?

MR. CROSBIE: No. No. It has not been suggested that the ports are going to be completely closed to all foreign fishing fleets. Mr. LaBlanc has stated that they may well be closed to those who violate these quotas and regulations. And it may be that if our proposals at ICNAF are not accepted at all and as the year goes on perhaps they should be closed in any event to all foreign fishing fleets.

Now if that occurs

to any of the nations, to any of the major nations fishing in the North West Atlantic that will cause them a lot of grief. Make no mistake about that. These fleets are fishing far away from their home countries. They have to come into port to get water. They have to come in to get supplies. They have to come in to give the crews a chance to get off the vessel. In fact I understand now that the Russian vessels have got some arrangement with their crews where they must have forty-eight hours ashore every sixty days. I think there is a - someone told me the number of visits by Russian vessels to East Coast Canadian port during the past year or during the period of a year was about 800 visits, a huge number of visits to get oil and to get water or provisions or to give the men a chance to go onshore.

MR. NEARY: To go down to St. Pierre.

MR. CROSBIE: No, Mr. Speaker, they will not be going to St. Pierre. St. Pierre cannot handle them. St. Pierre has not got the facilities to handle all of these vessels. So, going to St. Pierre is not going to -

MR. HICKMAN: They have not got the water either.

MR. CROSBIE: - is not going to, you know, is not going to help them or save them. And they all realize that this is - that if this happens, it will have a major interference with the fishing fleet of the country to whom that happens.

Now, I applaud Mr. LeBlanc's statement to this effect. Anyone who is interested in the fishing industry of Newfoundland or thinks that it should be preserved or that it should not shut down altogether has to applaud that statement. For years and years we have been waiting for the Government of Canada to take some serious interest in the fishery, the East Coast Fishery of Canada. For year and years this situation of the resource has been allowed to get worse and worse and progressively worse.

But, finally in the last six months or a year the Canadian Government has made a decision that, number one, it is in the national interest to have an East Coast Canadian Fishery, and number two, that they will subsidize that fishery because he has been allowed to get into such poor shape economically due to the declining resource, which is the federal government's responsibility, that they will subsidize the industry over the period of the next couple of years until the resource can be reclaimed by Canada and

come back so it becomes economically viable. And the Government of Canada has decided to do that.

The Government of Canada this year is spending \$60 million to \$80 million to assist the East Coast Canadian Fishery in continuing, and it does not want to continue spending that kind of money, and it will have to spend a whole lot more unless something is done about the fishing effort off the East Coast of Canada. So, now Canada has finally seen the light. They are taking a serious interest. The federal Minister of Fisheries is taking a serious interest. He has said that in this situation Canada will not any longer permit certain fishing fleets to use our ports. Well, I say, "Hear! Hear!"

Now, what loss of revenue this might cause the few ports involved, or businesses or merchants in those few ports, I do not know. I think the estimates to me sound very high. Well, what revenue will be lost to the few businesses that are in the business of supplying fuel and water and provisions to foreign fishing fleets is a mere nothing compared to the loss to Newfoundland of its fishing industry which provides employment for about 20,000 people out of our work force, for at least 100,000 of our population and which has incalculable other effects in the Province of Newfoundland. So, when you weigh one against the other, there is no comparison.

If certain firms or merchants in St. John's will suffer some loss of business by the fact that the fishing fleets of say, Russia or Spain or whatever were barred from using Canadian ports, that would be a very small item on the scales compared to the fact that stern measures have to be taken if we are to have any fishing industry in Newfoundland at all.

So, this government supports Mr. LeBlanc's statement there and hopes that he will take action if it becomes necessary. He says, "Canada cannot tolerate further disregard of ICNAF regulations." Well, Canada cannot tolerate it and Newfoundland cannot survive as a fishing Province if they are disregarded in future. Those who continue such violations will find Canadian ports closed to their fishing vessels. Hear! Hear! We support that one hundred per cent.

MR. NEARY: This is not just a lever to force the 200 mile limit?

MR. CROSBIE: No.

MR. NEARY: That is agreed on. This is a tool to crank up the regulations.

MR. CROSBIE: That is right. But, I mean, it may become necessary to use a little muscle and bar all foreign fishing fleets anyway to enforce the 200 mile limit or to enforce the position that we are taking at ICNAF. That is also a possibility.

These are the proposals made at ICNAF. Now I understand that there has always been great difficulty in establishing quotas. Let me say first that ICNAF - it was and still is important to have ICNAF. If we did not have ICNAF we would not have any regulations whatsoever of the fishing effort in the Northwest Atlantic and that situation would be far worse than the one that we have now. There has got to be, until Canada takes over jurisdiction within the 200 mile area and then outside that 200 mile area, an International Commission to regulate this situation or we would be in bad shape indeed. But a question of inspection and enforcement is also important. Now the only nations really interested in inspecting and enforcing ICNAF regulations are the coastal states, Canada and the United States. The rest are out there fishing, hundreds and hundreds and hundreds of miles from their own shores. They do not have the same interest. They do not have any coastal communities depending on what they do in the Northwest Atlantic. Iceland does, of course, also. It is only the coastal states.

Well apparently in 1973 we had fifty-eight inspections at sea by the Canadian fish inspection service. And last year in 1974 we had 230. This year they are expecting to double the number of inspections. So inspection has really only been taken place in any sizeable quantity in the last two years. And the result of this increase in inspection in the last two years is that two nations have been caught - I am not at liberty, I do not think, to name them - but two nations have been caught in very serious violations of the ICNAF regulations in reporting what they have caught and in reporting what they have caught and discarded. And if those two or any other carry on in the same way in 1975 certainly our ports should be closed to them.

MR. NEARY: Why are you not at liberty to name them?

MR. CROSBIE: Well, you know, I think it is up to the Minister of Fisheries of Canada, and you do not know what affect it may have on what goes on at ICNAF.

MR. NEARY: Are these secret meetings?

MR. CROSBIE: No, you see, they are only public - there is a public opening of the ICNAF conference. After that all the meetings are private. So, I do not think I can say which two they are, but they are among the biggest.

The other thing that has to be understood, Mr. Speaker, is the point that Mr. LeBlanc also made last week where he said "We must move away from the unworkable concept of maximum sustainable yield to a concept of optimum economic yield." In other words the maximum sustainable yield is the amount the scientists say can be taken of some particular stock of fish in a particular area but still have that stock of fish physically maintain its same level and regenerate itself at that level, physically. But that is not the same as the optimum economic yield because as the catches approach the maximum sustainable yield, the physical maximum sustainable yield, as you get enough fishing effort to approach that level, the economics of the whole operation turns against you because the amount caught per unit of effort declines. So when you have enough trawlers and enough fishermen catching the maximum sustainable yield the amount of the yield - or the amount of the economic return for that unit of effort declines so that everybody now involved in that fishery start losing money. The catch, for example, per trawler trip declines. So that when you are catching to the maximum sustainable yield, you are not catching at the optimum economic yield. The optimum economic yield is a catch of fish considerably below the maximum sustainable yield. I do not know if I have explained that properly, Mr. Speaker.

MR. AYLWARD: Above, is it not?

MR. CROSBIE: No, the optimum economic yield is a catch of fish considerably lower than what the scientists say is the maximum sustainable yield. But as you get enough vessels fishing and sufficient effort to catch the maximum sustainable yield, the amount caught by each unit is declining, you know, the amount being catch by each vessel is declining.

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So there is more effort being used for the smaller catch so you start to lose money. So the maximum sustainable yield is not the proper concept. It is

unworkable. That is what has happened to our trawler industry in the last year or two. The total catch per trawler trip has been declining over the last three years because of the increased effort. The stocks of fish are the same but the increased number of vessels and the increased effort out there means that each trawler gets less per trip until it becomes uneconomic. So the Canadian proposal for a forty per cent reduction of non-coastal state effort on groundfish stocks will be a step towards changing the concept of one of the optimum economic yield. And that is illustrated by the fact that while in the first year there will probably be a decrease in catch of forty per cent, the stocks will start to build up and within two or three or four or five years the same amount of vessels with the same amount of effort would be catching much more fish and would be taking, eventually, eighty or ninety per cent of the maximum biological yield but at a lot lower cost.

In other words, once you reduce the effort by forty per cent so that there is forty per cent less fishing in that area, the stocks of fish will start increasing and the catches of all those vessels will start increasing year by year until, with the same number of vessels as the year in which was started the forty per cent decreased effort, with the same number of vessels then, in three or four years time those vessels would be back taking ninety per cent of the catch as it was when you had forty per cent more vessels. But they would all be making good trips and they would all be making money because they would then be operating at the optimum economic yield. Now this would benefit not only Canadian fishermen but also the foreign fishing fleets out there.

Now the Canadian Delegation has presented this case in conference and the conference goes on until June 21. It is a very complicated business and they divide into panels on each area, on each stock. The things goes on now until June 21, but the Canadian position has been put very firmly by Doctor Needler who is widely respected and got tremendous ability and a tremendous background in the fishery and whose instructions are quite firm from the Canadian

Government that the Canadian Government is unwilling to accept anything less than appears in these two proposals.

So what is likely to happen? Well, it is anyone's guess what will happen, Mr. Speaker. I can only say that I would be most surprised if agreement is reached at this present meeting, if the other sixteen nations agree to what is being proposed at this meeting. They obviously do not want to agree. They are obviously going to test Canada, in my view, to see how firm is the Canadian resolve. They are not going to surrender at the opening salvos in this proposal which has a big effect on them - a forty per cent reduction in this area in the fishing effort - so my view is that they are not going to agree by June 21, that they will accept the Canadian position. And if they do not agree, then Canada will not accept the results that will come out of this Conference, and that may mean that there will have to be another Conference in two or three months of the ICNAF nations to consider the question again. But I do not expect that they are going to agree. In fact I feel sure that some of them will not agree. I will not say what they have indicated now, but it is unlikely that they are going to agree.

They are going to say, "Does Canada mean business? We have heard the Canadians talk a lot, you know. The Canadians have talked a lot over the years. They are going to do this, that and the other." So they are going to test Canada out. And I do not think that this is going to be agreed at ICNAF.

Now the United States of America is also very much concerned about this whole situation, and they have pretty strong proposals of their own they are putting forward. And they also have considerable pressure in Congress to pass United States legislation, now, proclaiming a two hundred mile economic zone for the United States of America this year. And I hope that the United States of America will pass, the Congress will pass, and the President will not veto that resolution this year. Because once the United States of America can do it, there is absolutely no reason left for Canada

not doing it. And our position is, Mr. Speaker, that whether or not the Americans take that action this year, the Government of Canada should take that action this year, unilateral action. Let us declare our own two hundred mile economic zone and take the action this year.

We do not know if all the other Nations of the World will observe that. You will never know until you attempt it.

The Peruvians have a 200 mile zone. The Ecuadorians have a 200 mile zone. They are not very strong nations. The United States of America pays millions of dollars in fines to Ecuador every year for tuna boats that the Ecuadorians seize in the 200 mile limit from the American owners and confiscate. The American Government pays tremendous fines for them to get these boats back. They could crush Ecuador in a second if they wanted to crush Ecuador but they do not do it because they know that world opinion would be against them.

Well, Canada is in exactly the same position. We know Russia could crush Canada in thirty seconds if they wanted to but they are not going to. We know, number one, that the majority of the nations of the world all agree now that the 200 mile economic zone is a proper concept to be adopted in international law. World opinion will be against any kind of action like that. The Russians have shown generally speaking that they abide by international rules and regulations. I do not think that they would take any action, just ignore action that Canada took on the 200 mile zone because the declaration of a 200 mile economic zone, Mr. Speaker, does not mean that we are going to block all these nations from fishing. That is not the position.

It means that Canada would decide what the total allowable catches are and what the regulations should be and how much Canada herself could take and how much there is left for the other nations that fish in the North West Atlantic and how much they should be allowed to take of the remaining quota. So, a country would not be blocked out. It is just that Canada would have the right to make the final decisions in these matters rather than ICNAF. I do not think, and I know all the members of the House, you know, unanimously agree that Canada should wait any longer than 1975 to take this action.

I do agree that if ICNAF accepted the position put forth by Canada now, that this would give us some more time. You know, that there might be some excuse then for leaving the 200 mile economic zone until we see what happens in New York next Winter. But, if ICNAF does not at this meeting or in the next couple of months accept Canada's position, that is it. That is enough. We have waited long enough. We have been patient long enough. Then the Government of Canada should act to protect the Canadian fishermen on the East Coast of Canada.

You know, when you think also, Mr. Speaker, that all these quotas, the total allowable catch, the maximum sustainable yield figures, you know, are all based on what is almost certain to be inaccurate data, then how much longer can we wait for action to be taken to protect this renewable resource or what should be a renewable resource? When ICNAF was formed in 1949, Mr. Speaker, no one anticipated or had any idea or what that there would be such a tremendous increase in fishing effort as there has been in the last eight or ten years.

The main nations fishing out there today did not have fishing fleets in 1949 when ICNAF was formed, the U.S.S.R. and East Germany, West Germany, Poland. It is a very difficult system, a very complicated system. First you have got quotas in each area and then you have got national allocations of quotas. It is difficult to enforce the quotas. There has only been a joint enforcement scheme effective in the last two years. The Total Allowable Catches have been declining every year. The scientists operate under tremendous handicaps because the information is lacking on by-catches and discards. The sampling done is inadequate. All of these nations are supposed to do sampling on every catch taken by a trawler. There are so many fish you are supposed to select and measure the fish and whatnot and report this data. This is not done. So, you have inadequate biological sampling. The TAC concept is not the same as the economic yield.

Now, you have to remember also, Mr. Speaker, that the Total Allowable Catch concept does not, if that is a concept that is in force, then you will never restore any abundance of stock. The stock, first if the level set was the right level that meant that that stock of fish would not decline if your fishing catch only took that amount. Let us say it is 600,000 tons. If you took 600,000 tons of caplin in X area year after year, and all the figures are correct and so on, that the total stock of caplin would not decrease and that you could take this yield

MR. CROSBIE: year after year, that is what the TAC would provide. But that does not provide for restoring the abundance of any stock that has been depleted, so it does not take account of the long-range benefits of trying to get stocks up rather than just keep them at their present levels. The TAC's are set just to prevent further stock declines, they are not set to restore stock abundance.

So that is the position Canada is taking at ICNAF. The meetings are private meetings. We will not know until June 21st. whether or not it is successful and on June 21st. we will hear whether they have been successful, or whether there is no agreement and therefore there will have to be another ICNAF meeting later in the year.

I was at a meeting also, Mr. Speaker, of the Canada-Norway Sealing Commission which deals with sealing and the amount of seals that can be caught and so on and so forth, which was very interesting to attend. The quotas for seals in 1975, the total allowable catch of harp seals was 150,100, 120,000 for the larger vessels and 30,000 reserved for what is called indigenous, non-mobile fishermen. That is the Newfoundland inshore fishermen. He is known in the jargon as "the indigenous, non-mobile fisherman." They have to set the levels for next year on harp seals, the levels of hoods is much lower than that, and I attended that meeting which was to set the levels for next year. And an interesting thing, Mr. Speaker, is that although Newfoundland only has one sealing vessel that goes out now - is it Mr. Johnson from Catalina? - the Newfoundland fishermen along the Northeast Coast did remarkably well in catching seals this year and the latest estimate that I have gotten is that over 50,000 seals were taken in Newfoundland and Labrador by inshore fishermen this year and the price paid for pelts and carcasses was \$20 or over \$20, the amount paid out to the fishermen who caught those seals was something in excess of \$1.25 million. And that is a very valuable source of additional income for Newfoundland fishermen along the Northeast Coast, who as we all know can only fish for part of the year because of the climatic conditions

on the coast that they live on. But 50,000 seals were taken by Newfoundland inshore fishermen this year. And that is a very valuable supplement to their income and therefore the principle is that the inshore fishermen must have the first crack. There is no quota set for the number of seals that can be taken by inshore fishermen and there should never be a quota set and the seal fishery has to be watched very carefully. The seal herds apparently are regenerating and increasing in size but the principle must always be that the first priority should be given to the inshore fishermen for catching of seals along Newfoundland and St. Barbe Coast and Labrador South and the like.

There is quite a bit of seal meat being canned this year by Mr. Eveleigh up in Comfort Cove. And I believe Mr. Carl Carlson's company from Nova Scotia have bought a building or a plant that was up for sale up in Comfort Cove, that I.D.B. had to foreclose, and they are buying a plant up there to use for processing the catch of seals by inshore fishermen next year along the coast and I think that would be very handy for us so there will be a lot of seal meat canned I guess by Mr. Eveleigh in Comfort Cove again next year, hopefully.

Now as I said when I started to speak, Mr. Speaker, I do not want to in introducing this motion, or speaking first on the motion, I do not want to speak too long and I wanted just to mention something about ICNAF and the Canadian position out at ICNAF which we thoroughly support.

One interesting fact here when you are considering Sub Areas two, three and four of ICNAF, which are the areas Newfoundland is most concerned with, including the Grand Banks, when you consider the groundfish stocks in those areas as a whole - two, three and four - it is probable that the level of exploitation in the early 1960's was approaching the level associated with the maximum sustainable yield in that it passed beyond the maximum sustainable yield level in the period 1968 to 1970. Taking into account increases in fishing efficiency, it is estimated that from 1961 to 1973 the fishing effort has doubled and stock abundance declined by one half.

The general relationships suggest that a significant reduction in fishing effort will not reduce the total catch in the long-term, although the immediate loss in catch will be roughly proportionable to the reduction in effort. In other words, the less fishing effort there will be a better catch for everybody involved out there in fishing. We are not the only company either, Mr. Speaker, that is having difficult it is fishery. There is a report in the Edinburgh paper, The Scotsman, while I was there on June 9, a warning that Britain could be spending an extra £100 million or more on fish imports next year if the present decline in the fishing industry continues. That was a statement issued by the British Trawler Federation. More than forty deep-sea trawlers have gone out of service in the past five months in England and a total of seventy-six since the beginning of last year, ten of them from Scotland. Well, there are seventy-six British trawlers which have gone out of service. Their owners just cannot operate them any longer with the present status of the catches they are getting from the U.K. That means a reduction in catching capacity of about 75,000 tons per year for the U.K. or about twelve per cent of last year's U.K. catch of demersal fish, principally cod and haddock. If trawlers continue to go out of service and at this rate the annual loss of production could rise to about 130,000 tons or around twenty-one per cent from deep-sea vessels alone. And the same thing is happening with inshore vessels. So the English fishing industry

is in a bad way. If they cannot take the fish themselves they have to import it and that is why they say it might cost the U.K. and extra 100 million or more in fish imports next year if that continues.

So Canada's is not the only fishing industry that is going through a difficult period. Other nations are involved in the same kind of thing and the cost of fishing for these fleets that do not seem to pay too much attention to economics must also be becoming very severe. I do not think anybody could pretend that the U.S.S.R. fleet would continue to operate if it had to break even or make any profit or any return on the vessels. But the U.S.S.R. has got to get protein for its large population and, therefore, they subsidize this huge fishing effort they got in the Northwest Atlantic and elsewhere in the world. And they must be hurting, and it must be costing them a great deal more for the same reasons it is costing us a great deal more, the reduction in the amount of catch per unit of effort. Every trawler the Russians have got out there is getting less now for the effort it is making than it got last year or two years ago or three years ago and so it is with all these other fishing fleets.

Well, I made a speech last Friday, at the College of Fisheries, Mr. Speaker, which I will not repeat and some of it was in the paper reviewing the whole position of our fishing industry here in Newfoundland and what has happened. I just want to mention from that that I think there is reason to have some degree of optimism, cautious optimism with respect to our fishing industry for the reasons that I outlined in that speech. The Government of Canada now appears to be committed to saving the industry, into doing what is necessary to save it. They are taking the steps that are necessary to save it. There are a great many programmes to assist the fishery and to assist fishermen. It is not true or proper to say that the fishermen get very little assistance. There are programmes after programmes to assist them. Perhaps some of those programmes are mis-directed and need to be changed and everything should be reviewed,

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and we will be reviewing our programmes with the help of the Inshore Select Committee's report and other information that we have to try to make it more effective.

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But I do not think it is proper or correct to say that the fishermen get no assistance. That is just not correct and not true. There are a considerable number of programmes to help the fishermen.

The point is, that despite these programmes most of them are palliatives. They are to help keep men from starving who are in an industry that is no longer economic because of reasons beyond their control. But rather than all these programmes what we need is a proper fishing resource and proper long-term measures taken to protect the resource and see that the fishermen and the people who invest their money in the industry can all make a decent living and get a proper return. That is what is needed. And it does not matter how many programmes of assistance you have for the fishing industry or the fishermen, they are not going to be much further ahead until the conditions are there for them to make a decent living in the fishing industry. And that means, number one, that the resource has got to be there. And it is the decline of the resource that has been a primary problem. Until that is arrested and put a stop to, which Canada must do this year, all the other programmes are just palliatives.

The Department of Fisheries will be studying carefully all the recommendations in the Select Committee's Report, Mr. Speaker. And when I wind up the debate, which I imagine will be next week, I will try and give our position on most of them now.

We appreciate the hard work of the Committee and the time they took and the interest they aroused, and we will do what we can to carry out the recommendations and to try to make the fishery viable. We are not going to agree to do things that we think are not proper steps to take. We are not going to agree to do things that we do not think have any economic benefit or value over a period of time. We cannot have a processing facility in every fishing community in Newfoundland. That is the way to ruin the whole industry completely. We have too great a processing capacity now. And all

these things have got to be regulated and dealt with fairly and squarely. Instead of trying to kid people, or pretend that there can be a fish processing facility in every community, I proceed on the basis that where it is not viable for there to be a processing facility they should be told so, so they know exactly what the position is.

Where a programme is sensible and should be put forward, such as on the Great Northern Peninsula, our proposal for the development of the herring fishery on the Great Northern Peninsula and Labrador South, we put the programmes forward. We are still waiting now to hear from DREE as to whether they will assist us in that programme. We are getting a bit tired of waiting on that. It is not a very expensive programme to put the herring fishery in Northern Newfoundland and Labrador South on a very satisfactory basis. It will not take a great deal of money.

We dealt with the Government of Canada on the business of community stages and this year we are going to both jointly survey all community stages in the Province to agree on what needs to be done to bring them up to proper standards. The federal government will then agree to spend seventy-five per cent of the cost of bringing them up to standard. We will meet the other twenty-five per cent and the Newfoundland Government will then take over all the community stages of the Province that are now owned by the federal government. As members know some are now owned by the Newfoundland Government, some are LIP projects owned by committees or whoever and some are owned by the federal government. We are agreeing to take them all over once we have agreed on what it will cost to bring them up to proper condition. The federal government will pay seventy-five per cent of that and then we take over and operate the community stages, and the federal government will concentrate on what it should be doing.

So there are a lot of things being done and I can touch on them later on when I speak, having listened to the other members. So, Mr. Speaker, I commend the report of the Select Committee, look forward to hearing an interesting debate from the Members of the

Committee themselves and then I will reply when that is all over.

And it will receive careful attention in the Department of Fisheries of Newfoundland.

MR. AYLWARD: Mr. Speaker, before the minister takes his seat, I wonder would he mind answering a question? He mentioned the proposal at ICNAF to reduce the catch this year, the Canadian proposal to reduce the fishing effort by forty per cent. I notice in his remarks that he said, "decreasing the number of fishing days and the gear size" and that, does that - it does not restrict the number of vessels? Is it the number of days fishing or is it the number of vessels? Or how do they propose to affect

that forty per cent reduction. The other question, Mr. Speaker, was he mentioned the difference between the maximum sustainable yield and the optimum economic yield. I was wondering how the maximum sustainable yield or I am sorry, whether the TAC, the Total Allowable Catch was set first or how one related to the other, how they set the Total Allowable Catch in relation to the maximum sustainable yield.

MR. CROSBIE: Mr. Speaker, I believe that the Total Allowable Catch is set based on the maximum sustainable yield. The Total Allowable Catch is the amount calculated by the scientists as being possible to take for the maximum sustainable yield of that species. That is the amount that you can take and the species still sustain itself at that present level.

As far as the reduction of fishing effort is concerned, this will be a decrease by each country of a number of fishing days in each ICNAF division -

MR. AYLWARD: Of vessels?

MR. CROSBIE: - by their vessels in each of the various size categories.

MR. NEARY: Trawlers.

MR. CROSBIE: You know, you can have the same amount of trawlers but they would have to fish forty per cent less days which would mean of course that you would not send out as many trawlers because that would not be practical. You know, but it will be on the number of fishing days. Also, you know, it will all have to be worked out in detail and it will also depend on the gear and the size category of the vessels that operate in each division and so on. So, there will be a lot of detail that will have to be worked out.

MR. PECKFORD: Well, that would mean forty per cent less vessels?

MR. CROSBIE: Forty per cent, no. It means forty per cent less fishing effort which is calculated by the number of fishing days.

Suppose that some country had 1 million fishing days for trawlers in this area last year. Well, this year that was accepted - or next year they will only be able to have 600,000 fishing days. Now, they could send out the same number of trawlers I suppose but they would have to fish forty per cent less days for each trawler, or you would send out a smaller number of trawlers who would fish the normal number of days.

MR. SPEAKER (STAGC): The Member for Burgeo-LaPoile.

MR. EVANS: Mr. Speaker, I feel that I would be remiss if I

allowed this resolution to pass without making a few, what I call pertinent remarks in regard to the fishery and the report of this Committee on the Inshore Fishery. First, I would like to thank the Committee on the work that they have put into this report. They worked under a very able chairman and the members themselves contributed enormously, enormously, particularly in regard to the fact that not too many of them were well versed in the fishery as such. And I can also appreciate the contribution made by many of our fishermen and other people throughout the Province who attended the hearings held by the Committee.

You know, it is tragic sometimes when you consider that we have so many people engaged in our fishery with so many bright ideas and through lack of education they are unable to express these ideas. But, regardless of that fact, they usually manage to get their points across.

Now, when you mention fishery, you touch me very deep down. I grew up in the fishery, came from one of the great families who participated not only here in this Province but also in the Eastern United States, Gloucester, Massachusetts - most of my relatives are there today, their descendants. I guess I was born with a love of the sea. I still have it. It makes no difference how far from the salt water I am. It still appeals to me, and my love of the sea of course has been tempered with awe on many occasions as I have risked my life there as lots of other people have who have followed the sea.

I will never forget a remark made to me

MR. EVANS: by an old seaman years ago. He said, "Boy, never forget we take and take from the sea. We consider it our right, I suppose. But do not forget the sea always takes back its own. It may be you and it may be me, it may be sooner or it may be later, but there is always a day of reckoning in that connection." And I guess there is a lot of truth in it. My family has borne the scars of it down through generations. Years ago before I was born, it is the first instance that I know of, my grandfather had a brother, a young man of eighteen years old, He was coming across the Gulf, late in the Fall, bringing a load of coal for the Winter. When they quit fishing that was what they usually did, they went to Prince Edward Island for a load of produce and then they went to Sydney for coal for the Winter. He was washed overboard in a gale one night. He was given up for lost, of course but he got on the log line. They used to tow a log then for reckoning the distance. They do not use that any more. They have more modern means of navigation. But he got on the log line and unknown to anybody aboard the vessel that he was there, it probably took him hours, but he finally hauled himself aboard the vessel. And he was cut to pieces with the log, half full of water, chilled to death, And as a result, of course, he developed consumption, they called it then, we call it TB today, which was certain death at that time. That was not the toughest part of it. A younger brother and sister contracted the disease from him and they died too.

It came on a bit farther down the line, My grandfather had a vessel lost with all hands. His oldest son, my father's brother, was on that vessel and it still continues. Only about five or six years ago a younger sister of mine lost her husband on the old seiner Enterprise that sank in Sydney Bight, the same time that the CN lost the Patrick Morris, the ferry that went out to her assistance. And there is a man, one of my colleagues here, who knows, he probably cannot remember back as far as I can but pretty close to it, the tragedies that we knew of when I grew up in Fortune Bay,

Back in the banking days when I remember first about the fishery there was not an engine in a vessel. They were all sailing vessels. I can

see them now coming into the bay under full sail, the most beautiful sight that you have ever witnessed. But there was never a year I guess that you did not see a vessel coming in now and then with a flag at half-mast in the rigging, probably lost a couple of men in a dory, probably lost more. Captain George Follatt, I guess, lost about a full vessel's crew, twenty-odd men, in single separate instances. I know he lost four at one time down on the Burgeo Bank. I can remember the day quite well. And they went through greater trials than that. I know the Member from Buria, my colleague, can remember when the Partana went out with Captain Charles Anstey from Garnish, lost with all hands, twenty-odd men. Then Captain Jim Lawrence was lost in another vessel on the Grand Bank in the Alsatian. Women and children waited and waited and waited for men who never returned. And even since we have got into the era of the draggers we have had misfortunes.

Two draggers, also from Grand Bank, as well as others I know of, went down with all hands, trying to make a living for their families on the Grand Banks. But they still persisted. Nobody quit. And there was a saying amongst fishermen, I do not know if you hear it today, I have not lately, they always had a saying, "One job you will always have, boy, You will always get a job fishing." But today I am beginning to wonder if that is always going to be the case.

Now when I went up on the Southwest Coast back in 1937, I went there as a teacher. Things were quite different then

than they are today. At that time they had the two-sparred boats, skiffs they called them. They used to go two dories mostly. And, they all used crawl. Then there was another bunch of fishermen use used the big motor dory, open dories. They fished all Winter long in them. If ever you knew what it was to go through cold and hardship, that was the place to find out.

When I went up on that coast in 1937, there were motor dories there with two men catching from 400 to 500 quintals of fish in a year. Now, that was a lot of fish for two men to handle. And, I will tell you what they were getting at that time. They split the fish and sold it to the fish buyers, Penny and Clement in that area at that time. And, they got one cent per pound. There were 308 pounds in a quintal of split fish.

The year before that they told me they got three-quarters of a cent a pound which worked out to about \$2.20 per quintal.

MR. MURPHY: Why 308?

MR. EVANS: Pardon?

MR. MURPHY: Why 308 pounds?

MR. EVANS: That is what a quintal weighs. A quintal of fish split, the split fish is exactly one-half the weight of the fish when it was taken out of the water after the head, the gut and the sound bone have been removed. It weighed twice as much when it came out of the water as it did when it was split. That same amount of fish, that 308 pounds when dry, hard dried as it had to be then, weighed 112 pounds. But, a lot of them used to fish on the Upper Islands, Penguin Islands and Ramea and that area. They used to light salt their fish, salt bulk they called it. and that was 224 pounds to the quintal for which they got \$3.50 after buying their salt.

So, you can imagine how the people lived. The only dollar they saw was when they went to their merchant in the Fall of the year and said I want, I think it was \$3.00 they used to pay to the minister then for the year. That was the only bit of cash they saw for the year except when the women would sell a bit of cod oil that they processed from the liver that was saved by the men when they brought it in.

MR. MURPHY: That was his church dues.

MR. EVANS: That was his church dues. And they paid the doctor, I think something like \$5.00 a year. Well, they were given that. Now, at that

time after landing all that fish, 400 or 500 quintals for two men, I can remember that they would probably end up \$30.00 or \$40.00 in the hole and the end of the year after fishing all year 'round. But, I think one thing that will always stay in my memory, it happened to an uncle of my wife, as a matter of fact. It was only about four or five years previous of that that another brother of that family was lost with all hands in the August breeze going into the Gulf in a three dory boat.

This other brother, one of the finest men I think that I ever had the privilege of meeting in my life, they had a boat built by their father, and they owned everything that was in it. They fished for a few years. The older brother, who was lost, previously went with him for a while until he got his own boat. Then the younger brother took this one. The last year he fished this boat with six men and two dories they landed 570 quintals of fish and sixteen swordfish. They used to go over swordfishing over in Cape Breton every Summer at that time. That was a big voyage.

So, in the Fall they came home and some time in October after the fish was all dried and sold they went off to settle up. They settled up once a year then. That night we were all waiting for them to come in. They did not come. By-and-by, late in the night we heard an engine coming and it got closer. Somebody said, it does not sound like Jack's engine. So, anyhow he came in. He was in a boat belonging to the firm, Pennys, and I said, what did you have? Engine Trouble?

No, boy. Well, I said, what is the trouble. Well, he was so filled up he said, I will tell you about it tomorrow. So the next day he came over. I was running Pennys business that year, a branch store, as a matter of fact, and I said, what happened. He pulled his account sheet out and he showed me. Now, to tell somebody this today in view of the demands that are being made by labour and everyone which I am not saying anything about today. It is warranted I suppose in most cases with the cost of living as it is. But, to tell somebody today what I saw happen there, they could not believe it.

After catching all that fish -

his wife and two small children were getting an allowance, a monthly allowance of \$15 - he showed me his account. He owed \$189. He had two more married men aboard. They were getting \$7 a month for their families at home. And they owed somewhere in the vicinity of \$70 or \$80. He had three single men. One of them owed \$1. One was square. And the other one had \$.50 coming to him. He left the boat after that, and that man had no other choice.

The next year he took a boat from Clements. He was a big fisherman but whatever happened he struck no fish that year so that was it. The next year he took a boat from Cadogan in Glace Bay collecting salmon and lobster and in the Fall he took an old two sparred boat and went fishing. He got out in a breeze of wind in October and was lost with all hands. That man would probably have been living today if he had had a chance to make a living as he was, well he was entitled to it, as far as I am concerned with the work that he did and the fish that he caught.

Now we saw all that happen. The next thing came the draggers and they caught a lot of fish when they started out. I can remember when they started out they had no limits. They could go into bays anywhere. They caught up the red fish in the bays. Then they got on the banks. I remember when there were thousands of haddock on St. Pierre Bank, the big haddock. They cleaned it up in a year or two. And in the meantime, while they were doing this, they threw away millions of the small ones that the plants would not take at that time. After a year or two the plants were glad to take the small ones, ping-pong they called it. They used to run them down round. They did not even have to dress them. And today haddock is a pretty scarce commodity I can assure you. Now today most of our fishery is conducted on the South Coast by longliners, they still use trawls, and by greysole seiners and, of course, the offshore dragger. And these boats, they are not doing so well today, because the stocks have been cut down. But they are not doing any undue harm to our fishery. Our fishery today, the main cause of its depletion is by the gill net. I will go on record anywhere at any time by saying that these gill nets have done us more harm than all the foreign and

local draggers combined that have fished in our waters. And the longer that they are allowed to be used the less time we have left to even see a fish caught here in Newfoundland. The day is fast approaching when somebody is going to say, "So-and-so caught the last fish yesterday, boys."

I suppose it is going too far to say that we should ban the gill net completely overnight because there are a lot of people using them. But I can assure you of one thing. It is no use to say that we are going to ban them in one area and allowed them to be used in another because that will never get us anywhere, because the fish that are caught in one part of our Province this month's now and probably next month's will be up on the South Coast or they may be down on the Northeast Coast or down in the Gulf somewhere. They have tails. But I would think that if our Federal Department of Fisheries, who have control over this matter, said to the fishermen, boys, we are going to phase out the gill net completely and within the next two or three or five years or whatever it might be, we are not going to subsidize any more nylon. If you are allowed to use gill nets at all, they must be caught or hemp, because these nets will not last very long if they are lost on the bottom before they will rot and will not be doing any further damage. Or to people who already have nylon, you must head them with

cotton twine because then if they are lost the cotton heading twine will soon rot out and the linen will sink on the bottom and they will not be fishing any longer. Whereas now according to what I would say are conservative estimates, there are probably 50,000 or 60,000 or probably 70,000 of these nets out there ghost fishing and will continue to do so for probably forty or fifty years to come.

MR. MURPHY: What destruction would you think they cause? It is difficult to estimate, I suppose.

MR. EVANS: I would say that they are catching fifty times as much fish as is being brought to land by the gill nets that are being hauled. I would say that is a very low estimate.

MR. MURPHY: They just strangle and die in the water?

MR. EVANS: Yes. They rot. When they get in there the net fills full of fish after awhile. They rot. When they are dead they sink down to the bottom. Then after they rot out, only the bones left, the twine comes back, the floats on the head brings the twine up to its original shape and they fish away again. They claim they do that four times a year. So you can imagine how much fish is being destroyed. And they are not destroying tomcods in these, either. That is the larger fish that you are catching in gill nets.

Now, if in the course of the next four or five years you are going to outlaw gill nets, the federal government is going to have to be prepared for that eventuality. It is no good to wait until they have been outlawed completely and then say, well we have to do something about it. That has to be planned in advance. You are going to need, I would say, probably they are going to have, the federal government or somebody is going to have to buy these fishermen out and you are going to have to provide them with trawls. They are using this curse, I call it today, the gill net, in boats that they call longliners. Longline means trawl, not nets, and I would say that they are going to have to be provided with trawl to compensate them for the loss of the gill net that they will not be able to use when the final phase-out occurs, and also the federal government is going to have to provide more bait capacity. They are going to have to put small bait units in a lot of areas where there

are none today because as everyone knows you do not need bait to fish gill nets, but when you get back to the trawl fishery then you are going to have a lot more bait sources available than you have today.

MR. MURPHY: Are they still buying the gill nets?

MR. EVANS: Yes, I think they are. I do not know whether the subsidy works. I have not heard any expression from the Minister of Fisheries on that one.

Now, we are talking about the 200 mile limit. There is a petition out by, sponsored by Walter Carter who is a good friend of mine and I guess of everyone who is here, very sound idea, but in my opinion a bit belated. I would go along with the idea, of course, of a 200 mile limit. I do not know if I would go farther. I would say we should include the whole Continental Shelf, down to the Virgin Rocks or even the Flemish Cap, the south end of the Grand Banks. But unless the countries, the European and even the Japanese fleets that are using that area find it too expensive to operate for the amount of catch they are going to get, I do not think that we are going to be able to control that area even if we do get a tacit agreement to that effect. I do not think ever it will be possible to control it, even with inspection or whatever. It is going to be more or less on an honour system, I would say, and that is going to be pretty hard to enforce.

But regardless of the fact, if we do bring in absolute control in that 200 mile zone it is not going to bring any more fish within reach of our shore fishermen. The fish here in our waters do not come from the Grand Banks, most definitely not. Our fish breed in our own bays, or they did before the breeders were destroyed by the gill nets that I have just been speaking about. And I would be a lot more satisfied, I would say, to come out and say, let us have

a fifty mile zone around our Province. Let us be direct about it, the same as Iceland did. They had a lot of trouble down there in implementing it. They even had gunboat diplomacy in regard to the British trawlers who frequented their waters. But they finally prevailed. And I think that Canada has the means of bringing into effect a fifty mile zone even if it is going to be done by unilateral action. And I would suggest that that zone, fifty miles, be closed to all draggers above sixty-five feet. And I would wager any amount that within five years you will notice quite an effect in regard to the amount of stocks that will be in our waters compared with what we have today. As for the Grand Banks I do not think that even with controls, the 200 mile or the edge of the Continental Shelf limits that we can bring back stocks that will make it viable for our fleet of stern trawlers in this Province to make a go of it within twenty years. I am very doubtful we will.

Today we are faced with a very serious problem as far as I am concerned in more ways than one, of course, as I will get around to later. But in the conservation area alone, I would wonder if the operators of draggers in this Province can continue to operate them under the present circumstances or can continue to operate them until such times as the stocks improve sufficiently even if we do have a 200 mile limit implemented or, as I say, even further than that.

You know, it was only yesterday that a person said to me, and a person who should have a bit of knowledge as far as the fishery is concerned, he said, well, if the draggers lose money why do they have them? Is it the government who more or less insist on them having draggers? I said, no, no way. I said, can you imagine someone with a fish plant on the South Coast trying to operate a plant without draggers? Now we have a lot of communities on the South Coast of this Province, from Trepassey up, that are dependent upon the fisheries and the fish plant, of course. If you did not have a fish plant you would have no community. You would have fallen a victim to resettlement, as so many others have done since we went into Confederation back in 1949.

And there is no plant operator who could ever imagine running a plant with the amount of shore fish that could be brought in, that is within a very small radius of the plant, of course, that has to be caught. You would probably get a week, or a day I should say or two days out of a week that there would be work on the plant with the proceeds of the shore fish. But by having draggers you are providing a base whereby there could be employment in the community generated by the amount of fish brought in by the deepsea draggers.

Today these draggers are not bringing in so much fish, as I say. The Harris Report last year showed that on an average the draggers on the South Coast lost \$105,000 each. Now this year the catches are still smaller. Costs of gear, everything, fuel and all the rest, insurance, depreciation, carrying charges, have all increased which means that these draggers probably are going to lose \$200,000 this year at the minimum. Take a firm like Fisheries Products for instance now. With the number of plants they have, probably around twenty stern trawlers, you can see that company ending up with a deficit on the draggers, the dragger operation of around \$4 million at the least. Now how much is the federal government's subsidy going to compensate them in regard to the loss that they are going to experience on the draggers?

I am very doubtful whether this subsidy is going to take care of the total amount that will be lost by these companies.

In the past, up to a year and a half ago approximately, they had a loss at that time, no doubt previous to that, but that loss was compensated by the money that was made on the fish, the finished product when it went to market. Now since the price has dropped in the markets and the commodity is hard to sell due to competition from countries that have a lower labour programme standard and paying less for fish and all the rest of it, they are finding it increasingly difficult and if you are going to lose on the dragger operation and not be able to recuperate from the finished product how long can it continue unless the federal government is going to, well, almost completely subsidize the industry.

I am much concerned as well in the area of marketing. Down through the years marketing has been a helter-skelter affair hit or miss. I was in the selling business for nineteen years. I sold, other guys sold when there were still people on the road who could not sell. They probably had a better product but they just could not present it in the way that attracted the attention of the customer and therefore they fell short. The same thing applies only on a greater extent in regard to marketing a product that in lots of cases is hard to sell. There are a lot of people today who like fish no doubt but there are an awful lot who do not. And Canada is about the weakest, I guess, in that regard. Probably it would be all right if we had a few more bad meat scares in Quebec or Ontario because they tell me that fish is really going over big up there today. But be that as it may, I think the only way we are going to surmount the difficulties in the marketing area is by the creation by the federal government of a central marketing agency which will assist any fish processing firm in selling its product either on the Mainland of Canada, in the U.S. or anywhere where there is a demand for fish because today shipping is no problem. At one time that was one of our biggest problems. But today you can ship by air almost as cheap and much more swiftly than you can by any other means, and there is hardly anywhere in the world that you are not able to ship to.

So I think that is one of the things that is going to have to be brought to bear very forcibly upon the federal government in all of our deliberations in regard to the fisheries. And we are going to have to get into different packaging in order to be able to more or less conform to the habits of different people in regards to the types of fish they prefer and the way they want it packaged and all that sort of thing.

MR. MURPHY: The size and -

MR. EVANS: Yes, and fish packed so that it will retain its flavour, whether it is going to be packed in a vacuum, water, or air vacuum or whatsoever so that it will not dehydrate as is done today by all of our dry-packed fish, and we are going to have to get into canning more so that we can be able to supply some of the underdeveloped countries under the Foreign Aid Food Programme - that is included there, and I think I did more to get that there than anyone else.

MR. MURPHY: Do you agree with the member for Bell Island then that we should send can openers over there?

MR. EVANS: We will probably send the member over there for a can opener.

You know to more or less back up my idea of the central marketing agency in regard to our fresh fish, you have only to look at what has been accomplished by the Salt Cod Fish Corporation. I can remember back in my younger days when we had the banking fleets it was all dry fish then, and it was dry, not half dried like you get today. If you chopped a guy across the neck with it well he probably would not be able to get back at you any more.

But at that time the top dry fish was for the Spanish market. You probably got \$6.00 or \$6.50 a quintal for that.

MR. HICKMAN: That was Madeira, was it not?

MR. EVANS: No, Spanish. That was the top. Then there was large and medium, of course, and then you had your Madeira next. Then there was your broken, your sunburned, your saltburned and your tomcods, and your ling, we called it, hake and haddock and so on - a haddock when he is dried, if he was a big haddock he did not weigh more than that piece of paper. It was only wasting salt to bring him in.

MR. HICKMAN: Just a nuisance.

MR. EVANS: Yes. Now all of our cullage, we called it, that latter group, the only place we could sell that was to the West Indies and we got about \$1.50 to \$2.00 a quintal for that. Now I did not know of this until a long time afterwards, but I found out that it was correct, the information that I got. At the same time, when we could only sell cullage to the West Indies we were told, "Oh that is all they can afford down there, they are only poor people. They are blacks and all the rest of it and they cannot afford anything better." I found out afterwards that at the same time all the Lunenburg vessels, when they had probably about 100 bankers up there bringing in 5,000 or 6,000 quintals each and every year, they were selling all of their catch to the West Indies and they were getting \$12.00 or \$14.00 a quintal for it. So where was our marketing system? Or, was somebody giving us the biggest rip-off that ever was known in the history of the world? Probably both, but at the same time it shows what can be accomplished when you do get a marketing system as has been evidenced by the work that has been accomplished by the Salt Cod Fish Corporation.

Today our fishermen who are salting - there are only certain areas, of course, where you can get people interested in that - you could not mention it on the coast where I live because nobody would even heed you. They would say, to blazes with it, we would go on the Lakes somewhere rather than do that. But there are a lot of areas in Newfoundland

today, even now, where people are interested in salting fish and they are certainly getting a great return for it. And I am sure, it may take a bit of time, but I am sure that the same thing could be done in the realm of fresh fish if the right type of organization was set up and able to deal with every scattered marketing agency that is set up today by the firms in the fresh business. They have them in New England, they have them in Chicago, they have them in Cleveland - all over the U.S. - and as I say, it probably would not hurt if we had a few minor setups out in the middle part of Canada that could deal directly with a marketing agency, and probably we would not have to depend so much on outside markets. We could probably sell a lot more of our fish right in Canada than we are today.

Now, you know, when you are talking about preserving the fishery, you are not only talking of dollars and cents, you are not only talking of the industry itself, you are not only talking of the men in the industry who are catching the fish or even the people who are processing it, you are talking about a large segment of our Province. You can talk about, as I say, the financial part of it but what about the lives, the very lives of our people who are so interwoven with the fishery, particularly the shore as well as the trawler end of it? The South Coast: how many communities would you have left there if our fishery went down, big towns as well as small ones? Burin, Marystown, Trepassey, Grand Bank, Fortune, Harbour Breton, Gaultois, Ramea, Burgeo - none of these places would survive. And can you imagine if you left and went up the South Coast and saw nobody living there - the best part of our Province, the part that is ice free all year round, and I suppose, that produced the greatest fishermen that ever lived and who are still producing - but as I said earlier, so many of our fishermen had the expression, I will never be stuck for a job in the fishery. But by the way things are looking today I would not bet a plugged nickel that a lot of them will not have to look for something else. And that means that they will have to relocate from the South Coast because when it comes to

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heavy industry establishing there that is almost as remote as anything that I could imagine.

Now, in summing up I think

that we are going to have to consider stronger action than is proposed by the Committee that was set up on the Inshore Fishery. I think that we are going to have to take a stronger hand, provincially, with the Federal Department of Fisheries.

You know, it is ironic. I ran into an example not too long ago. We had a pollution problem right where I live in Isle aux Morts from the plant, two pollution problems as a matter of fact, I should have thought about that one. But anyhow, we had pollution in the air from the smoke stack when the herring were being reduced, and we also had effluent going into the water which contaminated all the salmon nets. The fishermen lost thousands of dollars in catches and also in gear being spoiled and so on. And the first one we did not have too much trouble with. They put on an afterburner to burn up the fumes. That came under our Provincial Affairs and Environment Department, Provincial! But the other one, I said when you put your toes into salt water you are in federal water. Now we had to dig the federal government. Of course, I had to assist in that and thank God we have that being taken care of as well. But that shows you how little control we have when it comes to fisheries. The water in the beach, if it is salt, or whether it is a high or low water mark it is controlled by the Federal Government in Ottawa. And I would suggest that we are going to have to take stranger measures to make Ottawa realize that although the fishery of Canada may only amount to probably three per cent or even less to the Gross National Product of Canada, it means an awful lot more to the people who inhabit this little Province of ours. And until we have made that point with Ottawa, I think that all we talk about, all we plan is going to be more or less useless. And I do not think that it is going to be in the interest of our Province to allow this thing to go on as it is today.

But in the meantime, in summation, once again I thank the Committee composed of members on both sides of this House, and I am sure that they did everything that was in their power to make this investigation - that

is what I call it, an investigation - a success. And I hope that the powers that be in Ottawa will take heed and will go along with the most important points propounded in this report before it is too late. Otherwise we will have what you can truly call a welfare state here in Newfoundland. Thank you.

MR. SPEAKER: The honourable the Minister of Justice.

MR. HICKMAN: Mr. Speaker, I just want to say a few words in this debate. Firstly may I congratulate the honourable the Member for Burgeo-LaPelle. That was an excellent presentation, well articulated and obviously coming from a man who represents what, on the South Coast, we know as the Western Shore, which is an area of Newfoundland that has not, in my opinion, received the sort of understanding that many other parts of the Province have from our people. It is an area where the people have lived in isolation down through the centuries and it is only within the last few years that they have been connected with the rest of the Province by road. Their natural trading has been with Nova Scotia. A lot of them landed their catches in Nova Scotia.

A lot of them fished out of Nova Scotia, even more so, I believe, than fishermen in other parts along the South Coast. More of them were fishing out of North Sydney and Glace Bay and other parts of our sister province.

The inshore fishery along that part of the South Coast has always been a fishery that has prospered a great deal during the time of the year when most other parts of the Province are either unable to fish or unwilling to fish. I cannot think of a more difficult, cold, hazardous type of inshore fishery than fishing off Burgeo, and Ramea and along that Western Shore in January and February in each year. That is the time of the year when these fishermen, who are so ably represented by the honourable the Member for Burgeo-LaPoile, really produce, really go to work. And I am so delighted to hear, and it is the first time since I have been in this House that I have heard anyone stand and articulate some of the problems, the courage, the dreadful hardships of the inshore fishermen along the Western Shore of our Province. I commend the honourable gentleman for the very able job he has done.

Now, Mr. Speaker, the report of the Select Committee deals with many facets of our inshore fishery. One thing the report emphasized, particularly in one of the earlier chapters - and it is not really a recommendation because it does not generate a recommendation - and that is the question of jurisdiction over the fishery. I do not believe to this day Newfoundlanders realize how limited is the jurisdiction of this legislature over the fisheries. I can recall not too many years ago when one if not two of the Maritime Provinces did not have a Provincial Department of Fisheries, and those that had were concerned more with the inland fisheries than offshore.

When we became part of the Canadian Nation, because of the vital importance of the fishery to our economy, we created a Provincial Department of Fisheries. Any maybe the very creation of that Department conveyed the impression to Newfoundlanders that there had been very little change insofar as their Legislative Assembly, their Provincial

Parliament was concerned, that it was still the prime responsibility of their government in St. John's to deal with the fisheries. And I have a feeling that since 1949, successive Ministers of Fisheries in Ottawa have taken advantage of that fact, taken advantage of the fact that we did not fully appreciate that almost the entire responsibility for the development of, and certainly the total responsibility for marketing our fish, for quality control, vests exclusively within the Parliament of Canada. And this has been unfortunate.

We have seen during the past twenty-five years or more, hodge-podge efforts made by the Province to have some input in the fishery with very little success in areas where, in my opinion, the Government of Canada should have been asserting their jurisdiction and exercising their responsibilities in trying to maintain a viable industry in Eastern Canada. I have heard in the last eight years that I have been in this House senior members of the Legislature, most of whom are no longer here,

speaking as politicians, throwing up their hands and saying, we are not going to be able to generate an interest on the part of the Government of Canada because the fishery plays such an insignificant part in the total economy of this nation. I have always regarded that, Mr. Speaker, as somewhat of a defeatist attitude. I think we have seen, for instance in the last few months, just what an aggressive, well prepared, courageous Provincial Minister of Fisheries can do in convincing Ottawa that they must discharge their constitutional responsibilities to this Province in the fisheries field.

SOME HON. MEMBERS: Hear! Hear!

MR. HICKMAN: My honourable colleague from St. John's West, the present Minister of Fisheries -

SOME HON. MEMBERS: Hear! Hear!

MR. HICKMAN: - should in my opinion take full marks and full credit for the slow change of attitude that is now beginning to develop on the part of the national government toward the preservation of our fisheries. We, as a Province, can only in effect go to the Government of Canada, present them with the facts, convince them of the impact that a successful fishery will have on the economy of Newfoundland, offer to aid them in getting statistics and information and if you present them with a plan, as we have done, then Ottawa is going to be very hard put to say no. On occasions in the last year or so we have had to take the leadership and invade the field that constitutionally that we had no right to be in. These new marine centres are totally and exclusively the responsibility of the federal government. But I am not saying this in a critical sense of the present occupant of that portfolio. His predecessor, who had a great knowledge of the environment and a tremendous concern and interest in the fisheries of the Pacific Coast, did not seem to understand the plight of the fishermen in this Province and showed absolutely no interest in this concept of the marine service centre. So we went ahead and invaded a constitutional field that did not belong to us, spent money that we should not have had to spend, that we could have spent in other areas if the other government, the senior government, had

been prepared to exercise their responsibility and built some of these marine service centres. And lo and behold! This little Province of Newfoundland appears to have come up with a scheme that is beneficial to this industry. And now the Government of Canada has said, we are prepared to assume our responsibility in this field and to assume fiscal responsibility for this type of infrastructure. And that is good.

But what I would like to see is something more than the Province having to go to Ottawa and say, here is a scheme, here is the way it works, look, here is the proof, now it is yours, we have had pilot projects, how about you taking it over. I would like to see the Federal Minister of Fisheries and his senior officials really embark upon the salvation of this industry and the expansion of this industry with enthusiasm and conviction. Not that they are going to try and make a bit of noise about the 200 mile limit to try and keep a bunch of noisy Newfoundlanders quiet, but I want to see them go further than that. I want to see some evidence that they really and genuinely believe that it is worth their effort to keep alive for Eastern Canadian fishermen the fishing

industry that has been prosecuted off our shores. I want to see them generate new ideas. I do not want to see them putting a tonnage limit on the subsidy for boats, because that only indicates to me that some of the senior people in the Federal Department have been getting a message across, and I have heard them say it time and time again, not publicly but in conversation, that they cannot see how the inshore fishery will survive. Well, we have been saying that in Newfoundland now for four hundred years, but it has managed somehow to survive. I agree with the honourable the Member for Burgeo-LaPoile that it is probably facing more serious times right now because of declining catches and increasing costs than ever before.

But why do the Feds make that artificial distinction? Why do they not come down any say, "You have the skills, you have the willingness to prosecute this fishery, we have the responsibility for it, to see to it that it remains viable and here are the programmes that we are going to embark upon." If they will show me that kind of enthusiasm, then I think, that with some other very decisive action that must be taken this year, our Newfoundland fishermen can still have some confidence in the future of their industry.

We went through some rather troubled times this year in the area that I represent in this House, which is the largest single fish producing constituency in Eastern Canada, the District of Burin. And there were some very satisfactory changes resulted from the prolonged confrontation between the trawlermen and their owners. There are a lot of people who were predicting the extinction of the deepsea fishery if the system was changed. Well the system has been changed. The deepsea fisherman is beginning to receive, getting close to receiving his fair share of the dollar that arises and is earned and generated by his efforts. And I am told, and I have seen in the last two or three months, proof which indicates to me that this new system, instead of accelerating the decline and the difficulties in manning our boats, have had the reverse effect, that we are beginning to find in the deepsea fishery some sense of

professionalism, that men who were trying to make up their minds whether they would work in the plant or go to sea have chosen to go to sea. If we can do what I understand is being done in the Scandinavian countries and in Iceland, if we will recognize, and in this respect we need the generous help of the Government of Canada, and they have been reasonably generous on the short-term basis of aid that we have seen, if we can change our philosophy and see to it that the primary producer gets his fair share of the return - the plant worker must be paid an adequate wage. The people who process, transport, sell the product are entitled to a return.

But I see some daylight at the end of the tunnel that the man in the boat who starts it all, who is the cause of it all, who keeps the plant going, that he from here on in is going to receive his fair share of the rewards of his labour. That attitude, in my opinion, Mr. Speaker, will convince

the Hon. Mr. LeBlanc that Newfoundlanders are not losing interest in the fishery, because that kind of propaganda is so easily spread. It is so easy for some gentleman to come down from Ottawa and put on his dark glasses and get in a helicopter and go to LaScie and go down to Belleoram and go over to Rose Blanche, two or three other places and talk to two or three people who will say, "Boy, it is not as good as it used to be, it is not as good as it used to be. The young fellows are not going to sea any more. They do not want to go. They are going into the Fisheries College, and they are spending two years there. When they come out, you cannot get them to go to sea. They will take a job on land or they will go up to Ontario and on the Great Lakes or something like that." And after two days of assessments it is so easy and understandable when he will return to his principals in Ottawa and say, "Look, there is no way we can save that fishery down in Newfoundland or indeed in Eastern Canada."

I do not believe, Mr. Speaker, that that is a fair assessment. I believe that our fishermen, particularly in the last five or six years, have been very conscious of the fact that people in other avocations, in other trades and in other skills have been making a great deal more money than they have. And the fact that many have moved away from the fishery can be attributed to their lack of reward, their inability to share profitably in the fruits of their labour. And this is starting to change, and with that change, and the evidence is beginning to appear already, we can rest assured that given half a chance Newfoundlanders are still prepared to prosecute a vital industry, an industry that is not only vital to this Province but with declining food stocks is a very vital industry to the world community.

The Hon. Minister of Fisheries has just returned from ICNAF, and Canada has made some very good submissions to that convention. I have no idea, and I suspect that my colleague, the Minister of Fisheries, does not have any idea yet whether the community of nations who make up that commission are going to be prepared to go along with it. But assuming they do, or assuming they only go part way, we are and must be entitled to look to the Minister of National Defense and his colleagues to enforce whatever agreements are accepted and executed through the ICNAF Commission.

Last week we had an unusual situation occur in the Canadian political history. We had a gentleman, obviously of great courage, obviously suffering from a great deal of frustration, in the person of Admiral Boyle, who is the commander of the Canadian Navy in East Coast waters, publicly state his frustrations and his concern over the lack of support that he is getting in trying to operate the Canadian Navy out of Eastern Canadian ports. I read it somewhere, and I, obviously, not having heard the gentleman, I never met him, I can only rely on what I have read, that he said that he only has sufficient money to buy fuel to enable his boats to sail one day per week. And he expressed the view, or he is quoted as having expressed the view, that he sees where the Navy can fulfill a great purpose, not just in the defense of Canada but in protecting the Canadian fleet off our shores and in protecting the waters that we believe belong to us. You know the Navy is not going to disappear. It is going to operate if for no other reason it is probably the main source of employment for certain areas of New Brunswick, Nova Scotia and Prince Edward Island. So the political fact of life is that they are going to keep these bases alive. But here is a gentleman who says, "I want to put my boats to good use,

but I have not got enough fuel to enable me to do it." And what I say is that if the Federal Minister of Fisheries and his Canadian delegates are going to ask for additional protection, or rights rather, for Canadian fishermen, hand in glove with such request goes a firm commitment to enforce these agreements and to protect our offshore resource.

The Minister of External Affairs, the Hon. Allan MacEachen in a speech in Halifax in February, I think it was, of this year, it was in the winter of this year anyway, in referring to the upcoming Geneva Conference said that Canada's patience was starting to run a bit thin and that if all the Geneva Conference indicated was that it was the beginning of a series of protracted conferences that sometime hence may arrive at certain conventions which would include the 200 mile economic zone, that if that is all it was then Canada would have to take some very decisive action. There is no question at all that the Law of the Sea Conference at Geneva was a failure. There is very little doubt that it is indeed the beginning of a series of international conferences which may or may not arrive at conventions which some day may give Canada increased jurisdiction off the East and West Coast. So what I say is that the Minister of External Affairs, articulating the policy of his government in February, is now in a position where if he assesses the reports that must have come to him from his very able representative, Ambassador Beasley, really has no choice but to recommend to government that the time has come for unilateral action and come right now. And we should be conscious of what the well-thought-out-noise, for want of a better word or phrase, the effect that it does have on the people who are in our nation's capital. The resolution that was passed by this House earlier in this session calling upon Canada at the Geneva Conference to demand jurisdiction to the 200 mile limit or the edge of the Continental Shelf whichever is the greater, and alternatively unilateral action in the event that Geneva did not succeed, that resolution caused a great deal of concern, delightful concern looking at it from our point of view, on the part of those members of the Government of Canada who are

involved in international treaty negotiations. The few days that I was in Geneva I heard time and time again reference to the Newfoundland resolution and for the first time I sensed an anxiety on the part of those who were there representing the Government of Canada, an anxiety to please or help this Province and a willingness to pay attention and to pay some heed to what we are saying down here.

As the Hon. Minister of Fisheries has said in his report to the House today, that the talk at the Geneva convention is the 200 mile economic zone and that is not what we want. The Southern tip of the Grand Banks, is the, supposedly, the spawning area for a great deal of our fish stocks and that Southern tip, the Southern tail of the Grand Banks is outside the 200 mile limit. So that if we get the kind of protection that Newfoundlanders believe that we are entitled to any unilateral action by Canada has to be to the edge of the Continental Shelf which will take in the entire Grand Bank and also Flemish Cap.

The report of the Select Committee which I think should be compulsory reading for every employee of the Federal and Provincial Departments of Fisheries

came up with some rather, or one, I thought, rather novel recommendation and that was the recommendation, and this is not the wording of the committee, and I cannot lay my hands on it now, that the Government of Canada bilaterally negotiate with fishing nations who occupy or fish in the North Atlantic and see if they can negotiate with them for a reduction in their catch or maybe a total abandonment by them of fishing off the Grand Banks in return for our undertaking to produce sufficient fish to meet their requirements. I think that is a recommendation that should be very vigorously pursued by the Ottawa Government. And I would hope that because it is new, because it is a different approach, that they simply will not shake their heads and say, it cannot be done. Because there is a great deal of logic in it, Mr. Speaker. We should be able to catch and process fish more efficiently than any of the other North Atlantic nations. There is something wrong somewhere, and you cannot attribute it all to the fact that behind the Iron Curtain they have a different form of governmental institution than we have, there is something wrong somewhere when the Russians and the Poles and the Dutch and the Danes can come out and catch fish off our shores and process it and place it in the American market at a cost below ours. We have the fishermen with the nautical skills. We have boats that by comparative standards going back ten years seem to be reasonably well equipped. But obviously some of the other North Atlantic fishing nations must have at their disposal far more sophisticated catching and curing devices than we have. And if they have them then we should get them. If we have the same equipment then we have a geographic position that we should take advantage of.

And I assume that when the Select Committee made this recommendation of bilateral negotiations that they had this fact in mind.

MR. AYLWARD: It is on page thirty-eight.

MR. HICKMAN: The Hon. Member for Placentia East tells me that the recommendation is on page thirty-eight.

"To take immediate initiatives to effect further reductions in foreign fishing efforts beyond any figures negotiated at ICNAF and to create new outlets for our fishery products through multiple

bilateral agreements which would replace foreign quota fish with fish caught by Canadian fishermen as a portion of an increasingly large Canadian share of the harvest." That is the recommendation. That is one of the recommendations that I commend to this House. And it is a recommendation, Mr. Speaker, that I believe we can present with enthusiasm and logic to the Federal Minister of Fisheries in Ottawa.

As I understand the 200 mile economic zone concept, if and when that should come into play it will be possible again for that type of negotiation to take place between Canada and other nations, that Canada can say to the Portuguese, "You traditionally fish cod at a certain time on the Southern edge of the Grand Banks. We fish in the same area but our catching capacity this year is X number of tons and the maximum sustainable yield indicates that there will be a surplus.

We will licence you to fish that area for cod, cod only, to the capacity of so many thousand tons." This has the affect of insuring, if you take it to its logical conclusion, that Canada, Newfoundland in particular, will be able to catch sufficient product to keep the plants going and at the same time receive from other nations, who then will be fishing in what is really Canada's territorial areas, monies, and I think the recommendation is that any such monies by way of licence fees should be used by the federal government, whatever area it is, whether it is the United States Government off the U.S. shores, or one of the developing nations off their coast, that that money be used for fisheries research and fisheries development only. So that we have got all kinds of plans on paper. The enthusiasts who go the international route and want conventions agreed to by all nations have laid all of this out. There are some hard facts that we have to face, that, number one, it is going to take many years before these conventions fully come into play, and we cannot wait in Canada, we cannot wait that long so we will need unilateral action.

This Committee has laid out another avenue, and the fact that it happens to come from a legislature representing 550,000 people is not sufficient grounds for it to be treated with the same kind of disdain that so many other things that come out of Newfoundland are treated by our fellow Canadians. They will not learn a lesson. They were ridiculed because of their refusal many - fifteen years ago to take some advice from local fishermen on the currents and tides etc. in Port-aux-Basques Harbour. They still continued going. We have had some experience with respect to the design of fishing boats. And again the input coming from here is not accepted the way it should be. And I say that because this is novel, because it is representative of a bipartisan Committee of the House of Assembly, should not lessen its value insofar as the government, the senior government who really has almost exclusive jurisdiction and responsibility in this area.

The other recommendations, and I know that this House does not expect me, and does not want me, to deal with every recommendation, if every member did this that debate would only degenerate into a parroting of the recommendations over and over again. But I just

want to draw to the House's attention to one more recommendation, that recommendation under the heading of (b) Major Policy Recommendations Affecting The Provincial Domain. And that is the recommendation to establish a fresh fish marketing corporation. And I assume that what is envisaged there is a corporation similar in concept, similar in legislative authority as that of the Salt Cod Fish Corporation that we now have operating in Eastern Canada, That falls very much within the divided jurisdiction. Honourable members will recall that the legislation passed by this House in the late 1960's setting up the Canadian Saltfish Corporation was complimentary legislation. The exclusive responsibility for marketing falls within the domain of the federal government. But in order to effectively control the onshore activities related to the processing of salt cod it was necessary that the Province pass, that this legislature pass complimentary legislation, which we did.

Now you may get an argument, and a reasonably valid argument, too, that when you are into the frozen fish industry and the fresh fish industry

that we should not give up the expertise that has been developed in this Province by private enterprise, namely, the fish companies. And maybe we should not. I am not sure if we should either, because they have offered a great deal. I do not know how many Newfoundlanders realize that the first stern trawler to be used in Canadian waters, owned in Canada was the Grand Monarch built and designed by Bonavista Cold Storage and really Mr. Hazen Russell, who is now sort of retired from business, was the man who really, against the advice of his Canadian confreres, went ahead and said that the Europeans are using stern trawlers and stern trawlers can be used effectively out of Canadian ports. And he pursued it. And that is not more than fourteen years ago at the very most. It was fourteen years ago that he brought in the Grand Monarch. So you see what has happened. No fish company today would think of building a side trawler.

The first few years before the stocks started to be wiped out by our foreign fleets, the stern draggers were really catching a lot of fish. The per man catch or recovery was quite high. The comfort of the boat and the safety of the boat was a great improvement over the side trawler.

So that the fact that these companies are Newfoundlanders and in the main managed by Newfoundlanders indicates to me that they have a great deal of expertise and knowledge in the market place that we must have. And I have to see some very convincing evidence to satisfy me that a group of people who have never had any exposure to the marketing and processing of fish should suddenly be given some great federal crown corporation and say, you take all the fish and sell it. That I am not sure of. But I do not take issue at all with the recommendation of the committee for the Fresh Fish Marketing Corporation. In 1966 or in 1967 there was a report prepared for the fishing industry by a firm in Chicago. I think it was called Gruber. I am not sure of that. It was something like that anyway, and I have read it. And that report, which was prepared and

paid for by the Fish Trades, I think it was the Fish Trades of Newfoundland and Nova Scotia, recommended a stepped-up advertising campaign and predicted that if it was not implemented, and I can recall raising this in the House of Assembly in 1966, reading part of that Gruber report to the House - I must say I did not get much of a reaction for it - but recommending and predicting that some of the other nations of the world, the Asiatic nations, would indeed be invading the American market, our sole market, in the late 1960's and early 1970's and that we better gear up to it, and we had better start selling our product through every known means of advertising. Not selling Fishery Products product whatever their brand name is, or Highliner or Bonavista Cold Storage's product but selling Canadian fish or Newfoundland fish. Because if you asked any one individual company to spend hundreds of thousands of dollars obviously they are going to have to satisfy themselves that they have the funds and that the expenditure will generate the kind of sales that would be necessary to sustain this. But they recommended that on a co-operative level and on a co-operative basis. Unfortunately it was not done. Now I suspect that the Fish Trades find themselves in a position where they cannot afford to do it and that they do not have the cash to do it even if they wanted to. But the establishment of a Fresh Fish Marketing Corporation to promote the sale of fresh and frozen products I think is very essential. And if you want to - and there is no need to hold up the creation of that corporation because there may be disagreement as to who is the most capable of the actual

selling in the market place, the processing of the fish, -

MR. CROSBIE: Would the honourable gentleman permit me to interrupt him for a moment?

MR. HICKMAN: Yes.

MR. CROSBIE: I ask leave so that we can revert to Ministerial Statements so the Minister of Mines and Energy can make a statement now it is 5:30 of the House.

MR. SPEAKER: Oh, yes. I would like to interrupt the Hon. Minister of Justice anyway to remind him that except by leave, of course, he has five minutes left to speak. Has the Hon. Minister of Mines and Energy leave to make a ministerial statement? Agreed?

HON. MEMBERS: Agreed.

MR. SPEAKER: Agreed. The Hon. Minister of Mines and Energy.

MR. BARRY: Mr. Speaker, I would like to announce the effect of the notice that has been given of a particular bill, notice has been given with respect to a bill earlier today to which this statement relates. This bill, which will be distributed as soon as it gets back from the printers, we hope to have it available on Monday, will confirm that the rights of Canadian Javelin Limited with respect to the Julienne Lake iron ore deposit in Labrador have been terminated once the bill is passed.

The bill to be introduced will provide for compensation to be paid to the company since certain expenditures have been reported as made by the company on the property in question. Government is interested in seeing the early development of this Julienne Lake deposit. NALCO was originally given rights with respect to the deposit by statute in 1951. In 1959 the grant of a mining lease to NALCO was approved which required the company to proceed with due diligence with mining operations. This due diligence provision was suspended for fifteen years, and again came in force as of June 11, 1974. The lease was assigned by NALCO to Canadian Javelin Limited in 1960. Government has concluded that Canadian Javelin Limited has not proceeded with due diligence to develop mining operations, and accordingly government has decided that legislation should be introduced to clarify the status of the Julienne Lake deposit.

Further details will be provided once the legislation comes before the House. And if the legislation is approved by this honourable House government will be prepared to accept proposals for development from all interested parties.

MR. HICKMAN: Mr. Speaker, I thank you for drawing to my attention the fact that I have but five minutes left. There was not much more that I wish to say. There is just one other recommendation or group of recommendations, on page 39, of the Report that I commend to the attention of this House. This is the recommendation dealing with the Unemployment Insurance Regulations and the obligation to provide a fixed income for the fishermen of the Province - that is not the word, I have lost the word - what is that word again, 'Fintan'? - not fixed, but what do you call it?

MR. AYLWARD: Income Support Programme.

MR. HICKMAN: The Income Support Programme. The chapter dealing with that, Mr. Speaker, commencing on page 15, Unemployment Insurance and Income Support sets forth a nightmare of, and a cobweb of procedures that may have been developed by well-meaning public servants in the bowels of some building in Ottawa. But the implementation of what started out to be a good programme, namely, providing unemployment insurance for fishermen, has done nothing but create confusion and discontent amongst the fishing crews. And I do submit to this House that by our endorsement of the Committee's Report the Government of Canada must understand that we speak for all Newfoundland fishermen when they ask that these inequities be eliminated and that the true intent of the act - why will not public servants, and this does not apply only to federal legislation but to provincial legislation, why is it that public servants when they start to interpret an act always start off to interpret it against the taxpayer. Why will they not give the

benefit of the doubt to the very people they are hired to serve. But if there is a generous - how many times have we had to amend the Workmen's Compensation Act to deal with the miners in St. Lawrence, to get the kind of interpretation that as legislators we want given to that kind of legislation? But invariably the decision seems to go the other way. I do not know if it is fear of superior officers who call them in and say, "Look, you know, you are being too generous. There is the letter of the law. Follow this act to the very letter and if you follow it you will never get into trouble and indeed if you come to work every morning at 9:00 A.M. and you stay until 5:30 P.M. and only have two coffee breaks you are bound to get promoted. And if you do not get promoted we will see that there is something written in the union agreement so that seniority will give you a promotion regardless of qualification."

Now this Unemployment Insurance Act and regulations fall into that category, Mr. Speaker. After many years of pressuring from the people of Newfoundland and a great crusade led by a great South Coast man, Senator Ches Carter, who year after year, who was at loggerheads with the former Premier of this Province, who was at loggerheads with his caucus in Ottawa because they thought he was too independent, and was secure in the knowledge that he could always get - and this always annoyed people too - he was secure in the knowledge that he could always get elected on his own right, that he did not really need that kind of a mantle thrust over him, that he was that popular. But he did it, and he finally succeeded in convincing, and I believe he did it when he was in Opposition - the Hon. Member for St. John's Centre might remember that.

MR. MURPHY: What is that?

MR. HICKMAN: When the Unemployment Insurance Benefits first came in for fishermen. I am not sure if it was the Diefenbaker Government or if the St. Laurent did it.

MR. SPEAKER: Order, please!

MR. HICKMAN: But whoever did it -

MR. SPEAKER: I am prepared to ask for leave but the forty-five minutes allocated to the honourable member have expired.

MR. HICKMAN: If honourable gentleman will agree I will thank them very much. I will finish up in about two minutes.

MR. SPEAKER: Does the honourable gentleman have leave to continue? Agreed?

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: Agreed.

MR. HICKMAN: That principle was adopted, the principle of extending Unemployment Insurance Benefits to fishermen was accepted and enacted by the Parliament of Canada but the tragic fact is that in the interpretation of that principle, in the implementation of that legislation, our fishermen are being discriminated against. This committee asked that an end be brought to that discrimination and I would hope - I know that the government of this Province will continue to make representation in that field - but I do hope that the people in Ottawa who administer this act will through this debate become aware of the fact that all members of this House are totally unhappy with the manner in which that act is being implemented and interpreted.

Mr. Speaker, I thank the honourable gentlemen for giving me that extra minute or so. May I say that whilst my constituency to a large extent is one of deepsea fishermen, although the area from Point May to St. Lawrence and again in the Epworth - Port au Bras area there is a viable inshore fishery, I know what the fishing industry means to the economy of the people whom I represent in this House. And if you read a history of this Province you will see peaks and valleys, times of limited optimism and times of deep depression in the industry. But it always survived, and there was always a saying that the fishery will survive, that this is part of the fishing industry, that it has its ups and downs but it always comes back. In the face of scientific knowledge that has been acquired and the well-documented facts that have been presented to the industry, to the Trade Unions in the fishing industry, to the

Parliament of Canada and the Government of Canada and this Legislature and the Government of Newfoundland, there is very little doubt in my mind that we will not come out of this valley of depression and get back to that peak of prosperity in the fishing industry that we so desperately want simply by wishing that it will be done, or simply by thinking that the Hamilton Bank suddenly will be teeming with fish again, or that the caplin are going to strike in this year and we are going to have the best inshore fishery that Lawn or LaSalle have ever seen. The evidence is too convincing the other way. It is so convincing that I cannot for the life of me see why our senior government, why the Minister of Fisheries in Ottawa and the Minister of External Affairs are hesitating one more day before taking the kind of courageous, decisive, unilateral action that is so necessary and without it we will not get back to that viable, delightful, desirable peak of prosperity that this industry deserves. I thank you so much.

MR. SPEAKER: The Hon. Minister of Social Services.

MR. MURPHY: Mr. Speaker, I thought I would just say a few words on this very, very important topic. People will wonder what I, the Member for St. John's Centre has to add to a discussion on the fishery. But, Mr. Speaker, if I may, I would just say how very proud I am of that Committee from both sides of the House and I think when we face a problem that touches so closely, so importantly the people of our Province, I do not think there should be one side or the other, separated as such.

I can go back in speaking of the fishery, Mr. Speaker, nearly fifty years. Here in the City of St. John's where so many of us young people at that time made a few extra dollars working on the waterfront, and I am very proud today with our present Hon. Minister of Fisheries when I go back to the people where I lived, particularly the younger people worked on the wharf that was owned by his grandfather, Sir John Crosbie, where in these days, Sir, during the late Summer particularly, where we had literally hundreds of schooners come in to this Harbour of St. John's loaded with salt fish and we, the younger people, were given the job of yaffling. We were never asked to carry the barrow, we never worked on the screws, as

they called it at that time, filling the barrels, but we were yaffling fish, Sir, either out of the holes up to the deck or from the deck up to the wharf. We received, Sir, in these days the magnificent sum of ten cents an hour. I think those who did other jobs were getting thirty cents an hour, the senior people. But even in these days, Sir, when we thought of fish we used to spell Newfoundland in these days, Sir, with a capital 'F', with a small 'i', a dollar sign and a 'h', that is what fish meant to Newfoundland. It touched the lives of so many people, Sir.

Later on when I left school and went into the commerical life of this Province, Sir, where I worked as a clerk on Water Street back in the Dirty Thirties as we call them, right up through Sir, our economic future as clerks depended on how the fishery was. I remember one young man who worked with me in a certain firm. Every Friday we would say to him, what about going in and striking the skipper up for a raise? He would go in and say, listen here Mr. - whatever his name was - what about a raise? And the boss would always say to him, Frank 'boy' look at the way the fishery is now. he said, it is not much I can do about it. But he said, listen here boss, I said I do not work at fish, I am selling hardware. But I think it emphasized it very closely and I think it touched everybodys lives, a good

fishery meant a better deal for all of us. We would get our little bonus around Christmas because of the fact, Sir, that so many people survived on the fishery, where the merchant came into St. John's in these days, and I think of the Hon. Member for Burin there, and I think of the great area of Grand Bank where you had the Pattons, the Fords and the Tibbos, Captain Sam Piercy and so many more that I knew by heart because of the business that we did in that area, And I think my honourable friend from Twillingate and the Ashburns and all these people, Sir, and in other parts of the Province, we would know just what kind of a year we had when the end of the year came and I presume the fishermen themselves went to settle up, and I heard my honourable colleague from Burgeo talk about what you did have left, if you made a dollar or if you did not make a dollar.

I travelled with Walter Carter M.P. on his first expedition into federal politics. I travelled with him for some fifteen days and I could repeat his speech word for word after listening to him for so many occasions. And he always started off, "I was born in a little place called Greenspond where fishery was the mainstay." And he often said, when my dad would go to the Labrador in these days, he said, we would all go up on the hill, expecting him back - I do not think there was any wireless or any other communications in these days - and they would stand on the hill, he said, and I could always tell by the look of that schooner whether we would have sweet biscuits that year or just a hard tack, he said, if she was low in the water we would eat pretty well that Winter. And I think, Sir, that was something that touched everybody. I think again, Sir, in later years when we would make our Winter trip on the Southwest Coast, the travellers, we would usually have our big travellers dinner on the 2nd. of January, right after New Years, and on the 4th. or 5th., Sir, we would usually go to Argentia, take the boat across the Bay, and we would go up the Southwest Coast, and I always marvelled, particularly when I would come out of Gaultois, Sir, and around Pass Island there and I just about could keep what I had in my stomach down, and here were the two little men

out there in the dory and they jiggling away at it, and I said, God help us! What a way to earn a livelihood! And what they did create for this Province of ours, Sir, the hard work that they did put in there, and I used to see the women of these days, Sir, I think they did most of the work on the fish flakes in these days, the men were splitting, but the women I think did a lot of the work.

And we talk today, Sir, with our great trawlers, with the catches they are making. We can only say that if we do not do something, Sir, as is trying to be done by the Committee, chaired, as I said earlier, who did such a tremendous job, Sir, in this short time - and I have followed every word of it that I could, I saw, if possible, on T.V. the meetings that were held - and you would sit back there and say, look in heaven's name what are we fooling around with when this thing touches the hearts and the souls of so many people. I have listened to my honourable colleague from Burgeo last night - was it last night, Sir, that we heard you on Provincial Affairs? and I heard him today, and I say - you know, I look back on my own life, and I look at this - what a difference in the lives of our people, those who grew by the sea.

I was on Fogo yesterday, Sir, I was in Wesleyville. And to talk with the people on Fogo Island, Sir, where for four or five days there was a great sign of fish, as I said, and then in comes the ice. What a catastrophe! What a catastrophe! I went to visit the fish plant at Valleyfield, I had never been there, Sir, and Mr. Way gave me permission to go around and have a look at what was happening. It was not much different from any other fish plant. But I like to go around and see these things. Where only one line was operating, Sir, I think some sixty people, whereas if two, I think two lines there would mean so much more if the fish were forthcoming. But when we see our stocks, Sir, actually pirated, the actual bit of food, if you like, Sir, taken out of the mouths of our fishermen who if they get a fish or not, Sir, have to go through the same hardships, they have to go out in the boats, they have to brave the elements, if they get a bumper load, God bless them! But when they come back empty-handed - So I can only say, Sir, in a few short

words that I did have to say to support any measures that are being taken by all of us here, I do not care whether we are Liberals or P.C's or R.C's or U.C's -

AN HON. MEMBER: Do not forget the Anglicans.

MR. MURPHY: - and the CeeBees.

MR. MURPHY: I think, Sir, that we have to say, if we do not stick together now on this issue, all we can say is, with the utmost fervor, "God Guard Thee Newfoundland." Thank you very much.

MR. HICKMAN: Want to adjourn debate, Leo?

MR. SPEAKER: The Honourable the Minister of Mines and Energy.

MR. BARRY: I will adjourn the debate, Mr. Speaker.

MR. SPEAKER: It has been noted that the honourable the Minister of Mines and Energy adjourned the debate.

MR. HICKMAN: Mr. Speaker, it is now ten minutes to six. I move that the House on its rising do adjourn until Monday at eleven of the clock and that this House do now stand adjourned.

On motion the House at its rising adjourned until tomorrow Monday, June 16, 1975 at 11:00 a.m.

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