

PRELIMINARY
UNEDITED
TRANSCRIPT

HOUSE OF ASSEMBLY
FOR THE PERIOD:
2:00 p.m. - 6:00 p.m.
TUESDAY, APRIL 11, 1978

The House met at 3:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER: Order, please!

MR. SPEAKER: The hon. the Premier.

PREMIER MOORES: Mr. Speaker, I just had a phone call about five to ten minutes ago from the receiver representing the British interest who advised us that because of the stand that was taken yesterday and other considerations that the British Government have turned down the Ultramar proposal.

SOME HON. MEMBERS: Hear, hear!

PREMIER MOORES: I would also like to say, Sir, that it is their intention to carry on with any or all proposals that may come forward regarding the refinery, that we have offered our full co-operation and we expect to be meeting with them in the fairly immediate future.

MR. SPEAKER: The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, of course we are glad on this side of the House to hear this news, and we are extremely pleased and happy that we pressured the government into not accepting this proposal.

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: But I would like to ask the hon. the Premier a question, Sir. In view of the fact that the Minister of Transportation and Communications, the former Minister of Finance, stated publicly in this House that he was more or less in favour of the Ultramar proposal, and that he has put up such a savage battle for the Ultramar proposal against the Shaheen proposal. Would the Premier tell the House now whether the minister is going to resign from the Cabinet or not over this matter?

MR. SPEAKER: The hon. Premier.

PREMIER MOORES: Mr. Speaker, I would like to clarify in no uncertain terms the Minister of Transportation and Communications, who has been responsible for the negotiations, has always done so with one purpose in mind, and that is not for or against any individual who had made a proposal but rather for the people of this Province.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Minister of Justice.

MR. HICKMAN: Mr. Speaker, in last evening's Federal Budget Speech it was indicated in broad terms that the sales tax reduction in the various provinces was not applied to amusements, tobacco products and alcoholic beverages for home consumption. After consultation with federal officials it was agreed that in the Province of Newfoundland beer and tobacco products would not be excluded from the reduction. With this change all items sold by retailers in the Province can be included under one tax schedule. In Newfoundland therefore the reduction from 11 per cent to 8 per cent will apply to all purchases except wines and spirits sold for home consumption.

SOME HON. MEMBERS: Hear, hear!

MR. HICKMAN: The new retail sales tax rates schedules are now available in the Department of Finance and will be mailed to all vendors today.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. member for Burgeo-Bay d'Espoir.

MR. SIMMONS: Mr. Speaker, I rise on a point of privilege. It is not an earth-shaking point, and perhaps it can be covered as a point of information, I do not know. Yesterday in speaking in the estimates on Manpower and Labour I was addressing myself to the economic situation in Bay d'Espoir, and subsequently in a radio report on Q-Radio system it was reported that I referred to occupational health and safety as a motherhood issue. For the record, what I said, Mr. Speaker, was as follows, to quote from Hansard, "I was hoping that the minister in his opening statement would have addressed himself to a number of the big issues which are concerning us, and certainly occupational health is one of them." Thank you, Mr. Speaker.

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

MR. MAYNARD: Do you want to rule on it? I want to make a ministerial statement.

MR. SPEAKER: No, actually there will be nothing for me to rule there. I think what would cover there will be explained by May, Page 343 "In regard to the explanation of personal matters the House is usually indulgent and would permit a statement of that character to be made without any question made before the House." And that was of the nature of the hon. gentleman's question.

I will recognize the hon. minister for a statement.

MR. MAYNARD: Mr. Speaker, as promised yesterday during the discussion on the estimates I would bring the House up to date on the current spruce budworm issue, and I would like to make a ministerial statement at this time updating the plans that have been made for the suppression of the spruce budworm problem in 1978.

As most hon. members are aware the current budworm outbreak began in 1971 and it still continues. In the Fall of 1976 the Canadian Forestry Service made a forecast that in 1977 budworm

DEFOLIATION: Defoliation would be moderate to severe over 3-4 million acres and light over some 4.7 - 5.7 million acres of productive forest. The total area of infestation of 8.7 million acres represents about 90 per cent of the total productive forest area of the Province.

Unfortunately, adverse weather negated the opportunity to conduct the regular aerial defoliation survey last year. It was during 1977. During the egg mass survey, however, some 500 locations were sampled and records made of stand defoliation. Subsequently, a defoliation map was prepared from these observations coupled with many other ground and aerial observations that had been made. As a result, it was estimated that some 2.1 million acres were moderately to severely defoliated and light defoliation was noted on some 3.5 million acres. It is felt, therefore, that to all intents and purposes the forecast for 1977 did materialize though with some minor variations.

In addition, a damage assessment survey was conducted through the joint co-operation of the Canadian Forestry Service, my department and the two pulp and paper companies. This effort was deemed necessary to evaluate and substantiate whether insect damage is indeed a serious concern as we believe it to be. Just to review the results of the survey the following statistics are of significance:

- (1) There are an estimated 2.1 million cords of timber already dead.
- (2) Some 3.5 million cords of timber are classed moribund or unlikely to survive.
- (3) An additional 2 million acres of mature forestry have been severely damaged.
- (4) About 1.7 million acres of softwood regeneration have been heavily damaged.
- (5) Mortality of fir/spruce regeneration exists or is expected over some 50,000 acres.

MR. HAYWARD: I wish to reiterate that timber in the first two classes just cited represent sufficient volume to keep the Bowater and Price mills in operation for some seven to eight years. Continued losses will severely restrict the future performance of these mills and would eliminate any chance of their expansion as well as jeopardize any hope of revitalizing the Labrador Lumberboard mill. I will not dwell on the significance or sensitivity of this particular issue at this time.

Losses to immature timber and regeneration will have far reaching consequences in future wood supplies and represents a very serious and extremely costly management problem. It is highly unlikely that the intensive management thrust, such as thinning, reforestation, fertilization, etc., for the next decade or more will be directed towards -

AN UNK. MEMBER: Highly likely.

MR. HAYWARD: It is highly likely rather - they are directed towards rehabilitating the damaged forest sites. Should any areas of such endeavour become infested, the need for direct protection is greatly enhanced.

Although the egg mass survey conducted last Fall indicates some amelioration of the situation in 1973, entomologists are unable to conclude an imminent collapse of the infestation. In fact, a favourable Summer for budworm survival would likely result in a much increased forecast for 1979. This of course led to the decision reached last Fall to have the department plan and conduct an operational forest protection program using aerially applied chemical insecticides to limit anticipated damage in 1978.

1978 Plan:

The plan that was originally approved was for the treatment of up to 2 million acres at a total cost of \$5 million

And I would like to review the current status of that plan.

MR. MAYNARD: Having since had the opportunity to more critically evaluate initial plans, current plans are now centred around a program of 1.2 million acres. That is a 40 per cent reduction from the acreage that we had originally forecasted.

In addition another survey is in progress to determine whether more reductions can be made. Final results of this survey will not be available for at least three weeks. Unfortunately, however, preliminary indications from about one third of the results at this time level that it may be necessary to include some of the areas that have so far been eliminated. I will present a more detailed report when the full analysis of the survey is done. We will endeavour,

MR. MAYNARD: however, to keep any upward revisions to a bare minimum so we are likely to end up with approximately 1.3 million acres in total.

The operational aspects of the programme are as follows: Two main bases of operation are being developed, Stephenville airport and Gander airport. These will service the large spray aircraft which will do the majority of the programme. From Stephenville a total of about 300,000 acres will be sprayed using large aircraft, and this represents 25 per cent of the total programme. There is one large block South of Stephenville and two East of Stephenville. There is also one small and one large block North of Deer Lake, the largest block being 61,000 acres and the smallest 11,000 acres.

From Gander, a total of about 900,000 acres will be sprayed using large aircraft, and that is 75 per cent of the programme. One large block of some 138,000 acres is located on the Northern Peninsula. Another large block of 220,000 acres is South of Gander. The remaining blocks are scattered throughout the Province, ranging in size from 5,700 acres to 85,000 acres.

In addition to the above programme, several smaller spray aircraft will be employed to spray a number of forest improvement areas and several seed production areas. The actual areas that are being sprayed, Mr. Speaker, will be shown on maps at the regional offices. It is impossible to attach any kind of a detailed map to a statement of this kind.

There are a number of existing and planned programmes of forest improvement that represent expenditures of millions of dollars which are threatened by the insect damage. We regard such activities to be essential to 'good forest management' and therefore, we must insure that all reasonable efforts are made to protect these investments. Consequently, a total of about 35,000 such acres are currently slated for treatment using the small spray aircraft, and

MR. MAYNARD:

I give the operational acreage from each location, Stephenville, Springdale, Gander and Deer Lake.

An integral part of our future forest rehabilitation programme centres around the planting of black spruce seedlings under the planned reforestation programme. A recent study by the Canadian Forestry Service reveals that although black spruce trees do not suffer mortality from spruce budworm damage, there is cause for alarm at the damage the budworm can cause to potential seed crops. Consequently, plans are being formulated to intensively survey selected seed production areas to determine the necessity to protect them this summer. Areas which may require protection using the small aircraft total about 9,000 acres, the smallest area being about 200 acres and the largest about 5,000. These are all located in the central region.

This year we have adopted the following buffer zones. For the large spray planes, direct spraying will be kept two miles from communities of year-round habitation. A similar buffer will be established around intake areas of known community water supplies. A one mile buffer will be applied around day use areas of provincial parks.

Because of the precision with which the insecticide can be applied by smaller aircraft - and this is mainly because of low flying - a half mile buffer zone has been adopted in all cases where the small aircraft is to be used.

As mentioned, the main bases of operation will be the Stephenville and Gander airports. Temporary plants will be set up at each location, and in Gander we are using some of the airport facilities, and as well at Stephenville.

The type of aircraft to be used. There will be a fleet of twelve aircraft. These are three four-engine DC-6B's; two single-engine spray planes; four twin-engine supervisory aircraft; one single-engine supervisory aircraft; and two helicopters.

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MR. MAYNARD:

I wish to report that the tender for aircraft has been called and bids are currently being evaluated to determine the successful operator.

I have been informed that the large spray aircraft will carry 3,500 U.S. gallons of formulation and treat 22,400 acres per load. The single-engine spray planes will carry 175 U.S. gallons and treat up to 1,120 acres per load.

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MR. MAYNARD:

Similar to last year, the large aircraft will use the Litton Inertial Guidance System while the small planes will use aerial photographs for navigational purposes. In both cases, supervisory aircraft will be employed to ensure first that conditions are conducive to good spraying and second to immediately call off the spraying should undesired circumstances arise.

The staff needed for the program will be 150. I have outlined the various jobs that are involved. It is anticipated that the majority of these people will be students and forest technicians employed only for the duration of the project. The only staff from outside the Province will be the aircrews of the aircraft and the aircraft mechanics.

The insecticide to be used: For this year's program it was decided to use the insecticide Aminocarb which is frequently referred to by its tradename, Matacil. The dosage rate will be two applications of one ounce of active ingredient in twenty U.S. ounces of oil based formulation per acre. The first application will be applied at peak levels of the third stage of the larval development and the second will be applied at the fourth stage. We consider that two applications are necessary to achieve the adequate control.

Aminocarb was selected over Fenitrothion for the following reasons: (a) Assessment of the 1977 experimental spraying program showed that Aminocarb gave much better control than Fenitrothion. (b) Based on the environmental assessment of last year's program, Aminocarb was less damaging to the environment, especially aquatic systems. (c) Aminocarb is easier to formulate than Fenitrothion and requires a simpler mixing procedure. (d) A newly recommended and approved oil formulation for Fenitrothion includes a solvent material which significantly increases the cost of the formulation over that of Matacil. In fact, by using Matacil only we will be able to reduce insecticide costs by almost \$400,000. (e) The recommended and approved Matacil formulation has been screened by federal health and regulatory bodies and contains no materials implicated with any human health hazard.

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MR. MAYNARD:

Although the intended spray regime has been registered by appropriate federal health agencies, the detailed operational program has been submitted to the Newfoundland Department of Consumer Affairs and Environment for scrutiny by the Pesticides Review Board according to the "Pesticides Control Act, 1970". Any modifications that they may determine are essential will be incorporated into the plan. In the meantime, tenders were called for the supply of Matacil and the contract subsequently been placed with Chemagro Limited of Mississauga, Ontario.

Environmental Monitoring: Although my department is ultimately responsible for the management and protection of the forest resource, we also place high value on the integrity of our Province's environment. We have therefore again recommended that a monitoring program be conducted as an essential ingredient of the spray plan so that monitoring activities will be undertaken to evaluate any impacts of spraying on the environment. This monitoring will again be conducted under the direction of the environment branch of the Department of Consumer Affairs and Environment. It is expected that both the federal and provincial environment agencies will be involved. I would assume that environment will be making a further statement on this at some point in time in the near future.

The timing of the spray program: the actual period of spray operations will vary between locations but it is expected to begin about mid-June and terminate by mid-July. Timing the spray is determined by taking various branch samples in the field returning them to the labs where they are examined then the timing is set by the laboratories for the most critical time in the production of the budworm larvae.

Research and development: I wish to disgress from the Newfoundland scene for a moment to mention two recent developments which have grown from the increasing awareness of the budworm problem in forest management. The fact that these two developments have taken place is positive proof of the magnitude of the problem. First, the problem is inter-provincial and international in extent the insect obviously does not recognize any jurisdictional boundaries.

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MR. MAYNARD: In 1977 the Eastern Spruce Budworm Council was formed. The council consists of senior personnel from Eastern provincial governments, the state of Maine and the federal governments of Canada and the United States. Essentially, these people represent the major user group of budworm/forest management information.

The council will seek to constantly be informed of new information so that the most acceptable decisions can be made when choosing any kind of budworm/forest management strategy. They also will identify specific areas in need of refinement or research and guide efforts to tackle the problems. My Deputy Minister, Sir, Herb Clarke, is currently president of this council.

The second development which took place in May of 1977, an international agreement was signed by the Minister of the Canada Department of Fisheries and Environment and the Secretary of the United States Department of Agriculture. This agreement which is referred to as CANUSA has the primary objective, quote: "To design and evaluate management strategies for control of the spruce budworm and/or management objectives in an economically and environmentally acceptable manner." Unquote.

Essentially, a six year programme has been initiated to attain the objective. This will be a comprehensive programme which will review past research, refine current activities, and research and develop new methods. Total expenditures under the aegis of this accord could approach \$8 million annually, making it probably the biggest forestry research effort ever mounted.

The cost of this year's programme: The cost estimate for the originally proposed two million acre programme was \$5 million. A revised budget is currently being prepared for the present 1.2 million acre programme. Although this is not yet complete, it is expected that the total cost will be \$3.5 million. Obviously, the cost per acre will be a bit higher than originally planned. The reason is, of course, that except for the insecticide quantities,

MR. MAYNARD: essentially the same amount of overhead is necessary to conduct a smaller programme.

As originally announced, a cost-sharing formula for this year has been agreed upon by the two pulp and paper companies. The Crown will pay 50 per cent of the cost, the companies will pay the other 50 per cent, and they will divide it up among them based on the proportion of area sprayed on their individual limits.

Information: Publicity for the programme will be handled through the Public Relations Officer of my department with assistance from temporary information officers at each spray base. Maps showing the areas to be sprayed will be on display at all regional and forest management unit offices throughout the Province. In addition, two Zenith toll free long distance numbers will be publicized which the public may use to request information about the programme. Information will become available within the next month or as soon as any pending modifications are finalized.

Other aspects: While the primary purpose of this statement has been to outline the details of the 1978 protection programme, I would like to mention two other efforts of the department which are related to this problem, and these are salvage and forest management. These two activities have been suggested by some as alternate solutions to the current budworm problem, and this they are not. The primary objective of salvage is to minimize the economic effects of the damage which has already been incurred. The primary objective of forest management is long term and is to produce for the future a healthy and productive forest which is hopefully less susceptible to future attacks by the budworm and other insects.

We have in this Province some 5.6 million cords of wood which are in the dead or dying category. However, there are physical limitations on the amount of this wood that can be salvaged. First, the damaged merchantable wood is mostly all fir.

MR. MAYNARD:

The pulp and paper companies require approximately a 40 per cent spruce content. Secondly, the damaged wood does not occur in nice, isolated, homogenous stands. It is scattered among stands of healthy forest. Thus with the economics of today's harvesting technology, even in a 'salvage' area, it is necessary to cut almost as many good trees as damaged ones. To salvage the 5.6 million cords could therefore involve the total harvest of up to 11 million cords. Third, there is a timing and

MR. MAYNARD: quality limitation in both the harvesting and the milling operations. Fully damaged wood can be harvested for a period of two to three years and used in the pulp and paper process for a period of maybe two years after that.

Taking into account the above factors, simple arithmetic will indicate that the estimate of fifty per cent salvage will be achieved only with maximum effort and co-operation among all concerned. This percentage can be increased only if additional utilization is identified, including the Stephenville mill, and of course we are working on this particular aspect.

The two pulp and paper companies have co-operated and have obligated themselves to salvage as much wood as possible, taking into account their quality guidelines, their company harvesting plans are being modified accordingly.

In the 1975-76 year government initiated a salvage access road programme with the construction of ten miles of road. Twenty miles were constructed in the following year and thirty-seven miles in the year just completed. The programme for 1978-79 includes twenty-seven miles of salvage roads. Thus in the four years a total of ninety-four miles of access roads to salvageable stand will have been constructed at a total cost of approximately \$2.4 million. Certain of these roads have been constructed on company limits and in return we have entered salvage agreements with the companies whereby they are required to harvest on their specific roads only a minimum of 263,000 cords of damaged wood annually for five years.

As well, we are currently pursuing additional initiatives which will make sawlog material from damaged stands available to local sawmills.

In the area of forest management, over the past few years millions of dollars have been spent on forest improvements, tree nurseries at Wooddale and Mount Pearl, and in the area of increased utilization. These efforts are continuing and being expanded in 1978-79 and are expected to require continuing large expenditures in the coming decades.

The Opposition To The Spraying Programme:

I am aware that some people are attempting to form organizations opposing the spraying programme. My department will, in the future, as we have in the past, continue to give these organizations every courtesy and consideration. I am a bit shocked, however, at some of the irresponsible and misleading statements that have been made by some of the groups in printed material now being circulated. As well, a number of simplistic solutions to this complex problem are being promoted. My departmental policy will continue to be to make all the facts concerning the budworm problem available to the people of this Province. We will do this by using periodic new releases and by public statements by myself or any of my senior staff. We are available to answer any detailed questions that may be requested from us at any time.

Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. W.N. ROWE: Obviously a very long and complex statement, Mr. Speaker, so we reserve the right to make a more detailed statement on it later. One or two things that do arise from it that I would like to ask the minister now if he would consent to give us an answer. For example, the insecticide which he mentioned this Province is going to be using, this is not the insecticide they are using in the Province of New Brunswick at the present time, is that correct?

MR. MAYNARD: That is correct.

MR. W.N. ROWE: Now, Sir, the Province of Nova Scotia which has three, I believe, large mills dependent on its forestry, not to mention other mills, smaller mills, sawmill operations and so on, has taken a decision not to spray in the Province, a decision which has been greeted by a number of people in the Province as an enlightened decision and they are going to spend the money that they would have spent on a spray programme, which in this Province will amount to about \$3.5 million when you include the paper mills' contributions, and they are

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MR. W.N. ROWE: going to use that money to salvage the destroyed wood, the wood destroyed by the spruce budworm, and they are going to try to allow the infestation run its course and hope that the thing sort of implodes the thing, sort of dies of its own course in months or years to come. Would the minister indicate to the House what are the differences in his view, in his department's view, in the infestation in this Province compared to Nova Scotia which has made his government, the government he belongs to, and the Government of Nova Scotia, take two diametrically opposed positions and decisions on what appears to be essentially the same problem? The question is asked, Sir, out of genuine curiosity, concern and

MR. W. ROWE:

interest because obviously it is an important question. And I would like to know why two governments close to each other geographically with what appears to be essentially the same problem have taken diametrically opposed positions and decisions respecting this problem?

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

MR. MAYNARD: Okay. Just briefly, Mr. Speaker, I am not sure there is a rationale behind the decision by Nova Scotia. I can point out of course that Nova Scotia, except for Cape Breton Island, has so much different forest mix than - that is, a species mix - we do have in this Province. Our species mix is somewhat similar to New Brunswick and the Norther part of the State of Maine, which has conducted a spray programme for a number of years, even though Maine is phasing out by 1981.

Nova Scotia is starting this year - I think they have done some in the past - they are starting this year to build salvage access roads to the regional forest management, and forest improvement. We have studied the problem for some period of time, and our feeling is that at this particular point in time that we have to do both; we have to get into intensive forest management, which we started about three years ago in this Province; we also in the short-term have to protect the growing timber that is matured at this point in time, and especially some of the younger stuff, by an aerial application of insecticides. We have pointed out we are doing this only from year to year. We feel that by doing both forest management and the application for short periods of time we are not locking ourselves into a long-term programme such as New Brunswick has done or such as Maine did some twenty years ago. And we also feel that with the amount of research that is presently being carried out by the federal and provincial governments, and the federal state governments in the United States, that another more permanent solution will come on stream within the next two or three years.

But looking at it in the total perspective, and without commenting on the validity or otherwise of Nova Scotia

Mr. Maynard: decision, we felt that in the best interest of the Province we do not have any choice at this point in time but to go into a very temporary spraying programme which will be reviewed thoroughly year to year, and at the same time ensure that we are putting a lot of dollars, as many dollars as we can possibly find within the budgetary process, into forest management to overcome this problem in a longer time frame. I hope that answers some of his question.

MR. W. ROWE: Mr. Speaker, with the indulgence of the House, a question of clarification only, nothing new substantively to be raised by myself; but in view of the fact that the minister said intensive studies have gone on and much research has gone on, did I hear him correctly, Mr. Speaker, when he said to the House that he has not as minister in fact consulted with the sister province, the Province of Nova Scotia, himself, with the minister, with the Premier of that Province in order to determine why they took the decision they did not to spray in the Province of Nova Scotia?

MR. MAYNARD: No.

MR. W. ROWE: If I heard right, Sir, then that is an astounding confession for the Minister of Forestry of this Province to make. I hope I did not. I hope the minister can stand up and say he has, in fact, consulted personally with the Minister of Forestry in Nova Scotia, and with the Premier, and with other people there who made the policy decisions. I would like to hear the minister on that, Sir.

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

MR. MAYNARD: Mr. Speaker, I mentioned in my statement that the - as recently been formed in 1977, about January 1977 the Eastern Spruce Budworm Advisory Council which includes the Province of Nova Scotia - we have discussed the situation in Nova Scotia with the Nova Scotia people, both on a ministerial level and on the officials level. We have analyzed the problem that they have, and they have analyzed our problem. I said that I cannot really comment on the

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Mr. Maynard: rationale for the decision that Nova Scotia took - and it was a Cabinet decision - I have no idea what the discussions were in Cabinet at that time. I do know what their situation is. I know that the research is going on at this present time, they are a part of it through the Eastern Spruce Budworm Advisory Council. I know that there

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MR. MAYNARD: Has not been much research gone on in the past unfortunately and that is one of the reasons why we are into the situation that we are today. But we keep in touch with Nova Scotia, New Brunswick, Maine, Quebec, and in some cases Ontario, because Eastern Ontario had or has a slight problem, not as much as ours, and we keep in touch with the federal governments of both the United States and Canada through the Eastern Spruce Budworm Council and in that way we are fully aware at all times.

But I still cannot comment on why the Cabinet of Nova Scotia made the decision they did.

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MR. PECKFORD: Mr. Speaker, a Ministerial Statement.

MR. SPEAKER: Do we have leave to revert to Ministerial Statements? Agreed!

The hon. Minister of Mines and Energy.

MR. PECKFORD: Mr. Speaker, I would like to make a statement before the government presents to - the Government of Newfoundland through the Department of Mines and Energy will be presenting a major position paper to the IPACE meeting that is being held in Quebec tomorrow. I should like to involve the House in the decision and policy direction of the government before that statement becomes public.

The IPACE meeting in Quebec is the Inter - Provincial Advisory Council on Energy which is made up of people from all the provinces of Canada on a deputy minister level as well as the Deputy Minister of Energy, Mines and Resources.

So, Mr. Speaker, I would like to introduce the House of Assembly here to a radical policy alternative I shall be proposing to the Federal Government as an alternative to achieving its objective of reducing Eastern Canada's dependence on imported oil.

MR. PECKFORD: The Federal Government is seeking to restrict imports of oil into Eastern Canada by encouraging the increased use of natural gas in Quebec, Nova Scotia and New Brunswick. This will be done by a variety of oil and gas price adjustments designed to increase the relative competitiveness of gas compared with oil. It will also encourage the extension of gas distribution in the region by such projects as the Quebec and Maritime pipeline. The Federal Government is making a fairly substantial effort to promote this policy which will also serve to utilize the growing natural gas surplus in Western Canada.

Our Government however sees this as a massive intervention into the free market for gas and oil in Canada and as the basis for a substantial increase in bureaucratic control of the vital energy sector. We also see it as doing too little, too late to effect an early solution to Canada's chronic oil trade deficit, the weakening Canadian dollar and mounting unemployment.

We are suggesting therefore a reversal of the Federal Government's brake on gas exports to the U.S.A. and propose that a large volume of Canada's surplus natural gas should be allocated to exports to meet the urgent demand in the Chicago/Detroit area of the United States.

We propose that this gas should be taxed fairly substantially and that the export tax gathered should be given to the Eastern provinces on a basis proportionate to their oil imports, for the purpose of financing energy self-reliance projects. This would be worked out by the provinces themselves in co-operation with the Federal Government.

It is our opinion that Western Canada could support an annual export of 1 trillion cubic feet of gas for the next twenty years without difficulty. As the U.S. market could support an export tax of as much as 60 cents per Mcf, this could generate an extra \$600 million revenue per year. On an oil import

M.R. BECKFORD: basis this would provide annually around \$340 million to Quebec, \$200 million to the Maritimes, and \$60 million to Newfoundland without any cost to the Canadian taxpayer.

The advantages for Canada would be substantial:

- It would receive the highest value for the surplus gas reserves building up in Western Canada;
- It would benefit from an immediate positive contribution to offset at least 50 per cent of imports costs;

- MR. PECKFORD:
- the dollar would be strengthened immediately;
 - the Eastern Provinces would receive substantial energy oriented project funds which would have great impact on their depressed economies and would go a long way towards solving their chronic unemployment problems;
 - regional disparities would be considerably reduced;
 - increased state intervention in the oil and gas market would be avoided;
 - and oil imports into the Eastern Provinces would be stabilized and reduced as the Province's energy self-reliance projects were completed.

The government does not see this proposal as necessarily inhibiting the introduction of natural gas into Eastern Canada. For example, Quebec could well devote its share of the export tax fund to developing a gas distribution system while the Maritimes and Newfoundland could use the funds to speed the transportation of LNG from the Arctic. Or in our case specifically it could be used to bring on additional hydro projects.

I should point out that our figures as to volume of annual gas exports and the level of export tax to be imposed, are only illustrative although not unrealistic. We believe that our proposal will go a long way to solving some of Canada's pressing economic problems in a relatively short time span. We believe that the scheme has solid advantages for all the provinces in Canada and we will be actively seeking their support in presenting it to the Federal Government this week.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. member for Eagle River.

MR. STRACHAN: Mr. Speaker, I will attempt to respond in some sort of way to the statement made by the minister. What he is stating here,

MR. STRACHAN: as I got it, what he is stating is that the surplus natural gas in Western Canada should be diverted to Central North America and that the government should be implementing an export tax, which sounds very good. We have been advocating that for some time in a different form from export tax in this Province. And the funds from this will then be diverted to the East so we can therefore develop some energy sources in the East. I take it this is the gist of what I am getting from the minister.

There is only one point I would like to make on this, that the minister has stated that it is a radical approach and that he is prepared to present this to the federal government. I, in many ways in viewing this, say that we have been trying to tell this government for quite some time that what is needed is a radical approach and the treatment of energy sources within this Province, vis-a-vis Quebec, and if we cannot look after our own house it seems to me impossible for the administration to be telling Ottawa what to do with natural gas from Alberta and how we should go into Central North America. And I think that what is required is that we should look at our own energy needs and see exactly how we are going to handle that before we start looking at the surplus natural gas from Alberta.

MR. F. ROWE: Hear, hear! A good statement.

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

MR. ROUSSEAU: Mr. Speaker, I do not have any prepared statement but I would like to bring the House up to date on two labour disputes in the Province.

This morning I ordered both sides back to the table in the Labrador City - Wabush dispute. My conciliation officer will be in contact with both sides today and I am hoping that meetings will commence tomorrow. Further, I have asked both parties to remain at the bargaining table; neither party is to leave until and unless my conciliation officer deems it necessary or appropriate. I further asked that both sides

MR. ROUSSEAU: accede to my request that no public statements of any nature be made during the forthcoming discussions, which is to say that I am imposing a news blackout on all the talks and the only statements made during the talks will be made by me. I have asked for their co-operation and good will for the concentrated joint effort to conclude an agreement between the Iron Ore Company of Canada and Locals 5795 and 6671 of the United Steelworkers of American.

Also, Mr. Speaker, I was talking to a representative of Advocate Mines on a point raised by the hon. member yesterday. I have been assured that it is not Advocate mines intention to resume operation with supervisory staff or with anybody else. I will be talking further with the representative tomorrow and again with Mr. Saunders, the President, whom I talked to today and conveyed this information to, and I will take it from there as to what further initiatives may be warranted in the situation at Advocate Mines.

MR. SPEAKER: The hon. member for Baie Verte - White Bay.

MR. RIDEOUT: Mr. Speaker, just a word or two on this ministerial statement. We are obviously delighted that further moves have been made to get both sides together on the Labrador situation, and not being totally familiar with that that is all I will say.

With regard to the situation in Baie Verte,
I am

MR. RIDEOUT: glad to hear that the minister has contacted the company and we can only take them at their word - a representative of the company; I do not know who it was, I may get that from the minister later - We can only take them at their word that they have no plans to start up production at their Baie Verte operation by using staff personnel. Mr. Speaker, I am going to go on record in this House now and publicly say that I hope that the company lives up to the word that they have given the minister. Because company people - staff people, staff personnel - had told me personally over the weekend that those meetings were held last week and that the decision was taken to go ahead and start up production, no matter how small, - to start production this week. In fact, ladies employed by that company were taken out on training on eighty-five ton trucks Friday past. And, as a matter of fact, Mr. Speaker, I had word today that the mill was started up this morning. Now I do not know who is trying to hoodwink who and I hope the minister is right. I do not want to see anything happen that is going to cause trouble, because it will obviously cause trouble, and that is why I brought it up in this House yesterday. I hope it does not come to pass, but that is not exactly what is happening down there at the moment.

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

MR. W. CARTER: Mr. Speaker, last year the government made known its intention to reactivate two chill holding and cold storage warehouses at the former U.S. naval base at Argentia. My colleague from Placentia (Mr. Patterson) joins me today in expressing pleasure that we are able to announce the awarding of two contracts totalling close to \$ 500, 000 , for the upgrading and renovation of these facilities.

Holden Construction Limited of St. John's has been awarded a \$350,800 contract to renovate both warehouses. The company submitted the lowest of four bids received by the Department of Fisheries.

The second contract valued at \$147,200 went to Finn's Limited of Carbonear, who will carry out the necessary

MR. W. CARTER: electrical work on the facilities. Tenders are now being called for the installation of refrigeration equipment in the facilities and bids will close on April 20th.

Mr. Speaker, these two buildings will have a combined cold storage capability of approximately eight million pounds of frozen product which will be used as a buffer cold storage facility for the fish processing industry.

Last year during the inshore fishing season the industry found itself in a very precarious situation because of a lack of cold storage capacity, and during the past number of months, feasibility studies have been carried out on these buildings in consultation with the industry and we have determined that the facilities are suitable and will provide additional cold storage capacity.

MR. SPEAKER: The hon. the member for Trinity - Bay de Verde.

MR. F. ROWE: Mr. Speaker, we welcome any additional chill holding units in this Province and we would expect and hope that in the future we will hear more announcements for other parts of the coast of the Island of Newfoundland, and Labrador itself.

As I understand it, Sir, there have been two contracts awarded to Holden Construction and Finn's totalling approximately \$500, 000 with a capacity of approximately eight million pounds of fish, I understand, and with refrigeration units to follow.

Sir, the one thing that I would like to ask the Minister of Fisheries is what exactly is the status of the lease situation between the Province and this particular property in question? Now I understand there are two warehouses which are going to be used to contain these facilities. To whom does this property belong? Does it still belong to the United States Government or has it been passed over to the federal government, and if so, has it been passed over from the federal government to the provincial government? What exactly is the status of the lease situation with respect to the

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MR. F. ROWE: property in question which is going
to be used for these chill holding units?

AN HON. MEMBER: It is on the North side.

MR. F. ROWE: It is on the North side, is it?

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

MR. W. CARTER: This might more appropriately

Mr. W. Carter: be referred to the Minister of Justice, who, I think, is negotiating a part of the lease with the U.S. authorities. But I understand approval has been reached now in principle for the handing over of the facilities at Argentia with the Base Commander having been given the authority by his superiors to permit Newfoundland companies who want to move in there to obtain occupancy. Certainly our Justice Department has satisfied itself that negotiations have progressed to the point, and are sufficiently well in hand, that we are able now to move in there and to undertake these renovations and approvals.

MR. F. ROWE: I would like with the indulgence of the House, Mr. Speaker, -

MR. SPEAKER: The hon. member for Trinity-Bay de Verde.

MR. F. ROWE: Sir, I think the answer to that question is of utmost importance that, you know, the status of the property in question -

MR. MORGAN: (Inaudible).

MR. F. ROWE: If the hon. Minister of Tourism will just worry about tourism and stop worrying about fisheries.

SOME HON. MEMBERS: Oh, oh!

MR. F. ROWE: We already had the Minister of Tourism, Sir, when he was Minister of Transportation, announce a fish plant in Old Perlican which has yet to be risen. Now if the minister would just keep quiet and allow me to get on with the important business -

MR. MORGAN: Ask your question, now.

MR. F. ROWE: I know all about that fish plant, Sir, and the gentleman in question is not too pleased about the minister's announcement - premature announcement, I might add. Now, Mr. Speaker, if I may be permitted to get back to the question. I wonder if the Minister of Justice would clear up the little bit of confusion on the exact status of land here. I mean, we could have a situation - do we have anything in writing which guarantees that we in fact will have that property passed over to the federal government and/or the Province? We do

Mr. F. Rowe: not want a situation where we have an expenditure of \$500,000, and then we are given twenty-four hours notice to get the heck out of it. So we are sitting on, to use an exaggeration, to try to prove a point, we do not want to find that we have a fish holding unit on top of an A bomb. And I think it is very important that the Minister of Justice bring the House up to date with respect to the negotiations. Is there anything in writing with respect to the passing over of these properties to the federal and/or the provincial government before this undertaking takes place?

MR. SPEAKER: The hon. Minister of Justice.

MR. HICKMAN: I am sure that we have violated every rule in the House in the last ten minutes, Mr. Speaker, -

MR. MORGAN: Hear, hear!

MR. HICKMAN: - when a question is now directed at another minister arising out of a ministerial statement not given by him. But, again, with the indulgence of the House, the understanding, and I was more current on this when I was the minister responsible for Intergovernmental Affairs, the negotiations between the Government of Canada -

AN HON. MEMBER: (Inaudible)

MR. HICKMAN: And I was because in that capacity the Secretary of State for External Affairs has kept this Province, through the minister responsible for Intergovernmental Affairs, fully advised. The position as it was then, and I suspect as it is now, was that the agreement had been reached on all points of principle between the Government of the United States and the Government of Canada. The actual agreement between the two nations, the two national governments, has not yet been signed because it is in the hands of the two Departments of Justice, the federal departments of justice. But it was agreed between them that whilst the formal signing has not taken place they can operate in effect as if it has been. The intention then is that after the Government of Canada has ascertained what in the way of

Mr. Hickman: wharf facilities they will assume responsibility for, which is their jurisdictional responsibility, the remainder can go, will be sub-sublet to the Province, because there is not going to be a conveyance back to Canada of the Argentinia property. It is a sublease. People should not confuse it with the way it was handled in Stephenville or Pepperrell. It will not be handed back by the U.S. Government to the Canadian Government; rather, it will be sublet only to be recalled in the state of an emergency if it is necessary for military purposes. Well, if we get that kind of a war I guess very few of us will have much choice, you know, in stopping any government from taking what they so desire for defence purposes.

In the meantime, it was arranged between the Department of Industrial Development of this Province and the Secretary of State for External Affairs and the American authorities that when there was a building or an area of property that obviously would not be used by MOT, that the Commanding Officer of the Base could give the green light to go ahead with development of that property now, and that is, as I understand it, was what was done with this one now, and that the rights of the Province are fully, fully, fully protected.

PRESENTING PETITIONS

MR. SPEAKER: The hon. member for Burin-Placentia West.

MR. P. CANNING: Mr. Speaker, I rise to present a petition from some fifty-one voters of the settlement of Brookside in the district of Burin-Placentia West.

AN HON. MEMBER: Placentia West?

MR. CANNING: Burin-Placentia West.

Mr. CANNING: Mr. Speaker, the prayer of the petition is that the petitioners wish to bring to the attention of the House and pray that the government will give attention to a road leading into the community, to be upgraded and paved. And they go on to say that we think this is imperative due to the almost impassable condition of the roads used by the children in transit to school.

Mr. Speaker, I fully support the prayer of the petition. This is another case of a road that was being paved without even being upgraded and brought to a standard where it should be paved in the year of 1974-1975, and when the elections were over of course there was nothing else done. They give the distance there, Mr. Speaker, as five kilometers, that is the bit that is left, and this is repeated in at least four or five other settlements in my district where in an election year they started paving roads and then dropped it. Very little has been done there since; they have not even been maintained or kept up to a decent standard. Among the people they say, Well we are being discriminated against for the fact that we put out a Tory and voted in a Liberal. By the way, Mr. Speaker, when the Liberal they voted in was out for a little while on a holiday, before he was leaving he could boast to the fact that within the time that he had represented his native district he had succeeded in relieving isolation of his people to a point where a car or a truck or a bus could drive to every single door in this district with the exception of three isolated areas where there is not any road connection as yet. So for five years they have watched this little bit of road deteriorate, the bit they had left that they did not pave and they feel they are being discriminated against. And yet I do not say that they are because I cannot imagine a government made up of Newfoundlanders discriminating against the school children of the little settlement of Brookside.

Mr. Speaker, it is wholly and totally and solely neglected. I do not know if even the supervisor of the roads in that area ever has been in this settlement yet, I do not know if he is aware of the fact that it is now dangerous for the

MR. CANNING: school children travelling over it in buses.
Mr. Speaker, I would beg the government to wake up and look after the people for the next year or so or how ever long they have here, because I guarantee them if this member goes back to that district after we have changed governments those little bits of road will be done and there will be no discrimination, Mr. Speaker, I fully support the petition, Mr. Speaker, and ask that this be laid on the -

MR. MORGAN: They will not get done that way.

MR. FLIGHT: The big Yahoo from Bonavista over there.

MR. CANNING: Mr. Speaker, I ask that it be laid on -
when I was so abruptly interrupted by somebody who is not a gentleman on the other side, I meant to ask that this petition be tabled and referred to the department to which it relates.

MR. SPEAKER: The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, I wholeheartedly support the petition so ably presented by my hon. colleague, the member for Burin-Placentia West (Mr. Canning). The gentleman did an outstanding job in presenting the petition and pointing out to the House

MR. NEARY:

that this is just one in a series of promises that were made prior to the 1975 provincial general election that was broken. There are examples, Sir, all over the Province. I have one in my own district, a road leading from the Trans-Canada Highway down to Grand Bay West, a three mile stretch of road. Every other road in the area was paved prior to the 1975 election. The people in Grand Bay West were told that their road was going to be paved. Now I drove over it last week, Sir, and it is a disgrace. As a matter of fact, they are thinking, Sir, about taking the school buses off they cannot drive over the road it is after deteriorating so much. And the same way with this particular stretch of road that leads to Brookside. My hon. friend indicated that the parents are very concerned about the safety of their children and rightly so, Sir. And I congratulate the member who is the senior man in this House for making such an excellent case to have this road upgraded and paved in this fiscal year, I do believe, Sir, that the government, the administration, should give top priority to upgrading and paving all roads where promises were made prior to the 1975 general election. They should receive top priority over any new projects. In other words, Sir, the government should go back over its promises that were made prior to the 1975 election and upgrade and pave all the roads that they promised they were going to pave and upgrade prior to that election, and let the new road paving and projects hold over for the next fiscal year.

MR. SPEAKER:

The hon. member for Bellevue.

MR. CALLAN:

Mr. Speaker, I once again cannot help but rise and support any petition that has to do with road improvements whether it be reconstruction or paving. I fully understand the plight of the people, the residents who live in Brookside in the hon. gentleman's district. They share the same concern, I believe, that an awful lot of residents in this Province share. They are eating dust in the summertime and, of course, as the member in presenting the petition pointed out, they are doubly disappointed and disgusted because of promises that were made to have the roads improved two, three, four or five years ago. Mr. Speaker, I support the prayer of the petition. The Minister of Transportation and Communications is not in his seat right now, I saw him there looking over some envelopes that he had there, perhaps he is trying to figure out whether or not this road has been included

MR. CALLAN: in the program for this year. As has been mentioned in this House on previous occasions, there are an awful lot of roads in this Province that need to be upgraded and paved. \$100 million worth of requests, and in the poor budget that was brought down a month or so ago of course only \$40 million to fulfill the requests for a 100 million. So obviously there will be a lot of roads that will not be reconstructed and paved. I hope that the minister, who I suppose has made his decisions by now, I understand that the minister has indicated that since his estimates have gone through the House—they went through last week—since the estimates for the Department of Transportation and Communications have gone through that the minister would be in a position sometime this week to announce publicly what roads will and will not be done this year.

Now I believe the minister, the new Minister of Transportation and Communications, is an hon. man. I do not think he will keep the people guessing and wondering half the Summer and half the fall, but they will be informed whether or not their roads will be improved sometime this week, I understand. So I hope that if the minister is in the House and stands or rises in connection with this petition that perhaps he can indicate to the hon. member whether indeed this road has been included in this summer's program. As of course I also hope that the minister has included many of the roads that are in the district of Bellevue in the program for this Summer as well. Mr. Speaker, I whole-heartedly support the prayer of the petition.

MR. SPEAKER: The hon. member for Fortune - Hermitage.

MR. J. WILSON: Mr. Speaker, I also would like to support the petition so ably presented by my hon. friend for Burin - Placentia West. I am quite sure that the priorities that were originally

MR. J. WINSOR: established have not been adhered to, and I do know that the minister is standing in the corridor with his deputy minister at the moment and I hope when he responds to it that he will, as the hon. member for Bellevue (Mr. Callan) said, give us some statement on whether there are going to be any priorities for the local roads. There is not a person in this House who is not fully aware of the fact that the social and economic picture is being seriously held back by the deplorable condition of the side roads, access roads to the different communities. I am a bit of an expert on them myself, I drive over them very frequently, and only yesterday passed over the Harbour Breton Highroad, which had one lane traffic through snow about ten feet deep on each side. And there were three ploughs broken down on that road, and this is the story.

Now in supporting my hon. friend's petition I think these things should be looked at in a different light. There should be priorities set on the roads, tell the people when they are going to be done and stick to it, not ramble all over God's garden for political reasons. Thank you.

MR. SPEAKER: The hon. member for Fogo.

CAPTAIN E. WINSOR: I rise to support the petition presented by my seat mate, and my colleague, and Sir, in supporting this petition I feel if there is any district - no, I will not put it that way: I feel that if there is a district that is deserving of pavement, upgrading of roads and every road in that member's district be paved, it is the district which the hon. member represents.

MR. J. WINSOR: That is right.

CAPTAIN E. WINSOR: Mr. Speaker, this gentleman has sat in this House for twenty-five years.

MR. J. WINSOR: That is true.

CAPTAIN E. WINSOR: Imagine that! And after twenty-five years is forced now to come into this House to present a petition to have certain roads upgraded

CAPTAIN E. WINSOR: and paved.

MR. J. WINSOR: That is right.

CAPTAIN E. WINSOR: Out of tribute to this hon. gentleman, a member for twenty-five years, out of tribute to this hon. gentleman, Sir, I say shame on the government that they have not paved every mile of road in this hon. gentleman's district.

So, Mr. Speaker, I plead and urge the government not to embarrass this gentleman any longer, this hon. member.

AN HON. MEMBER: (Inaudible).

MR. J. WINSOR: Now. Now.

CAPTAIN E. WINSOR: Following behind this hon. member, I myself have a few roads which need paving, and perhaps out of tribute to the both of us, before the next election rolls around, that all roads in Placentia West, and all roads in Fogo district, will be paved.

SOME HON. MEMBERS: Hear, hear!

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES:

MR. SPEAKER: The hon. Minister of Justice.

MR. HICKMAN: Mr. Speaker, I table the Report of the Board of Commissioners of Public Utilities to the Minister of Provincial Affairs and Environment, pursuant to section 531 of the Automobile Insurance Act, as amended June 17th., 1977.

MR. SPEAKER: The hon. Minister of Tourism.

MR. MORGAN: Mr. Speaker, I wish to table the regulations as they pertain to tourist establishments in the Province.

NOTICES OF MOTION:

MR. SPEAKER: The hon. Minister of Justice.

MR. HICKMAN: Mr. Speaker, the hon. the member for - he disappeared on us - the member for Placentia (Mr. W. Patterson), and the hon. the member for Carbonear (Mr. R. Moores), have asked that they be relieved of their responsibilities as members of the Public Accounts Committee, for a very good reason and other commitments, and have therefore resigned. Consequently I move, seconded by the hon. member for Burgeo - Bay d'Espoir (Mr. Simmons), that pursuant to Standing Order 87,

MR. HICKMAN: that the hon. the member for Ferryland
(Mr. C. Power), and the hon. the member for Baie Verte - White Bay
(Mr. Rideout), be substituted for the hon. the member for
Carbonear, and the hon. the member for Placentia on the Public
Accounts Committee.

MR. SPEAKER: The hon. member for Burgeo - Bay d'Espoir.

MR. SIMONS: Mr. Speaker, in seconding the motion moved by the
hon. the Government House Leader,

MR. SIMMONS: I just want to take a moment of the House's time to say a word of tribute to the two retiring members of the Public Accounts Committee, of which I have the honour to be Chairman, the member for Placentia (Mr. Patterson) and the member for Carbonear (Mr. R. Moores). As the hon. the Government House Leader has indicated, both gentlemen are leaving the Committee because of other commitments and at their own stated request, and I, for one, am sorry to see them go. They have been with the Committee during the formative years of the Committee. The last two years or so the Committee has come through a very formative period, and the two members now retiring from the Committee have played a very important role, Mr. Speaker, in making the Committee function as well as it has.

Also, Mr. Speaker, I would like to take a moment to welcome the two new members of the Committee, the member for Ferryland (Mr. Power) and my colleague, the member for Bale Verte - White Bay (Mr. Rideout), and I certainly look forward, as I am sure all members of the Committee do, to working with the two new members as we pursue our mandate to monitor the Public Accounts and to scrutinize government spending.

Of course, Mr. Speaker, it goes without saying that the member for Mount Pearl (Mr. N. Windsor), the member for Pleasantville (Mr. Dinn), the member for Mount Scio (Dr. R. Winsor), who is also the Vice-Chairman of the Committee, and I will be continuing as members of the Committee, together with the two new members and, as well, the member for Lewisporte (Mr. F. White), my colleague to my right.

It is an important time to be coming on the Committee as we are going to be continuing to break some new ground, as this year it is our intention as part of our responsibility in monitoring the Public Accounts to specifically get into the area of examining the accounts of certain of the Crown agencies and Crown corporations. Thank you, Mr. Speaker.

MR. SPEAKER: With the concurrence of the House
I would now put the motion. Do I have the concurrence of the House?

It has been moved that the hon.
member for Ferryland (Mr. Power) and the hon. member for Baie Verte -
White Bay (Mr. Rideout) be elected to the Public Accounts Committee.

Is the House ready for the question?
Those in favour 'aye', contrary 'nay'. I declare the motion carried.

ORAL QUESTIONS

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

MR. W. N. ROWE: These takeover bids are getting harder
and harder to handle, Mr. Speaker.

MR. NEARY: Terrible, is it not? Have you your
paranoid pills with you?

MR. W. N. ROWE: No, the paranoia pills went with the
furniture.

Mr. Speaker, a question to the hon.
the Minister of Justice. It must be a year or so now, Sir, since the
police commenced an investigation into the goings on and alleged
shenanigans in the Department of Public Works.

AN HON. MEMBER: That is right.

MR. W. N. ROWE: Has the minister received the report
from the RCMP? - it was the RCMP, I believe -

AN HON. MEMBER: Yes, that is right.

MR. W. N. ROWE: Has he received the report, and if not,
Sir, can he inform the House as to the status of the report? Is it
being sat on? Is it being proceeded with? Is the minister, himself,
pushing for a conclusion to that particular investigation?

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

MR. HICKMAN: Mr. Speaker, the only reason why I
could comment on this at all is that it was public knowledge that an
investigation was instituted and requested of the RCMP into an alleged
activity into the Department of Public Works and Services by the

MR. HICKMAN: Auditor General. That request to the Director of Public Prosecutions by the Auditor General was immediately acted on and the appropriate police force, which I think is totally the RCMP, but I will not swear to that because there may have been investigations within the city limits as well, have been investigating the matter. I most certainly cannot indicate the status of the investigation - that is a matter between the Director of Public Prosecutions and the police - other than to assure this House that that investigation is proceeding with the utmost dispatch and is in the hands of the Director of Public Prosecutions. And it would be quite improper for me to go further than that.

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

MR. W. N. ROWE: A very interesting lesson on jurisdiction and so on, Mr. Speaker. The question I asked was, Has the minister or anyone in his department received a report from the RCMP into the investigation into alleged wrongdoing in the Department of Public Works?

Mr. Neary: He has received it.

MR. W. ROWE: Ch,he has received it. Mr. Speaker, I do not know what is wrong with the minister speaking from his seated position over there.

MR. HICKMAN: Do you want me to rise again and repeat what I said when I was on my feet?

MR. W. ROWE: Yes, Sir, if he would.

MR. HICKMAN: I understand that the report from the RCMP has been delivered to the Director of Public Prosecution.

MR. W. ROWE: When?

MR. HICKMAN: I do not know the date, but not too long ago.

MR. NEARY: The minister does know the date.

SOME HON. MEMBERS: Oh, oh!

MR. HICKMAN: I do not know the date.

MR. NEARY: Do not try and pull the wool over our eyes.

MR. HICKMAN: I do not know the date, Mr. Speaker. I make it a very good policy to follow, the policy with anyone who knows the responsibilities of the Attorney General will follow, that reports from the RCMP go into the Director of Public Prosecutions or the police, any investigating authorities. The Director of Public Prosecutions or a prosecution assigned by him reviews the results of the investigation to see whether or not there is sufficient evidence to warrant the laying of a charge. If they come to the conclusion that there is sufficient evidence, charges are laid forthwith. If they come to the conclusion that additional evidence is required they will go back and ask the investigating police authorities to obtain that information and to conclude the investigation. These decisions very properly are left to the Crown's law officers, and they conduct it with the upmost dispatch, the utmost equity and fairness. And I simply repeat that I do know that the report has been received by the Director of Public Prosecutions. I was not aware of it until very, very recently.

MR. W. ROWE: Well, Mr. Speaker, a further supplementary.

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

MR. W. ROWE: May I ask the minister how long he will permit - this is no criticism now of his staff, the admirable staff that he has down there, members of the same learned profession, Sir, as myself; therefore they must be excellent ladies and gentlemen.

MR. NEARY: Now do not walk on my toes.

MR. W. ROWE: And my hon. colleague, the member for LaPoile (Mr. Neary), agrees with me whole-heartedly, for the record. That is the first time that was ever entered into Hansard, Mr. Speaker.

AN HON. MEMBER: (Inaudible)

MR. W. ROWE: Let me ask how long will the Minister of Justice allow the report to be perused to be looked at, studied, sat on, argued back and forth, before he himself as the Chief Law Officer of the Crown in this Province decides on taking action one way or the other. It is very interesting, Sir, to hear him slough off his responsibilities.

MR. NEARY: Yes.

MR. W. ROWE: But he is responsible to the Lieutenant-Governor representing the Queen, and to this House, Sir, -

MR. NEARY: That is right.

MR. W. ROWE: - as the Chief Law Officer of the Crown.

MR. NEARY: Hear, hear!

MR. W. ROWE: And one day he must decide whether he is going to allow an investigation which has been going on for a number of months concerning which there has been a report received by his staff in the department, whether or not any action is going to be taking on it. Now how long does the minister propose to allow this report to be sat on before some action is taken?

MR. SPEAKER: The hon. Minister of Justice.

MR. HICKMAN: Mr. Speaker, first, commenting on the comments that were not too relevant to the question made by the hon. the Leader of the Opposition, I would commend to him the recent decision of the Supreme Court of Alberta sitting forth the duties and the

Mr. Hickman: responsibilities of Attorneys-General, one of which is not that just enunciated by the Leader of the Opposition.

The position is, Mr. Speaker, I repeat that I know that that report has been received by the Director of Public Prosecutions. The length of time that is taking in perusing that report depends on the thickness of the report. You know, some reports, if it is a report on an impair driving case, I would think that a Director of Public Prosecutions or any prosecutor could take about two minutes, or certainly five minutes to decide whether or not to lay a charge. If it is a report involving heavy accounting investigation, it will take considerable time. Also, may I once again remind the House, that seldom, if ever, on a case that is of any magnitude does the first report when it comes in suffice or meet the requirements of any responsible Crown prosecutor. I want to repeat, and the hon. Leader of the Opposition knows this, that it is very, very wrong for an Attorney-General to comment in the slightest detail on an investigation that is going on out of which charges may be laid because that does nothing but prejudice the right of an accused person.

SOME HON. MEMBERS: Oh, oh!

MR. HICKMAN: Well, let me assure this House that that case, as with any others, will be dealt with and is being dealt with with the upmost dispatch.

MR. SIMMONS: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary, the hon. gentleman for Burgeo-Bay d'Espoir, followed by a supplementary by the hon. member for LaPoile, and then I will recognize on a new line of questioning the hon. member for Eagle River.

MR. SIMMONS: Mr. Speaker, a supplementary for the same minister, the Minister of Justice. Has the minister been made aware of the contents of the report? Has he seen the report at all or is he aware of what the report contains?

MR. SPEAKER: The hon. Minister of Justice.

MR. HICKMAN: Mr. Speaker, I have not seen it and I am not aware of what it contains.

MR. SIMMONS: A supplementary, Mr. Speaker.

MR. SPEAKER: I have already indicated I would allow both hon. gentlemen one supplementary, and then the hon. member for Eagle River.

MR. NEARY: If my hon. friend wants to ask a supplementary, Sir, I will wait and ask mine after, if that is all right with Your Honour.

MR. SPEAKER: Order, please! With respect to supplementaries, as hon. members know, the Standing Orders point out that a supplementary question is at the discretion of the Speaker. Frequently it is very difficult to know how to exercise that discretion and I can only judge by the number of members who rise on non-supplementaries, and I have to bear in mind that if they rise then they are indicating they wish to ask a question. If they do not rise supplementaries could go on for the whole thirty minutes. But when they rise then obviously I have to infer that they wish to ask questions on other subjects. Now it does not preclude any hon. member from getting back to a subject after. But I think having indicated, having already heard the original question and three supplementaries from the hon. Leader of the Opposition, I then indicated I would hear one from each of the two other hon. gentlemen who wish to ask supplementaries and then the hon. member for Eagle River (Mr. Strachan). I think that I would have to stick to that. It does not preclude anybody from coming back to the subject later. But in a sense it is a kind of collective decision. To a certain extent the Chair is in the hands of the hon. gentlemen asking questions, not to what is in order and what is not in order, but to a certain extent in the area of supplementaries the Chair is in the hands of hon. gentlemen asking questions. So I can only judge when people stand then they wish to ask questions.

The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, I would like to ask the hon. Minister of Justice a supplementary in relation to a question I was asked by my hon. colleague, the Leader of the Opposition. Sir, I would like to ask the minister if any action has ever been initiated as a result of the Scrivener affair that was raised in this House a year ago, and if any action was taken would the minister indicate to the House what kind of action was taken, and if there is an investigation ongoing into this Scrivener affair?

MR. SPEAKER: The hon. Minister of Justice.

MR. HICKMAN: Mr. Speaker, obviously any action that is taken arising out of any investigation that is within the confines of the Department of Justice only, and properly so, should become public knowledge if charges are laid. But I am not in a position to comment on investigations that are going on by the police under the auspices and guidance of the Department of Justice. The only reason why I have been in the position to respond to the questions from the hon. the Leader of the Opposition is that this was a matter that arose last year and became public knowledge as a result of a request of the Auditor General, which was responded to, and it was made public knowledge that an investigation was ongoing. But if we ever reach the stage in this Province, or anywhere in Canada, where investigations when they are ongoing become the subject matter of public knowledge, then no one will feel free again, ever, that all anyone has to do is to make an accusation and then there is an investigation and then people say, "Ah, there must be something to it because there is an investigation." That would be a most untenable situation for anyone who operates under the British system of justice to live. And I most definitely will not answer that kind of question, nor should I.

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

MR. SPEAKER: I had indicated that after one supplementary I would recognize the hon. member for Eagle River (Mr. Strachan). It will not preclude the hon. gentleman from coming back. But as I explained, to a large extent the Chair is in the hands of hon. members and when

MR. SPEAKER: they continue to rise on other subjects, then after a certain number of supplementaries I have to use what I consider to be principles of equity and I do not think it would be proper for me not to recognize the hon. member for Eagle River. If he yields, or does not, that is obviously his own prerogative.

MR. STRACHAN: I have been trying for two days, Mr. Speaker, to get this question in, and unfortunately in the time when I have managed to get it in the minister responsible is absent from his seat. He happens to be the Minister of Rural Development, who is also the Minister of Mines and Energy. Although how he can be minister of both departments I do not know. But maybe I can redirect the question in that case to the Minister of Intergovernmental Affairs since it concerns the relationship between the Province and the federal government. Could the minister indicate to us the rationale behind, and the policy hopefully behind the designation of communities in Labrador as certain designated communities, since there is a considerable anxiety in some communities which are split down the middle. Some

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MR. STRACHAN: communities are designated and the other half of the community is not designated, plus the fact that it is discriminately practiced and that some families are called native people and are available for grants and also for certain benefits under this Province's program, and members of the same family or close family, the same background, do not have these rights. And this is in the case of almost five hundred people who do not have rights while other people who are related to them do have rights. I wonder would the minister answer the question?

MR. SPEAKER: The hon. minister.

MR. DOODY: Mr. Speaker, I would very much like to be in a position to answer the question because it has been one of the major mysteries that has been confronting me and, I am sure, other people in this House since the policy was instituted. I have absolutely no idea how the criteria is arrived at; it has been a matter of discussion with the people in Ottawa responsible for some time. We have even gone so far as to facetiously suggest that blood tests perhaps should be given to various members of the people in the Province to determine what, where and when and what percentage should be distributed. There are ninety-ten agreements, there are sixty-six-and-one-third agreements and there are some agreements which do not seem to cover anything or anybody. It seems to be to be exactly as the hon. gentleman has suggested, to be discriminatory, unfair and unreasonable. We shall continue to try and get it changed and try to get it to cover as many people as we can in terms of equity. I cannot in all fairness answer the question directly because to the best of my knowledge there is no answer to it, it is an arbitrary thing that is beyond reason.

MR. STRACHAN: A supplementary.

MR. SPEAKER: A supplementary by the original questioner.

MR. STRACHAN: The minister has mentioned the fact of blood tests and it leads it up to my question because I am very deeply concerned of what is going to occur in Labrador in the

MR. STRACHAN: near future when one applies blood tests as has been stated in many cases, not blood tests as such but it is registration of native peoples in which one has to be ape blooded in order to be able to qualify under the program which is a policy adopted by the Federal Government in the Northwest Territories. Applied to Labrador what it will mean is that communities will be split down the middle. Our communities will have people disqualified who have been qualified over the years and it can be some terrible mess.

I wonder if the minister could indicate whether this province has made overtures to the Federal Government through the Federal-Provincial committee to try to come to a more rational, more sane, more balanced position and viewpoint rather than to allow this kind of registration under the rules which can do nothing in Labrador but continue to create racial discrimination, disturbance and also I think possibly a great deal of confusion and possibly conflict within communities in Labrador.

MR. SPEAKER: The hon. minister.

MR. DOODY: Mr. Speaker, I trust that the hon. member noted I prefaced the comment on blood tests with the word 'facetious' because it is indeed an absurd situation and one which should not be continued and one which should never have been allowed. I think it is, as I said earlier, unfair and discriminatory and one which we have objected to continually from the beginning. The only saving grace that there is and that is if there is any is the fact that it allows certain areas of the coast to obtain a larger funding than others. That certainly is not a rationale and certainly not an excuse. We have had representation to the Government of Canada and we will continue to do so. I would hope to have a more sensible and rational approach to the funding of these programmes. Certainly the basis on which they are administered and suggested and organized now can do nothing but cause a sort of situation that the hon. member has described. It is certainly not in the interest of the unity of the province or of Canada or of any other situation to allow that sort of thing to continue. It is a silly, stupid arrangement and one which I will

MR. DOODY: continue to press to have changed and I would hope that the hon. member will support me and help me in any way that he can.

MR. SPEAKER: A final supplementary.

MR. STRACHAN: Mr. Speaker, I am deeply disturbed by this problem because the situation arises with some families in which people through the Department of Education and through Labrador Services Division, some people are given certain rights to attend university and with payment whereas their sisters and brothers in the same family are not given these rights because they are not native. And apparently it seems that you can be native if you are living at present in Nakkovik or Nain you are native and if you are living in Happy Valley you are not native. And I wonder if the minister can say whether they are practises of discrimination for people like this who apply under these programmes and are told that they are not native one day but 'if you move to Hopedale you will become native! I think it lies within this province to be able to wipe out this totally altogether and come down to some rational sense and I think the Federal-Provincial Committee is a vehicle by which this can be done and I think it is up to this administration to do it.

MR. SPEAKER:

The hon. minister for Harbour Main -

Bell Island.

MR. DOODY:

The hon. member further outlines

and expresses the frustration of the situation. It is not as the hon. member well knows done on the basis of individuals, it is done on the basis of communities which makes it even more absurd. The theory is, at least I have suggested in desperation and frustration at one time, it would be perhaps more economical for the Province of Newfoundland to move people from community to community over the period of a year so that they could qualify because they lived in Makkovik for a certain period of time to be eligible for a larger share of the pie than if they lived in some other community. It underlines the absurdity of the situation that it really has nothing at all to do with what it purports to represent and that is the Inuit and Indian population on the amount of funding that should be provided for them. It is an absurd situation. It is obviously a bureaucratic solution to something that has never been rationalized in terms of people and it is one that I fully agree has got to be changed.

I cannot defend the policy because it is one that is indefensible and it is certainly not one of our making. I can only agree with the hon. member that it is a ridiculous situation and one that is insupportable.

MR. SPEAKER:

The hon. member for Trinity - Bay de Verde, followed by the hon. gentleman for LaPoile.

MR. F. ROWE:

I would like to address a question to the Minister of Fisheries, Sir. In view of the fact that the amount of storm damage on the West Coast, I understand, and also on the East Coast to private fishermen with respect to their gear and facilities that are not under the jurisdiction of the federal / provincial government, has the Minister of Fisheries attempted to design any sort of formula or program in order to assist these particular fishermen in order to help them to replace their loss of gear through recent storms, or loss of stages or other fish handling facilities?

MR. SPEAKER:

The hon. Minister of Fisheries.

MR. W. CARTER:

Mr. Speaker, as the hon. member knows the Province does not have an ongoing gear for fishing facility replacement program, only in cases where there are substantial losses, \$500,000 or more.

MR. W. CARTER: would the federal / provincial formula fall in place. We have looked at the possibility of coming up with a gear and a facility insurance program. Last year we had a committee who worked with the fishermen's union and others to put together a submission which was later sent to Ottawa with a request that they study it and hopefully participate in its cost. That program is still being studied.

We have people within the departments working with others to seek ways and means of putting in place some kind of an insurance program. Mr. Speaker, I am sure that the hon. member will appreciate it is not an easy matter. In the course of a year there are a number of storms that cause damages of one degree or another. The one to which he is referring, the one on the West Coast, I believe incurred about a \$60,000 damage cost. Certainly the matter is being considered as soon as we can put together what we think will be a feasible insurance program then we will be very happy to do so.

MR. F. ROWE: A supplementary.

MR. SPEAKER: A supplementary.

MR. F. ROWE: Mr. Speaker, is the minister aware of the fact that as far back as 1972, five years ago, in the election Throne Speech that the government promised that legislation would be introduced as early as possible to establish in conjunction with the federal government an inexpensive shared cost insurance program covering loss of fishing gear for the fishermen. Now is the minister saying that that promise was made in a Throne Speech without having consulted and gotten agreement from the federal government before promising that particular legislation? Are they still negotiating with the federal government five years later?

MR. SPEAKER: The hon. Minister of Fisheries.

MR. W. CARTER: The hon. members should know that the federal government did intend, in fact they announced their intention to join with the provinces in coming up with a lobster pot insurance program and hopefully it would be extended to take in other forms of gear. The Province agreed to accept its responsibility, which I believe at that time cost \$90,000, which would be the provincial share the cost sharing program. Cabinet did agree to spend that amount of

MR. W. CARTER: money. It was only later that we learned that the federal government had scrapped the idea. We have made representation to Ottawa with respect to that programme and others, and the fact that it was mentioned in the Throne Speech of 1975, I am sure, was on the basis of indications received by the federal government, from Ottawa, to the extent that that programme was then being considered; in fact, a decision was made but later rescinded by the federal authorities, and consequently we had no gear insurance programme.

MR. F. ROWE: A supplementary, Mr. Speaker.

MR. SPEAKER: A final supplementary.

MR. F. ROWE: Mr. Speaker, it is terrible, you know, The minister once again has not answered the question but is making a speech on a completely different topic. I asked the minister if, in fact, in 1972 when legislation was promised during that particular year, an agreement had been reached with Ottawa for an inexpensive shared cost insurance programme to cover the loss of gear, and if there has not been any agreement then or since, has the minister's department any plans to take care of the fishermen who have private gear or private fish handling facilities not under the jurisdiction of the provincial government or the federal government, some sort of a provincial programme to take care of their loss of gear - private fishermen, private stages, private sheds?

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

MR. W. CARTER: (Inaudible) to answer the first part of the question, but I can only assume that if the government in 1972 announced its intention to enter into a low-cost gear insurance programme that they must have had some grounds for making that statement.

AN HON. MEMBER: Hear, hear!

MR. W. CARTER: With respect to the latter part of the question, I think the hon. member should know that it was only last year that we announced a subsidy on fish landings, the purpose for which was to help fishermen replace lost gear and worn out gear, and I am told

MR. W. CARTER: in my travels and with people I have talked with - fishermen - that in many cases that programme is working very well. Mind you, it is probably not enough, we would certainly like to double it, but I am not getting any complaints about it. The programme last year cost, I believe, in excess of \$2 million and while it might not serve all of the problems that the fishermen are encountering, certainly it is going a long way toward that end. But I repeat that we did make representation to Ottawa with a view to having a gear insurance programme put in place. Ottawa did not see fit to agree to our recommendation, In fact, they rejected it on the basis that the programme itself would probably have to be compulsory, that it would be mandatory for a fisherman to take part in the programme. And that was the reason, or maybe the excuse used by Ottawa for rejecting our proposal, but the fact is that the matter is still under consideration; it is being looked at by experts in the insurance industry and others with a view to finding a way where such a programme can be put in place.

AN HON. MEMBER: One final supplementary.

MR. SPEAKER: I have indicated that would be the final.
The hon. member for LaPoile.

MR. NEARY: My question is for the Minister of Rehabilitation and Recreation, Sir, and it does not have to do with Exon House today. I am hoping the minister will make a ministerial statement in a day or so on the Exon House affair. I want to ask the minister about the Summer Games. Would the minister indicate to the House if additional funds have been requested from the government to pay off the deficit that was incurred by the Summer Games Committee? And would the minister indicate if there has been any representation made to his department or to the government with regard to the Aquarena - getting it reopened and so on? Could the minister just tell us the status of that particular situation?

MR. SPEAKER: The hon. the Minister of Rehabilitation and Recreation.

MR. HICKEY:

Mr. Speaker, I am not aware of any direct request from the Summer Games Committee to my department. I cannot say for certain that there is not something there today or yesterday, but certainly there has been nothing brought to my attention by my staff with regard to a request. I am aware that there has been dialogue between the Committee and Ottawa with regard to finances. I cannot go beyond that to say just what is involved or amounts or anything of that nature.

With regard to the second part of the question, the Aquarena, the situation there is we are waiting for the report from Judge Steele as to what is to be done with that facility and as soon as that is received, government will take a position and make a decision, and of course, we will announce it.

MR. NEARY:

A supplementary, Mr. Speaker.

MR. SPEAKER:

Time will permit one supplementary.

MR. NEARY: Would the minister indicate who was responsible for the Summer Games? Who were the sponsors? Was it the city or was it the provincial government? My understanding was the Provinces were really the sponsors of the games. And would the minister indicate the amount of the deficit that was incurred by the Summer Games Committee and what arrangements are going to be made to pay the creditors that are owed the money by the Summer Games?

MR. SPEAKER: The hon. Minister of Tourism.

MR. HICKEY: Mr. Speaker, number one, the responsibility for the Summer Games was the committee, which of course was established by the city, the city having taken the initiative and had in fact attracted the Summer Games here. The position of the Province was simply one of a contributory nature inasmuch as we made available to that Committee a sizeable amount of money, contribution, much larger than certainly other provinces found themselves in a position to make, because of the fact that the federal government did not provide as much in fact as they should have. And that, I might say, is a matter which there is dialogue going on on at the moment.

Insofar as the amount of the deficit is concerned, Mr. Speaker, I am unaware of the amount. In fact I have asked my staff the same question and they have not been able to tell me. There are some figures flying around. I certainly would not hazard or take a chance on repeating them because they are only hearsay, and those figures I might say come to us from the Ottawa source as opposed to the local source.

Finally, Mr. Speaker, my department are not involved insofar as any winding up, or any financial responsibilities, inasmuch as while the Canada Summer Games, as I said, was to a very large degree supported by the federal government, certainly the overall responsibility does not rest with the government.

MR. NEARY: Who does the auditing?

ORDERS OF THE DAY:

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

MR. CHAIRMAN: Order, please!

The hon. Minister of Forestry and Agriculture.

MR. MAYNARD: Mr. Chairman, I would just like to say a few words in the few minutes that are left on the time for the estimates of the Department of Forestry and Agriculture, hopefully to answer a few at least of the questions that were asked last night during the debate.

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

MR. CHAIRMAN: Order, please! A point of order.

MR. SIMMONS: Mr. Chairman, I heard Mr. Chairman call order but I was waiting for the head to be called. There are numbers on this side who wanted to speak. We assume that forestry would be continued with but we had not been told by the Chair.

MR. CHAIRMAN: Order, please! I think the hon. member is correct in that I did inadvertently leave out the head. I called order and when the minister arose, knowing we were still on salaries, I recognized the minister. But I agree I should have called the head and possibly the only way to do it is to do it again and that is -

MR. SIMMONS: Mr. Chairman, I have no quarrel with your having designated the minister except we did not have a fair opportunity, and all I want to point out is that we have limited time and a number of us want to say things, so perhaps if the minister can be brief we can say what we have to say too.

MR. CHAIRMAN: Heading 1201-01.

MR. MAYNARD: Mr. Chairman, if hon. members want to speak, if they will leave me just a few minutes at the end I would be quite happy in order to clue it up.

MR. CHAIRMAN: The hon. member for Burgeo - Bay d'Espoir.

MR. SIMMONS: Thank you, Mr. Chairman.

Mr. Chairman, do I understand we have about twenty-five minutes?

MR. CHAIRMAN: Twenty-five minutes, yes.

MR. SIMMONS: Well I shall be very brief because I know there are other speakers. There are a number of things I would like to say on this subject but I am prepared to wait until we get on to the Budget debate, if we ever do.

Just a quick point, Mr. Chairman, that I would like the minister to raise in his concluding remarks, and it relates to the Bowater timber limits. Now these limits affect a number of areas of the Island, and my specific question relates to the Bay d'Espoir area. I would recall for the minister that one of his predecessors in the portfolio, the present Minister of Manpower and Labour, during his tenure in that portfolio, the forestry portfolio, indicated about two years ago at this time, that he fully expected to have the Bowater timber limits matter resolved as it effected Bay d'Espoir, resolved by May 15th. of that year, that was May 15th., 1976. And he indicated that in this House, in response to questions from me, he indicated that on or about the middle of April, or the 1st. of April perhaps, that four to six weeks hence he would have resolved, or his department would have resolved the Bowater timber limits problem.

Well it comes as no news to the minister that the issue is far from resolved at the present moment, and I will not take the time of the House now to elaborate on what the ramifications are for the Bay d'Espoir area except to repeat again that the Bowater timber concessions, the Bowater holdings in the Bay d'Espoir area, are having an adverse effect on the economy, are preventing some worthwhile

MR. SIMMONS: job creation, I am thinking in particular of the Ralland mill, but also of the small sawmills in the area. I would like the minister in concluding to respond to the item, in particular to tell us what is being done, or if he has thrown up his hands on this one, if anything can be done in the view of the department.

MR. CHAIRMAN: The hon. member for Windsor - Buchans.

MR. FLIGHT: Mr. Chairman, due to the limited time I will try to keep my few remarks very brief.

It is important, Mr. Chairman, to realize that this minister is administering, spending \$18 million of public money in this Province. And it is important that it would appear that that money is well spent and we are getting value for that money. So I am going to recap very quickly, Mr. Speaker; I raised, up to this point in the debate, on behalf of this side of the House, and the minister has had at least three, four chances to address himself to some of the issues that I have raised and in most issues he has avoided the issues, he has not addressed himself to certain aspects of the points raised. So I am going to recap, very quickly, Mr. Speaker, what we feel to be very fundamental to good forest management in this Province.

Mr. Chairman, the salvaging programme of the 5 million cords presently dead in this Province- the minister yesterday indicated that the paper companies would possibly salvage 2.5 million cords, that leaves 2.5 million lost to the economy of this Province. Now has the minister, or his department, pursued the export market? In his ministerial statement today, the minister indicated that it is difficult to salvage the budworm infested, or the moribund deadwood because it is in among live timber.

Well that is not so in all cases. That may be so in one, but I have had the opportunity to fly over, do overflights over the Serpentine Valley, Mr. Chairman, and that is on Bowater holdings, and it is a massive tract of land there and every tree there is dead. You could go in there and do a clear cutting programme and cut nothing.

MR. FLIGHT: The only thing you would find alive in there is birch. Can Bowaters, with all their potential for cutting, can Bowaters possibly salvage all that? I sincerely doubt it. If they did salvage it they could not use it. So is it dead to a point where it has no economic value from an exporting point of view? Well that is the type of thing - the minister is sitting there nodding now. There was no reason why the minister could not have - this issue was raised before.

Proper forest management, Mr. Speaker. The paper companies are required to spend in this Province seven and a half cents per acre, for every acre that they submit a management plan on and that is properly managed. Well it is significant to note, Mr. Speaker, that under that legislation they are required to pay one per cent of the value of the timber on lands that were not considered properly managed. And it is interesting to note that to date they have not paid anything in the high category, which means that any criticism that anyone had in this Province about the forest management of the paper companies ten years ago, if it were true then it is true now. What do we accomplish by bringing in the forest management policy that says you pay one per cent of the value of your timber on lands that we do not deem properly managed.

The Department of Forestry have accepted apparently, that all the lands lying within the limits of the two paper companies are indeed properly managed, because they have not collected. Either we have not had the clout or

MR. FLIGHT: we do not have the expertise.

I suspect the paper companies have a lot more expertise at their disposal than we have. If that is so, Mr. Chairman, then we do not control the destiny of our forests. We are not controlling our own resource, we are still listening to what the paper companies are telling us. Mr. Chairman, if that is the case we would be better off spending the whole \$18 million on the kind of expertise we need to advise us as to what is the proper approach and what is or what is not good management.

Sawmilling, Mr. Chairman?

Crown lands in this Province cannot sustain a sawmill industry in this Province. There may be areas in the Province, specific areas that will sustain a small sawmill operation or a medium sized sawmill operation, but by and large the Crown lands in this Province cannot sustain a sawmill industry, the type that we have envisioned, and for all our sawmillers in this Province presently in business, presently located to continue and have a viable, economic, prosperous future. Either the Department of Forestry and the paper companies accept this as a fact and sit down and work out some arrangements whereby timber limits can be made available to our sawmillers, or the sawmill industry by and large in this Province is doomed to total and complete collapse and failure.

Mr. Chairman, enough has been said on Crown lands. The minister promised a statement over the next few days that will clarify Crown Lands' position with regard to how they intend to deal with the cabins and other properties, and how they intend to deal equitably, we hope, with the people who have been threatened with law suits and threatened with having their Summer cottages burned down. We will await that statement, Mr. Chairman.

MR. FLIGHT: Mr. Chairman, also there are communities in this Province that are situated right smack in the middle of the paper companies' limits again, a twenty, thirty mile radius of the communities is completely controlled by the paper mills, We have million cords of wood dead on the stump in this Province, yet an individual living within the boundaries, within the limits of the paper companies cannot get permission to cut a log to build on a porch, or to build a new house, or to put on an extension. And that is good corporate citizenship?

When was the last time the minister sat down with the paper companies and suggested that it would not put them out of business to let a man who lives in a community that is smack in the centre of Price (Nfld.) or Bowaters' limits have permission, to reward the initiative of anyone who is prepared to go in and cut their own logs and build their own houses? It is unreal and unjust, Mr. Chairman, that the paper companies should wield that type of power in this Province.

Now, Mr. Chairman, I want to hear other speakers in this debate who have points to make, the hon. member for LaPoile (Mr. Neary), for one, and I want to hear the minister address himself to the issues that he has not addressed himself to at this point. Mr. Chairman, I would suggest, Sir, that either the minister takes seriously some of the issues raised in this debate or this Province will not realize the full value and the full potential of our forest resource.

MR. CHAIRMAN: The hon. member for LaPoile.

MR. NEARY: Mr. Chairman, all I want to do is just put two or three quick questions to the minister because we are rapidly running out of time. We only have about twelve or fourteen or fifteen minutes, at the most, left and I would like to get the answers to two or three

MR. NEARY: questions.

First of all, in connection with the insecticide that is going to be used in the spraying for the spruce budworm, could the minister tell us if there is only one firm manufactures this insecticide or if there is more than one firm, if public tenders were called for the insecticide? If there is only one firm would the minister indicate to the House if the government is dealing directly with that manufacturer or if the government insisted that some middleman be set up in this Province from which to purchase the insecticide?

Now I have heard rumours, and I am not prepared at this point in time to make any allegations, I just want to find out the procedure that was used, rumours that the government insisted that a middleman be set up here in the Province to purchase that insecticide. I would like for the minister to discount that.

Mr. Chairman, perhaps the minister could also tell us if there is a surplus of seedlings at the moment. I understand that the government's reforestation programme has failed and that they now have a surplus of seedlings. Mr. Speaker, I should like to move that the minister's salary be reduced to one dollar.

MR. CHAIRMAN: The motion is that the minister's salary be reduced to one dollar. Is the Committee ready for the question? All those in favour of the motion indicate by saying 'aye', all those contrary indicate by saying 'nay'. In my opinion the 'nays' have it.

AN HON. MEMBER: Count.

MR. CHAIRMAN: Count the vote.

Those who voted when the question was put should now vote again. All those in indicating in the affirmative indicate by standing in their place. All those against indicate by standing in their place. I declare the motion carried with the count thirteen in the affirmative and eleven against.

MR. NEARY: Mr. Chairman, as Your Honour realizes, that is a very serious matter, Sir; it is a vote of non-confidence in the government. I move the Committee rise and not report to the House, Sir.

MR. HICKMAN: Mr. Chairman, that motion is totally out of order because of the preamble that was given by the hon. the member for LaPoile (Mr. Neary). I think this matter was the subject matter of debate a couple of days ago.

MR. CHAIRMAN: Order, please!

My understanding is that the motion is that the Committee rise and make no report.

MR. WELLS: To a point of order, Mr. Chairman.

MR. CHAIRMAN: A point of order has come up.

MR. WELLS: My point of order is that that being a motion that the Committee rise and, you say, make no report. Such a motion, it is my understanding, Mr. Chairman, would be a debatable motion. So that if not out of order, it is certainly a debatable motion. The only motion, Mr. Chairman, as I understand that is not

MR. WELLS: debatable is the simple motion that the Committee rise, nothing else. That is not debatable. Any other motion -

MR. NEARY: The Committee rise and report progress or the Committee rise and not report.

MR. WELLS: No, that is, as I understand it, a debatable motion. The Table will tell us, but if so then we must now begin to debate that motion, Mr. Chairman.

MR. NEARY: Mr. Chairman, just to clarify the situation, Sir, there has been a vote -

MR. CHAIRMAN: Is this to the point of order?

MR. NEARY: Yes, to the point of order, Sir. It is completely irrelevant anyway. There has been a vote of non-confidence in the government.

AN HON. MEMBER: There has not.

MR. NEARY: Oh, yes, Mr. Chairman, a defeat on a money matter, Sir, in Committee is to reduce the minister's salary. As a matter of fact, that is the only vote of non-confidence in Committee. There has been a vote of non-confidence, Sir, in the government and Your Honour has no recourse but to rise the Committee.

AN HON. MEMBER: And resign.

MR. NEARY: Well, we will have to debate it when the Speaker comes back to the House.

MR. CHAIRMAN: Order, please!

In regard to the -

MR. SIMMONS: Mr. Chairman, may I speak to the point of order.

MR. CHAIRMAN: A point of order.

MR. SIMMONS: Mr. Chairman, to the point of order. Certainly it is always in order for a motion that would have the Committee rise and report to the House what went on in the Committee. That is a very simple motion which

MR. SIMMONS: would put in words that the Committee met, certain things transpired and here is our report to the House. Now if we get to the point in this House where a Committee of the House so strangles itself procedurally that you cannot have a motion to report back to the House what you have done, then this whole business is completely irrelevant. I submit, Mr. Chairman, that all the motion is doing, if carried, is agreeing that this Committee will report back to the full House that certain things have transpired in Committee. Then it is a matter for Mr. Speaker to deal with in the full House. But to suggest for one second, Mr. Chairman, that we cannot resolve in Committee to report our activities to the House is ridiculous beyond the extreme.

MR. CHAIRMAN: Order, please!

I would refer hon. members to Standing Order Number 45 which reads as follows:
"A motion that the Chairman leave the Chair is always in order, shall take precedence of any other motion, and shall not be debatable;" and so on. If I may refer hon. members now to Beauchesne in the fourth edition page 203, section 242, subsection 2 which reads as follows:
"The only motion allowed when a resolution is under consideration in Committee of Supply is that the amount be reduced or that the Chairman leave the Chair (either without making a report or to

MR. CHAIRMAN: report progress on certain resolutions). It is my understanding that the motion made was that the Committee rise, the Chairman leave the Chair and make no report. My understanding from what I have read is that this is in order. So that the Committee will now rise and make no report. That is the motion.

I would point out that the question has been put and then points of order arose, and since that time there may have been members who did come into the House. The rules are clear on this, that when the question is put, members in the House may vote, but any members that do come into the House following the putting of the question are not permitted to vote in Committee.

SOME HON. MEMBERS: Hear, hear!

MR. CHAIRMAN: The Chair is not in the position to know exactly who came in and so hon. members therefore have it in their own hands whether they are permitted to vote or not.

Just to repeat, the motion is that the Committee rise and no report be made. The question has already been put. A number of points of order arose that clarified the motion. These have been clarified and the vote is now called and those who were present when the question was put are permitted to vote.

Those in favour indicate by saying, "Aye," those contrary indicate by saying, "Nay." I am unable to decide the vote on the voice count so those in favour indicate by standing in their place, those who were present when the question was put.

Those against indicate by rising in their place.

I declare the motion carried, twelve being in favour, and thirteen against. So the Committee will now rise and no report will be made.

MR. HICKMAN: How many did you say against?

MR. CHAIRMAN: Thirteen in favour, twelve against.

MR. SPEAKER: I note that the Committee has risen and that no report is being made.

MR. NEARY: Mr. Speaker.

MR. SPEAKER: The hon. member for LaPoile on a point of privilege.

MR. NEARY: Mr. Speaker, in Committee of the Whole, Your Honour, I made a motion, that the Minister of Forestry and Agriculture's salary be reduced to \$1.00 and that motion was carried, Your Honour. And as Your Honour knows, traditionally that is a vote of non-confidence in the government. Now Your Honour has no choice but to adjourn the House at this point in time, or the government could move if they wanted to, a vote of confidence which is a debatable motion. But we cannot carry on any further the business of the House, Sir. And Your Honour has no choice now but to take directions from the House and I am directing Your Honour, from this side of the House, Your Honour has to take directions from the House, that the House now adjourn, Sir, and that the Premier go down to the Lieutenant-Governor and pass in his resignation and that we have a provincial general election.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Government House Leader.

MR. HICKMAN: The hon. gentleman is fully aware that a motion or a vote in Committee, in re - if the hon. gentleman would like a reference, in the Committee in Parliament that was presided over by Deputy Speaker Batten - is not a motion of non-confidence. There is simply a report of the Committee to Mr. Speaker, and the report of the Committee is that there is no progress and when that report is, I submit, presented to Mr. Speaker

MR. HICKMAN:

presented to Mr. Speaker, the question put to the House is whether or not the report of the Committee is received. And if the report of the Committee is received, then the House subject to motion goes back into Committee again. By no stretch of the imagination are we in a situation where the House must adjourn or alternatively where there is a motion of non-confidence.

MR. W. ROWE: A point of order, Sir.

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

MR. W. ROWE: The hon. House leader on the other side made reference to a precedence in the House of Commons in Ottawa. Your Honour will remember and can perhaps take judicial notice of the fact that it was thought necessary by the government of that day, Sir, on a motion passed in Committee which showed that the Committee at that time had no confidence in the administration, the government of that day found it necessary to bring in a vote of confidence in Her Majesty's administration.

MR. NEARY: That is right.

MR. W. ROWE: Without that, Sir, the judicial authorities, the constitutional authorities were very doubtful as to the standing of the government having been defeated in Committee. And this is no joking matter, Mr. Speaker, as some members opposite seem to want to make of it. This is a matter, Sir, where a minister did not get the support of the House when a request was made for his salary, which is a clear vote of no confidence in Her Majesty's administration in this Province, Sir.

MR. NEARY: That is right.

MR. W. ROWE: Nobody is quite clear as to what all the procedure should be at this point in time. But one thing is certain, Sir, that the matter of confidence in this government has to be cleared up and the best way of clearing that up is by a substantive motion in the House by the Premier or by the House leader and for this House to determine whether in fact this House does have confidence in

MR. W. ROWE:

Her Majesty's administration in this Province.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. member for Grand Falls.

MR. LUNDRIGAN: Mr. Speaker, the hon. House Leader and the hon. Leader of the Opposition (Mr. W. Rowe) might be right if the research is done on the only precedent that we know, as I am aware of, in the last twelve or fifteen years in parliament, They might very well be right, that there might have to be a motion put which is debated on and voted on, a proper motion put. That might in fact be correct. But then, Your Honour, hark back over the last fifteen or twenty minutes regarding the incident which led up to the present situation. Now first of all I might say, Your Honour, that one of the most amazing things which hits me about our present legislature is that when it comes to matters of confidence, and when it comes to formal votes, there is such a loose arrangement made. Any other legislature that I am familiar with - and I am not familiar with all of them in any detail - usually there is a time frame in which a motion of confidence can be put to the legislature. In the House of Commons, for example, a motion of confidence cannot be put except by forty-eight hours notice. Once it is then called you have a period of fifteen minutes, after the forty-eight hours have been served, wherein members can assemble. It is a formal procedure laid down, firm and formal, and usually it results in a fairly substantive motion regarding confidence in the government based on fiscal policy, economic policy and matters of this nature.

In the last few minutes what we have witnessed here is a motion which was put by the Leader of the Opposition - or the House Leader rather, similar to yesterday or the Leader of the Opposition, where there was a casual setting in the legislature, members as they go and come, a casual setting in Committee, members where they go and come -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

This is an extremely important point and I would wish to hear without interruption any hon. member who does have

MR. SPEAKER:

relevant submissions to make.

MR. LUNDRIGAN: Mr. Speaker, a casual setting where members go and come. We are all familiar with this setting. The hon. Premier was meeting a small delegation of people. The hon. Minister of Recreation and Rehabilitation (Mr. Hickey) - all right then, we all got our tape things on and our things turned up and we are aware of what is going on and there is a general debate and then there is a wrangling back and forth, which is a typical estimates debate, and out of the blue, recognizing there is a paucity of members on this side of the House, the Leader of the Opposition (Mr. W. Rowe) puts a motion to reduce the hon. member's salary to one dollar - And I do not know what I am worried about this one dollar; that is a dollar more than I am getting - but in any event reducing his salary to one dollar; the motion is put without debate. Now, obviously the government would want to debate that motion. Now I doubt very much the way it was sidled through if members recognized that it was a debatable motion. Certainly the government would not sit back and have a motion of confidence not debated.

Number two, certainly the Opposition would not be serious when they are suggesting that reducing the member's salary to one dollar as a vote of confidence, as a substantive motion. Certainly they would not suggest that as a substantive motion. Mr. Speaker, obviously it is a ploy and I think it should be recognized as a ploy. And it is a good ploy. It is a ploy which suggests that there should be more members in the legislature. Very good. But it is not a motion -

SOME HON. MEMBERS: Oh, oh!

MR. LUNDRIGAN: It is not a serious motion. And, Mr. Speaker, I suggest to Your Honour - and I am not certainly one to be considered as a Stanley Knowles of any legislative body. But I think Your Honour will find that in research that the precedent is this, that there has to be a report

MR. LUNDRIGAN: once there is a motion voted on as it was. And there was a report, as it was, made by the Chairman of Committees. I think, Mr. Speaker, it might be necessary to clear up the confusion for a very simple little thing to be done, and that is that there be a motion put and voted on. And if the motion is put -

MR. NEARY: That is right.

MR. LUNDRIGAN: If a motion is put, Your Honour - just let take it a step further - if a motion is put - let us assume the hon. House Leader stands up and puts a motion before the House which is debatable. We have the members in here on this side; obviously the motion will carry.

SOME HON. MEMBERS: Oh, oh!

MR. W.N. ROWE: The last one did not carry.

MR. LUNDRIGAN: Mr. Speaker, we are talking about the legislature now. We are talking about Your Honour in the Chair. We are not talking about the Committee at all; it is a different kind of a setting, it is a formal setting with the House in session and Mr. Speaker in the Chair.

MR. WHITE: Sit down!

MR. LUNDRIGAN: So the motion is put, the members are able to be called in, you ring the bells, it is a debatable motion, members come in and they are given five minutes to come into their places, take their places and vote on the motion. The end result would be there would be twenty-eight members for, there would be sixteen members against, and we have wasted a half hours time.

MR. DINN: Again. Another waste of time.

SOME HON. MEMBERS: Sit down!

MR. LUNDRIGAN: The point has been made, and I think the Opposition should withdraw the position that they have taken.

MR. NEARY: Mr. Speaker, to that point of order.

MR. SPEAKER: The House Leader on the Opposition side.

MR. NEARY: I should like to correct one very, very significant item that was raised by the hon. gentleman who just took his seat, Sir, and that was as far as the motion to reduce the minister's salary was concerned. The House knows, Your Honour, that that is a debatable motion. I moved the motion and it was not debated and the Chairman put the question. The question was put and nobody, but nobody on the government benches rose to take part in the debate.

MR. W.N. ROWE: As was their right.

MR. NEARY: As was their right, Your Honour. We knew it was a substantive motion, we knew it was a debatable motion. Nobody apparently saw fit to debate it. We can only assume that they agreed with us, that they did not want the minister to get his salary, Sir, because nobody rose to defend the minister. I would like to clarify that matter, Your Honour, because that is a very important point.

MR. SPEAKER: I will hear the hon. member for Burgeo Bay d'Espoir and then the hon. gentleman for St. John's East. And unless other hon. members feel they have a really pressing point then I think we will have well-canvassed opinion. The hon. member.

MR. SIMMONS: Mr. Speaker, the member for LaPoile has covered one of the points I wanted to make about the debatable nature of the motion and that should be clearly understood that it was indeed that and that government members, even for reasons of stalling until they could get enough members in the House, could well have spoken to the matter until they could have rallied

MR. SIMMONS: their people.

Mr. Speaker, there is only one way to resolve this issue at this present time and it is not as has been suggested by some on the government side. It is not to put a motion to receive the report of the Committee; there is no report from the Committee. The vote taken in Committee was on the resolution that the Committee rise and not make a report. So there is no report, Mr. Speaker. Let us be clear, there is not report to receive. There is no report to receive, Mr. Speaker. The records of Hansard will clearly show that the Committee voted to rise but to make no report. So clearly, Mr. Speaker, there is only one option for the government and if the assumption of the member for Grand Falls (Mr. Lundrigan) is so copper-fastened as he thinks, I do not know what the government is worried about. Let them put down a motion that this House has confidence in the government and let it be tested. Are they afraid of the debate which will follow?

MR. NEARY: That is right.

MR. SIMMONS: Let the Government House Leader or the Premier put down a motion that this House has confidence in the government and let us see whether the member for Grand Falls is true in his assumption that everybody on that side will vote with the government.

MR. SPEAKER: The hon. member for St. John's East.

MR. MARSHALL: There would appear to be no non-confidence motion, Mr. Speaker, because I think that, inadvertently, persons who were entitled to vote, who were within the precincts of the House, were not entitled to cast their vote, did not vote at the particular time. Now with the greatest of respect, you cannot have non-confidence motions, with all of its implications carrying unless the rules are strictly adhered to. The fact of the matter is, I draw to Your Honour's attention, there has grown up a practice here of saying that people who are not immediately in the House when a question arises are not allowed to vote. The only time people are not allowed to come into the House is when the bar is across the House, that is, members are not allowed to come across.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: Now that is ingrained, Mr. Speaker, into our rules. Somehow or other, this year, this practice has occurred. I refer, Your Honour, to Standing Order 82 with respect to matters of this nature when, with respect to motions on division, there was a division called in Committee here at the time. The provisions of the rules in the House appear in Committee and there was, in fact, Mr. Speaker, no three minutes put for the purpose when a division was called.

MR. SIMMONS: On a point of privilege.

MR. SPEAKER: The hon. gentleman has risen on a matter of privilege so I have to interrupt.

MR. SIMMONS: Mr. Speaker, what the member for St. John's East (Mr. Marshall) is saying is all very interesting, but he knows as well as all of us in this House know that there is a proper way to object to the ruling or the decision of Mr. Speaker or of the Chairman of Committees. And the practice that he is now describing is a practice that has been ruled on, indeed has been instituted, if you like, by the Deputy Speaker and if not instituted is certainly continued with, followed by the Deputy Speaker in his capacity of Chairman of Committees. He has, on many occasions including today in the past twenty minutes, Mr. Speaker, ruled that only those persons who were in the House when the question was first put may vote on the matter. Now I can understand the feelings of

MR. SIMMONS: the member for St. John's East but if he wants to object to a ruling, Mr. Speaker, and here is my matter of privilege, if he wants to object to a ruling by the Chairman or by Mr. Speaker, there is a proper procedure for doing so, but he should not debate it in the fashion he has been doing in the past few moments.

MR. SPEAKER: The hon. gentleman is speaking on the point of privilege?

MR. MARSHALL: I am speaking on the point of privilege. That is not a point of privilege, Mr. Speaker, because I am not, and I emphasize, I am not attempting to appeal the ruling of the Chairman of the Committee or the Speaker. All I am pointing out on the point of order that has arisen is the fact that you cannot obviously construe a matter as a vote of non-confidence, something as serious as that when the ingrained standing orders of the House have been so obviously, in this particular case, not been complied with.

MR. SPEAKER: I cannot permit the hon. gentleman to continue. I would not regard his remarks as a challenging of the ruling of anybody but a comment upon the rules and their applicability to the present point of order. I do not consider that he is challenging a ruling so I will ask him to continue with his point of order.

MR. MARSHALL: If I may continue then, Mr. Speaker. You know, these matters are far too serious, I would suggest, to be playing games with. The standing orders are here and they are explicit. And the only time that anyone, any member that is, is prohibited from entering the environs of this House is when that bar is across; and to prohibit anyone from coming in at any time, be it in Committee or be it in the House, without that bar across is contrary to the rules. We cannot invent the rules, we cannot substitute rules that we may wish, and the game is a little bit too serious, as I say, Mr. Speaker, to be playing games with, so I would submit there was no vote of confidence in this particular case because the basic rules that are set down for the conduct of order in this House were in that case inadvertently not complied with.

April 11, 1978

Tape No. 856

RT-3

MR. SPEAKER:

The hon. Leader of the Opposition.

MR. WM. ROWE:

Sir, I would not have risen but the hon. member for St. John's East (Mr. Marshall) rose on a completely different point of order altogether from that which we were discussing.

The practice has grown up in Committee, Sir, when the Chairman asks for 'ayes' and 'nays', if the Chairman

MR. W.N. ROWE: is unable to decide whether the "Ayes" or the "Nays" have it, and sometimes in fact when he is requested by people standing up to make a count of the House, the Chairman of Committees has in fact asked those who have voted "Aye" to rise in their place and those who have voted "Nay" to rise in their place, and that is where this custom, Sir, of not allowing people who have come in after the vote has been taken to rise in their place when the "Ayes" are counted or the "Nays" are counted because, Sir, the Chairman of Committees is obviously counting those who voted "Aye" at the time the vote was taken or "Nay" at the time the vote was taken. Therefore if I wander in after the vote has been taken I cannot rise in my place and say that I voted "Aye" at the time or "Nay" at the time. That is what has happened in committee. So the hon. member for St. John's East simply did not know what he was talking about when he raised that point, Sir.

Secondly, Sir, let me make this suggestion. It is a very important matter. It is not a joking matter. We are not playing games, as that hon. member has stated. It is a serious matter where the government, the administration apparently did not have on a substantive debatable vote the confidence of the members of committee of the whole which is the Committee of the Whole House, all the members of the House, and therefore, Sir, it most certainly can be construed as a vote of no confidence in the government for that purpose. Therefore, Sir, I would recommend very sincerely and humbly to Your Honour that the House be recessed until such time as the Speaker can adequately look into the precedents on this matter it being so important, and that when Your Honour comes out with the ruling, Sir, as to whether or not it is a vote of no confidence or not or whether the government should be required to bring a substantive motion before the House for debate to determine whether the government has the confidence of the House or not, that Your Honour have ample opportunity to make that ruling and to consider all the implications and all the precedents pertaining thereto.

MR. W.N. ROWE: So may I suggest to Your Honour, Sir, that we recess the House for an adequate amount of time for Your Honour to make your ruling?

MR. SPEAKER: The hon. Government House Leader.

MR. HICKMAN: Mr. Speaker, if I may respond very briefly to the comments just put by the hon. Leader of the Opposition. The hon. Leader of the Opposition has missed one fundamental point. He has described any procedure that a Chairman of Committee may look to to try and help him in ascertaining whether or not a majority has voted for or against a particular motion. But a far more fundamental principle is the one that was put by the hon. member for St. John's East, that no hon. gentleman duly elected to this House can be prevented from voting on any matter at any time except by placing the bar between the two posts- no other time, it is as fundamental as that.

And, Mr. Speaker, the simple fact is that when the time came to vote on the motion there was more than an adequate number on this side of the House who were here ready, willing and able to vote and there is no rule of this House, no rule of Parliament, no principle of Parliament that can prevent any hon. gentleman when he is in his place from voting and that, Mr. Speaker, is the issue that is before the Chair. The other one on a motion of non-confidence is really - the hon. gentleman are saying it facetiously. They know it is not a motion of non-confidence. They know precisely what happened, that the motion is put, it is called and before anyone has an opportunity to do anything we hear "Ayes" and "Nays" being called for it. And to say that that goes to the confidence of the House in the government is stretching the rules of Parliament. And anything that is easily remedied, and that most assuredly can, cannot be regarded as a motion of confidence or non-confidence in the government and it does not offend any rule and most assuredly not the rules of this House or the rules of common sense.

MR. SPEAKER: The hon. minister.

MR. DOODY: Mr. Speaker, if I may on a point of privilege. I feel that as a member of this House I have every right to vote on these matters of importance. If indeed a matter of importance comes to a head here in this House I would have been absolutely delighted to have been given the opportunity to vote. Unfortunately for me I was courteous enough to be attending a meeting with a Delegation at the invitation of a member of the Opposition. I was in an office directly across the way, no more than twenty feet from here, courteously meeting with a group listening attentively to their problems. And I would have been delighted to have been in my seat and had I been I certainly would have voted in support of the government and I just want to go on record as having said that. I do want to have on record the fact that I have a right to vote in this hon. House on questions that are important.

MR. SPEAKER: Order please! This is a matter extremely serious and I do not wish to cut off any hon. members who have risen and I will hear them.

MR. SPEAKER: I would suggest, then, that unless there is something new and additional - there is not much sense repeating the same matters - that I would then, in fact, adjourn and I will in all likelihood adjourn until 8:00 P.M.

Before adjourning, I will inform hon. members what it is specifically that I have to give a decision on, because I am not sure that what perhaps hon. members think I have to give a decision on and what I think I have to give a decision on are necessarily identical, but I will formulate that just before leaving the Chair.

Now the hon. gentleman from St. John's East and the hon. gentleman from Lewisporte have risen and I recognize them.

The hon. gentleman from St. John's East.

MR. MARSHALL: Mr. Chairman, adverting to what the Leader of the Opposition said in response to my remarks, the only thing further I wish to add is to direct Your Honour to Standing Order 82 and the provision there with respect to the three minutes, the summoning of persons into the precincts of the House for the purpose of a vote being taken, a vote of this particular nature. And adverting to what the Leader of the Opposition said, he knows full well that the very purpose of ringing the bells, be they in the House or in Committee, is specifically for purposes such as this, so that when issues of great import are to be decided that all members within the precincts of the House who have the right to vote are summoned and given their right and entitlement to vote. And otherwise, any vote that carries, I would submit, Your Honour, is, insofar as it purports to be a vote of non-confidence, or for that

MR. MARSHALL: matter any vote, is really in effect a nullity, because, as I say, it does not comply with the Standing Order. That is all I have to add, and I am only up on my feet again because I am responding to the remarks made by the Leader of the Opposition.

MR. SPEAKER: The hon. member for Lewisporte.

MR. WHITE: Mr. Speaker, I rise to speak on this point of order because of a couple of remarks that were made by the Minister of Transportation and Communications and also remarks that were made by other hon. gentlemen opposite while they were sitting in their seats. While this matter was taking place I was meeting with the Minister of Transportation and Communications with the delegation from my district in an office in here. I did not know at that time, Mr. Speaker, what was going on here in the House and I want to take strong exception to any suggestion, Mr. Speaker, that I asked the Minister of Transportation and Communications to come to a meeting with me and my constituents for the specific reason of taking him away from the House in order to trick the other side.

AN HON. MEMBER: He did not say that.

MR. WHITE: I know he did not, but other people said it while the minister was speaking, and I refer to the Minister of Municipal Affairs and Housing and the Minister of Tourism.

MR. NEARY: Hear, hear!

MR. WHITE: They accused me of trying to trick the government side of the House by taking the Minister of Transportation and Communications away from the House at the time that this matter was taking place, and I just want to clarify that matter, that I was not aware, had not been made aware by our Whip of what was going on. And I, too, Mr. Speaker, would have liked to have been here to

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Tape 858 and 859

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MR. WHITE: vote on this particular matter.

MR. NEARY: Hear, hear!

MR. SPEAKER: Before adjourning, as I see it, the matter on which I have to make the decision is this: First of all, I have to note or be aware that a motion was made in the Committee of the Whole that the minister's salary be reduced to \$1.00. That carried. That motion carried - and then that the Committee rose. It is necessary, of course, to make a distinction between the authority of the Speaker in relationship to the House of Assembly, and general constitutional conventions. The result of that vote - what, if any, effects that has in the relationship between the government and the Legislature or the government and the Crown - is quite a different matter than what, if any, action should be taken by the Chair as a result of that vote. And I believe that in the submissions that I have heard there is perhaps a bit of confusion there. It would be quite improper for me to make any decision on what, if any, results flow from that vote in terms of relationship between the government and the Crown or the government and the Legislature in the general constitutional sense. What I have to determine and inform the House is what, if any, action I, as Speaker, must take as a result of that vote. So there is quite a point of distinction there. And it is in that specific area, obviously a very important one, that I wish to inform myself thoroughly. It might be possible to do so in an hour, but I am not sure that that extra thirty minutes is that important and I prefer, since it is so important, I think it would be discourteous to the House not to have ample time to undertake this quite important matter.

So I adjourn the House until eight
this evening.

No. 25

PRELIMINARY

UNEDITED

TRANSCRIPT

HOUSE OF ASSEMBLY

FOR THE PERIOD:

8:00 p.m. - 11:00 p.m.

TUESDAY, APRIL 11, 1978

The House resumed at 8:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER: Order, please!

Before coming to the substantive matter on which I heard argument before the adjournment, and that was what action if any the Speaker should take with respect to a particular vote in the Committee of Supply, before coming to that and in order to put the matter in perspective and in an endeavour to disspell any confusion, I would just briefly review what led up to that.

In the Committee of Supply there was a motion, in order and debatable, to reduce the minister's salary to \$1.00, that was passed. There was a further motion that the Committee rise and make no report, that was passed. In argument it was suggested, by one hon. gentleman to my left on a matter of privilege, that he being present in the precincts of the House, or just outside the Legislature, or very close by when a voice vote was taken, and could and did get to his seat in time for a standing vote, that it appeared improper that he could be in his place and not permitted to vote. That I think in substance is his submission.

I would point out on that particular submission, that that would not be a unique situation. In a division in the House, as distinct from a proceeding in the Committee, in a division in the House, when a division is called for, the bells are rung and after three minutes the bar goes down, and then the same situation in that respect could occur if an hon. member did not get himself within within the three minutes, he could not vote. So that in itself is not unique. In order to vote in a division in the House one has to bring one's self within the application of the Standing Orders.

Now with respect to the situation in Committee, obviously one has to bring one's self within the orders or precedents that are applicable.

Submission was also made that when a standing vote

MR. SPEAKER: is held in Committee, hon. members who are not here for the voice vote should be permitted to vote when the standing procedure takes place. All I can say with respect to that is that the precedents, in my judgement, the precedents of this House, and I refer to precedents during this session, and also to a decision by the Deputy Speaker in Hansard, April 9th., 1976, the practice in this House is that a standing vote in Committee is not regarded as an additional vote, but as a visualization of the oral vote. This is the point of distinction. In the House a voice vote is one vote and if a division is asked for that is another vote and obviously people who did not vote in the voice vote may well vote in the division.

The practice of the Committee in this Legislature has been to regard the standing vote not as an additional vote, as another one, but as a way of making it knowable to the Chair who voted "Aye", and who voted "Nay." Now I am aware that this practice is, to the best of my knowledge, at variance with practices in other legislatures in that situation. However, that is not our only procedure which is at variance. Hon. members will recall last year, and I make this point of comparison here, that a point came up with respect to a subamendment, whether or not that gave the mover the right to speak for an unlimited time because it would be regarded as a new vote of non-confidence rather than merely an extension of the former one, and

MR. SPEAKER:

the ruling there was that although in most legislatures that is not the case, the practice had developed in this House. So there are instances in which our precedents are different. It is not for me to say that it is good or bad, and it is not for me to make up the rules but merely to apply them and interpret them, but not to make them up. And where the Standing Orders are silent I can only find them through precedents. Therefore I make that distinction because there has been quite some confusion and difference of opinion with respect to that standing vote.

It could be argued that perhaps it should be changed, that the situation should be the same as it is in the House, that the bells would ring and there would be three minutes or something. That is within the authority of hon. members to do it, to amend the Standing Orders pursuant to the House of Assembly Act, but obviously it is not for me to do unilaterally.

Having, I hope, put the matter in perspective, I come now to the substantive point which was, essentially, given the vote which passed in Committee, what action if any is incumbent upon the Chair? Not a direct parallel, but certainly a matter which is of some help in this respect, is covered in the House of Commons Hansard for February 19, 1968, where the government at that time lost a vote. That was on third reading of a bill. It was not in Committee, it was on third reading of a bill. What I find helpful in this respect is the fact that what if any action the Chair should take did not become a matter which was alluded to. No question of any constitutional implication was brought up for a decision by the Chair.

There was a suggestion by one hon. member that the Speaker adjourn. And I read what the Speaker says, "The hon. member is suggesting that I take the powers vested in me to adjourn the House when there is disorder in the House." He found that there was not disorder and he did not adjourn. So it is of some help in

MR. SPEAKER:

that instance the government did lose a vote and the Chair was not called upon actually to make the decision with respect to what effect if any that would have.

A matter which is of some help as well will be the words of the Speaker in the House of Commons on May 29, 1967. The matter which was up was something quite different. It was not on a government losing a vote, but I will read what the Speaker said.

This is page 685, May 29, 1967, "The hon. member must know that it is not the duty of the Speaker of the House to consider constitutional matters but simply to rule on points of order." And on page 686 he says practically the same thing. I think I should repeat what I said a moment ago, "It is not for the Chair to rule on constitutional points but rather on points of order."

I find in the present instance whatever opinions there are with respect to any effect of that particular vote, that this is a constitutional matter within the relationship of the government and the Crown, essentially, that it is not a matter pertaining to the order or procedure of the House. And I feel that it being a constitutional matter that there is really nothing that I can say on it and indeed it would be usurpation of authority and I would be speaking without authority and improperly to comment on a matter which, whatever it is - it may be constitutional, it may be any number of things - is not a matter of the order and procedure of the House of Assembly.

The motion is that I leave the Chair.

The hon. Leader of the Opposition.

MR. W. ROWE: Mr. Speaker, it is humbly submitted to Your Honour that the motion made and passed in the Committee of Supply was that the Chairman of the Committee of Supply to leave the Chair and make no report. The Chairman of Committee in fact left the Chair, resumed his seat and the Speaker, Your Honour,

MR. W.N. ROWE:

took the seat and no report was made to Your Honor. It is submitted, Sir, that being the case the Committee of Supply, to use the term used by the learned gentleman which whom I conferred on this matter, the Committee of Supply was then dead and has to be reconstituted again by the procedures which were used to set up the Committee of Supply in the first instance, and that the matters which were debated and passed in Committee of Supply, but not reported to the House during today's session, are therefore dead as well, the Committee of Supply being dead. Matters reported to the House on other occasions of course are part of the record of the House and can now go through the procedures which the House has for money bills. Those matters referred to today, and the Committee itself, Sir, have to be reconstituted and this can only be done by the procedures which were first used by the hon. Minister of Finance, namely, a recommendation from Her Majesty through the Lieutenant-Governor, and the appropriate other resolutions and so on be resubmitted to a Committee of Supply, and, Sir, that until this is done the House Leader has no right to resolve the House into a Committee of Supply in order to deal with the estimates which are presently before, or were before the Committee before the Committee of Supply foundered and died this afternoon.

MR. SPEAKER:

The hon. the Minister of Justice.

MR. HICKMAN:

Mr. Speaker, in response to the submission to that point of order and the submission by the hon. the Leader of the Opposition, I have to confess that I anticipated that the hon. gentleman might rise on that point of order and I direct Your Honour's attention to page 224 of Beauchesne, paragraph 275, the last paragraph of 275, "When the Committee of Supply rises without reporting, it is not thereby designedly closed and it may be revived by a motion without notice;" that is what has been done, the calling of supply as a motion to go back into supply, "But if the Committee has been designedly closed, it must be constituted again in pursuance of new Estimates being brought down by the Government". Now in this case, Mr. Speaker, it is obvious that the Committee of Supply was not designedly closed, and in order for the Committee of Supply to have to be designedly closed then

MR. HICKMAN: obviously this would have to be brought to the attention of the committee before any vote is taken so that hon. gentlemen in voting in committee would know full well that by voting to rise the committee and by instructing that the Chairman not report, that thereby we are designedly closing the committee. This was not done. There was nothing more than a simple motion that the committee rise and not report, without report. And that is all that was done, Mr. Chairman, and the motion is, I submit, properly in order and I called to Your Honour's attention a section that I am sure Your Honour is already fully and completely aware of and familiar with.

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

MR. W.N. ROWE: If I may reply in rebuttal to the hon. member, the hon. minister, House Leader, the hon. minister should have done the House the courtesy, Sir, of citing the whole paragraph from Beauchesne which he referred to Your Honor, paragraph 275 on page 224 of the fourth edition, 1958. "The Committees of Supply and Ways and Means are kept alive by an order that they shall meet again at the next sitting of the House. Should they report and not receive this permission, they would cease to exist and the House would have to set them up again".

SOME HON. MEMBERS: Hear, Hear!

MR. W.N. ROWE: And, Sir, far from the hon. Chairman of Committees reporting and not asking permission, Sir, he did not report at all and therefore this section of Beauchesne applies even more strongly. Ordinarily, as Your Honor knows, the motion is that the Chairman do now leave the Chair, report progress and ask leave to sit again. And it is submitted, Sir, that the absence of these words 'ask leave to sit again,' because the Chairman did not report, it had the effect of killing

MR. W.N. ROWE: the Committee of Supply and it has to be reconstituted in the normal way by this House.

Your Honour, I would also refer you to Erskine May, nineteenth edition, page 608, which refers to this matter. I do not have the book in front of me here, but I did look it up. There are not too many copies of Erskine May around and I therefore had to read a copy and pass it back again. Page 608, the nineteenth edition, refers to this matter, Sir, and the matter of 'dropped orders' referred to on that page is defined on page 357 of the same volume, Erskine May, nineteenth edition, the point made in Erskine May being the same as the one made in Beauchesne substantially, namely, that if the Committee is asked to rise and not report, or does not ask leave to sit again, it is equivalent to the analogous situation would be an adjournment of the House without, either in the Standing Orders, in the adjournment motion, making reference to the fact that the Orders of the Day do stand deferred. Otherwise, Sir, there would be, as Your Honour realizes, any bill under discussion would be killed by the adjournment order unless in the Standing Orders or in the adjournment motion itself the bills and the Orders of the day are, in fact, stood deferred and therefore can be raised again.

The point, Sir, is that no report having been made, and no permission asked of the House that the Committee be given leave to sit again, the Committee, if fact, died on that motion that the Chairman rise and not report, and that in order for the Committee to be revived it has to be reconstituted and matters have to be re-referred to the Committee in the way that money bills and money resolutions are ordinarily referred to the Committee of Ways and Means, Mr. Speaker.

MR. SPEAKER: The hon. member for Grand Falls.

MR. LUNDRIGAN: A question of information more than adding to the debate. Do I recall this afternoon that when the motion was moved - I was here for the motion. I did not vote on the motion - that there was a request made by the hon. the House Leader, a motion moved rather, that no progress be reported? Now there is a very important choice of words right here because progress was made. There was a motion moved here in the Committee.

AN HON. MEMBER: There was not a -

MR. LUNDRIGAN: - in the Committee. Let me just ramble on for a few minutes, Your Honour, because it is an important topic. I understand that a motion was moved in the Committee of Supply, a motion was moved that the minister's salary be reduced to one dollar, and that motion was subsequently put by the Chair, by His Honour. Some conversation has gone on back and forth about its being debatable. That is a fact, it was debatable. And there was some conversation about hon. members wanting to debate but the thing was not quite clear after a time. There was no debate took place, the motion was put and I understand that those in favour 'aye', those against 'nay', the 'nays' had it. According to what I understand the Chair said "The 'nays' have it". Hon. members stood in their places requiring the vote, which was quite proper, hon. members stood opposing, which was quite proper, and the motion was carried, twelve to eleven. I believe that is a correct statement.

MR. NEARY: Thirteen to eleven.

MR. LUNDRIGAN: That was the first vote -

SOME HON. MEMBERS: Thirteen to eleven.

MR. LUNDRIGAN: - the vote on the minister's salary to be reduced. Thirteen to eleven. Thirteen to eleven.

MR. LUNDRIGAN: Subsequently, the hon. House Leader moved a motion, because there had been progress, there had been a motion moved, there had been a motion put, there had been a motion voted on, the hon. House Leader made a motion to move, which was an improper motion, Your Honour, and I would like at some point for this to be brought out in the discussion here, that the Committee rise and report no progress.

SOME HON. MEMBERS: No. No.

MR. NEARY: No, that is all wrong.

DR. FARRELL: Order, please! Order! Order!

MR. LUNDRIGAN: Mr. Speaker, that the Committee rise and report no progress is what I understand happened. The hon. gentleman across the way say that that was not the motion that was put, that the motion that was put, they are suggesting was, as Your Honour reported, quite properly that no report be made.

MR. SPEAKER: I can clarify this matter here, I have the Hansard. "Mr. Chairman; Order, please! The motion is that the Committee rise and make no report." That was the motion. As a matter of fact, I received no report.

MR. LUNDRIGAN: Your Honour has indicated that he has received no report then there are three issues here, there are three points that are relevant. If the total intent of the motion that was moved was to kill the Committee, if that was the total declared intent -

MR. NEARY: That is right, that is what it was.

MR. LUNDRIGAN: - and if that motion, as I understand it, was also debatable -

MR. W.N. ROWE: You know.

MR. LUNDRIGAN: - as I understand it, because as I understand it the only motion that is not debatable is the motion

MR. LUNDRIGAN: to report progress. To make no report the hon. member says it was not debatable. Well, I just raised that question. I raised the question as to whether the motion when it was put was clearly, definitively along the line that the Committee should be killed; in other words, that it was not a matter of a routine motion to report progress which is a non-debatable motion which must take place, that it report no report. If that were a clear, definitive motion and if that motion was clearly non-debatable, and if that motion was put clearly in a way that was requiring the expression of the Legislature, then, Mr. Speaker, that is a point of consideration. The House Leader, of course, then recognizes that there are other procedures to be followed and he has clearly identified, as other members of the House are aware, that other procedures are to be followed which involve starting from that set of estimates and going through again with re-tabling and the like. That is quite in order. That is a procedure which Your Honour has to consider.

But, Mr. Speaker, as one member in the Legislature, and Your Honour harks back on precedent which states that we have a vote when members are in their places, when I walked into the Legislature this afternoon, on the motion which is the one that is the controversial motion as to whether the Committee report or make no report, that matter was still a live issue on the floor of the Legislature. That matter was a clearly a live issue on the floor of the Legislature. There must have been a dozen members in their places before the motion was put -

AN HON. MEMBER: The first motion?

MR. LUNDRIGAN: Not the first motion, the second motion, Your Honour, which would indicate that many members of the Legislature did not vote on the second motion. And I suggest, Your Honour, if that is the case that that was a definitive, clear motion to make no report and members were in their places at the time, then, Mr. Speaker, I have to suggest that we reconsider the procedure that was followed.

MR. SPEAKER: The hon. member for Kilbride.

MR. R. WELLS: Mr. Speaker, I think that what is involved here is a very narrow issue which is covered on page 224 of Beauchesne, section 275, and I think it might benefit the House if I read this section again to assist Your Honour. I think I will read it and read it fairly slowly and make one or two comments on it, if I may.

Section 275 said:- "The Committee of Supply and Ways and Means are kept alive by an order that they shall meet again at the next sitting of the House. Should they report and not receive this permission they would cease to exist and the House would have to set them up again."

Now that is the position that the hon. the Leader of the Opposition takes.

But it says:- "They consist of the whole House and are only a Committee in the artificial sense of the word. They are appointed by merely naming a date for the House to resolve itself into Committee. On that date a motion is made for the Speaker to leave the chair."

Now here is the gist of it, I think, reading the whole section, Your Honour. "When the Committee of Supply rises without reporting," and that is what it did this afternoon, it rose without reporting, "it is not thereby designedly closed."

AN. HON. MEMBER: (Inaudible)

MR. R. WELLS: All right. "When the Committee of Supply rises without reporting it is not thereby designedly closed and it may be revived by a motion without notice." That is what the hon. the House Leader did a few moments ago. But if the Committee has been designedly closed it must be constituted again in pursuance of new estimates being brought down by the Government. So the question, Your Honour, I think, is a very narrow one when you come right down to it. Was it designedly closed or was it not designedly closed? Now this afternoon when this

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MR. R. WELLS: procedure took place and the various points of order were made and the motion itself was made, there was no suggestion by any hon. member or by the Chair at any time that it was being designedly closed, in other words, deliberately brought to an end, no suggestion on anyone's part. Therefore, Your Honour, I would argue that it is simply a case of where the Committee of Supply rises without reporting, it is not thereby designedly closed, and it may be revived by a motion without notice. That is what we had from the hon. the House Leader when proceedings resumed this evening after Your Honour had given the ruling.

MR. NEARY: Mr. Speaker.

MR. SPEAKER: The Opposition House Leader followed by the hon. gentleman for Burgeo-Bay d'Espoir.

MR. NEARY: Mr. Speaker, I just want to clarify a matter, Sir, and the hon. gentleman seems to be a little bit confused on this matter. As Your Honour knows and anybody who knows the rules of this House must realize, Your Honour, that there are only two motions that you can make in Committee of the Whole. One is to rise the committee and ask leave to sit again, or rise the committee and not report. You cannot add anything to it if you do it is out of order. And the other motion is to reduce the minister's salary. Both motions were made this afternoon in accordance with the rules of the House. If I had added, for instance, if I had said we designedly wish to close the committee I would have been out of order as Your Honour knows. I could not add anything to it. I just had to make the motion that the committee rise and not report and that is what I did and that is in keeping with the rules of this hon. House. And the hon. gentleman says that I should have said that I was designedly killing the committee. I could not say it. It would have been improper and it would have been out of order as the Speaker knows.

MR. SPEAKER: The hon. member.

MR. SIMONS: Mr. Speaker, first of all I refer to our Standing Orders No. 45 on page twenty-six of the Blue document, Standing Order No. 45, "A motion that the Chairman leave the Chair is always in order and shall take precedence of any other motion and shall not be debatable." Now I submit that the substance of the motion that was made by my hon. friend from LaPelle in committee was that that the Chairman leave the Chair. It was not a debatable motion so that the submission made earlier by a member on the other side that had somebody stated that we were going to designedly close the committee then it would be a matter for debate, in the face of the Standing Orders of the House that it was not a debatable motion no matter what the reasons given for the motion.

MR. SIMMONS: Now, Mr. Speaker, I have not had time to search the authorities on this but I believe an interesting question here is what constitutes 'designedly closed.' Certainly the mover of the motion in instructing the Chair, that is assuming the Committee carried the motion, as it did, in instructing the Chair to rise and make no report certainly must have had in mind the cluing up of the committee's activities. Now to say to me as a member of the House or a member of the committee that in voting you must say why you are voting. So I have to stand up as a member of this House and say, 'Now, Mr. Speaker, I am going to vote for this because I want to designedly do something.' I have my own reasons. Have I each time I cast a vote in this House to state the reasons why I am voting "Aye" or "Nay?" The whole question of what is 'designedly closed' is very much open to interpretation.

My submission, Mr. Speaker, is that in the absence of some authority on the subject you cannot question the motives of the individual members who voted for a particular resolution. I did not vote. I was not physically in committee. I was just outside the door. I was here for most of the proceeding this afternoon but I stayed in my seat when the standing vote was taken. I know where my heart was on the subject and where my mind was and I know that had I been able to vote, which I was not because of the precedents in the committee, had I been able to vote I would have voted for the motion because I for one would have wanted to designedly close the committee if for no other reason than to draw to the country's attention and the House's attention the very blatant and real facts which were skating around here today and tonight that the House lost a money resolution in committee.

MR. SPEAKER: The hon. Minister of Mines and Energy. Before the hon. gentleman speaks perhaps I will say - and if other hon. members wish to make submissions I will be certainly pleased to hear them - but I would like to focus attention on a very specific point which is at issue here and it relates to really one thing only and that is

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MR. SPEAKER: whether since the Committee of Supply pursuant to motion rose and did not make a report whether the government may continue or the legislature may continue with those estimates or whether they are required to bring in new estimates in the usual manner of a message from the Crown. That is

MR. SPEAKER:

really the point that I have to make a decision on.

The hon. Minister of Mines and Energy.

MR. PECKFORD: Mr. Speaker, I just want to address myself to the point already made by the House leader and by the member for Kilbride (Mr. Wells) and that is as relates to the section in Beauchesne already referred to. This afternoon, Mr. Speaker, I submit that the Opposition members by their motion to reduce the minister's salary to one dollar were conspiring, as they should as an Opposition, with the full intent and desire to demonstrate for their part as members of the Opposition their lack of faith and confidence in the administration through the Minister of Forestry and Agriculture (Mr. Maynard) and his estimates. There were no verbal mutterings or statements or phrases by any hon. gentlemen opposite to indicate that they were conspiring to permanently close the Committee from considering other estimates. They were simply trying to, as is their right and obligation as an Opposition, to try to demonstrate, embarrass the government on a very small, really, minor point which they succeeded in doing. And hence the Beauchesne quotation already referred to is extremely relevant here. There was no design on behalf of the Opposition to permanently close the Committee but to just indicate lack of faith and lack of confidence on that issue and hence I would submit that reference to Beauchesne does stand and that the Committee can continue to now deal with the estimates that are before it.

MR. SPEAKER: The hon. Leader of the Opposition and the hon. Minister of Justice (Mr. Hickman).

MR. W. ROWE: Very briefly, Sir, I just want to re-enforce the point which has been made concerning the words in Beauchesne, "designedly closed." The only way that a mover of a resolution or a motion in Committee, that the Chairman do now leave the Chair, which is a nondebatable motion - you cannot debate it - the only way he can indicate his design and the only way that the House can indicate its design is with regard to the words actually used in the motion. If you move that the

MR. W. ROWE:

Chairman do now leave the Chair and not report, then it is clear that your design is to kill the Committee, to finish off the Committee of Ways and Means. And people who vote for that have to be clear that their design is to finish off the Committee of Ways and Means. Otherwise, Mr. Speaker, it is blindingly obvious, that if you want to keep the Committee alive and want to vote to keep the Committee alive, you would choose the only other alternative available to you to show that design, namely that the Chairman rise, report progress and ask leave to sit again.

MR. NEARY: Hear, hear!

MR. W. ROWE: Since the motion did not contain the words "ask leave to sit again", and since the vote was taken on a motion which did not contain the words "ask leave to sit again," it has to be by the process of exclusion. It has to be conceded by Your Honour and by members that the design of those who voted in favour of the motion and carried it was that the Committee not sit again and the Committee therefore died as a result of the motion having been passed.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: The hon. Minister of Justice.

MR. HICKMAN: I realize, Mr. Speaker, that we can keep this up all night but may I simply once again draw Your Honour's attention to this, that this is a positive provision, not a negative provision. It does not read that where the Committee of Supply rises without reporting it is thereby designedly closed unless it can be proven to the contrary that there was no intention to designedly close it. The reverse is a provision in the rules and the practice and precedence, that where the Committee of Supply rises without reporting, "it is not thereby designedly closed." That is positive. The Committee is not designedly closed when it rises without reporting and it may be revived by a motion without notice.

Now, the hon. gentleman says that this is not a debatable motion. Quite true. It is not a debatable motion. But I

MR. HICKMAN:

am sure that it would be quite within the rules of this House if the hon. member for LaPoile (Mr. Neary) when moving that motion in his preamble indicated the reason. That does not constitute debate.

The other question that one might raise is, well then how can you rise the Committee by making that motion in a manner that would designedly close it. The answer just hits you right in the fact. It is with the end of the estimates, when all of the estimates have been passed by the Committee,

MR. HICKMAN: the Committee's work has been done for this session of the Legislature, you are rising it for the last time for the supply bills then to go through the House. then obviously that motion to rise the Committee, be it for whatever reason, is designedly closing it. And that too, Mr. Speaker, I believe has sometimes been interpreted when we are moving into the budget debate, as a debate which can ensue and constitute a motion of non-confidence. I realize I am not permitted to refer to non-confidence discussions on this motion but the words in that second paragraph, paragraph 275, unless it means what has been submitted on this side of the House would be absolutely meaningless, and certainly there is a responsibility, I submit, on the Chair to ensure that the words and the rules are not meaningless. And the words in that rule, these words would undoubtedly be meaningless and should not be there if it did not mean that there had to be some indication that this was going to designedly close the Committee and it most definitely does not.

MR. SPEAKER: I thank hon. gentlemen for their submissions. I think I shall be required to adjourn for ten to fifteen minutes, no longer I trust, in order to think this out and to refer to the authorities, and then to give you my decision.

MR. SPEAKER: Order, please!

There are essentially three references drawn to my attention and which I have examined and I would just remind hon. members that the point on which a decision is to be made is quite specific and is whether, as a result of the Committee of Supply having risen and not made a report to the House, the Committee of Supply is closed and cannot be called unless new supply procedure is introduced. That is the specific point.

Reference was made to May, page 608 with respect to argumentation on this point. The paragraph there, a quite lengthy section there, deals with motions to report progress and various results which may flow from the passage of that motion. As hon. members know here it is not a motion to report progress, but a motion that the Committee rise and make no report. So I do not have a parallel situation and I would suggest as well that May on page 357, which deals with the effective dropped orders could not be applied here because a dropped order is defined there in a very precise, technical manner as something transpiring in the House. It makes no reference to Committee whatsoever. It is a very precise, technical definition of dropped order, of the procedure which follows in the United Kingdom. Whether it would happen here or not under similar circumstances obviously I am not required, or indeed even would it be appropriate for me to state.

The most relevant and precise matter is Beauchesne, Page 224, Section 275 and it has been read already. But I will read it again. First of all, the first paragraph of 275. The first paragraph of 275 starts off, "The Committees of Supply and Ways and Means are kept alive by an order that they shall meet again at the next sitting of the House." And it goes on, "Should they report and not receive this permission they would cease to exist and the House would have to set them up again. They consist of the whole House and they are only a Committee, etc." But that whole paragraph deals with a situation applying to the next sitting of the House. In other words, if what had transpired today transpired yesterday and I

MR. SPEAKER:

were making a decision on this or if this were tomorrow and I were making a decision because the first paragraph refers entirely to the Committee being kept alive by an order that they shall meet again at the next sitting of the House and implicitly or conversely what would happen again at the next sitting. But we are not now in another sitting. The House at four-thirty adjourned and there is no new sitting, obviously, until another day when we start off with Notices of Motion, etc., etc. So we are in the same sitting.

I am limited therefore to the second paragraph of 275. It is one sentence and there is a semicolon in the middle of it. "When the Committee of Supply rises without reporting it is not thereby designedly closed and it may be revived by a motion without notice; but if the Committee has been designedly closed it must be constituted again in pursuance of new estimates being brought down by the government." That section, in my opinion, quite clearly states that when the Committee of Supply rises without making a report there are two possibilities. It is not closed or it is closed. Neither one follows automatically, inevitably, necessarily after that situation exists. If words have their meaning, that is what it has to mean.

MR. SPEAKER:

"When the Committee of Supply rises without reporting it is not thereby designedly closed and it may be revived by a motion without notice." And it goes on, "that if the Committee had been designedly closed it must be constituted again pursuant to the new estimates being brought down by the government."

In the precedents of the House of Assembly, Committees of Supply have been designedly closed in various sessions in a certain manner when the main supply estimates being through by the relevant motions and going in and out of Committee of Supply and Ways and Means and similar procedures for Supplementary Supply, and indeed for Interim Supply, and obviously it is evident there that the committees are designedly closed, and if a government wishes to introduce additional estimates then they must do so in the prescribed manner.

Bearing in mind, therefore, the way the paragraph starts off in the first part of that sentence, "When the Committee of Supply rises without reporting it is not thereby designedly closed and it may be revived by a motion without notice," in my opinion there is some additional evidence necessary to me that it is closed. The fact that it rises without making a report is not sufficient to give me evidence that it is designedly closed. And in the lack of anything additional but the occurrence of that event, when it states quite clearly that it is not designedly closed when the Committee of Supply rises without reporting, since that is not an automatic occurrence and in the lack of any additional evidence, then my ruling is that the effect of that motion in Committee is not to close the Committee. This is my decision.

SOME HON. MEMBERS: Hear, hear!

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

MR. CHAIRMAN: Order, please! Heading 101-01 as amended.
The hon. member for the Straits of Belle Isle.

MR. ROBERTS: Mr. Chairman, may I ask how much longer there is? We are under the guillotine procedures.

MR. CHAIRMAN: Four minutes.

MR. ROBERTS: Four minutes. I would think, Mr. Chairman, what I have to say will take four minutes.

I would like to talk a little about the position in which the minister finds himself as a result of the somewhat unusual proceedings in the House this afternoon. Because as I understand it, Sir, at the end of the four minutes, at which stage the number of hours allocated under this head have been exhausted, all of the votes contained in this Head, Head XII must be put, and they will be carried or they will not be carried as the Committee decides.

In my experience, Sir, this has never happened in the House before that a minister's salary has been reduced. There are some who say that the minister, if he wishes, can choose to carry on for \$1.00. Indeed there are probably those, Sir, who say that that would be honest recompense for his efforts, but that is not the point I want to make. The point I want to make, Mr. Chairman, is that we have a situation now where a minister has by vote of this Committee, and I may add by the failure of his colleagues, to support him in this House -

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: - had it recorded in the journals of this House.

MR. DOODY: Good to see the real leader back in.

SOME HON. MEMBERS: Hear, hear!

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Tape No. 870 (Night)

RT-1

MR. ROBERTS: Mr. Chairman, I would say to the hon. the gentleman from Harbour Main-Bell Island (Mr. Doody) we have at least one leader over here and there are those who say we have more than one.

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: Mr. Chairman, the point I wish to make, and there is only a moment or so left because this Head, Sir, will be carried without any provision for the salary of the Minister other than one dollar, and I submit that the hon. gentleman from St. Barbe (Mr. Maynard) will not be content to work for the next eleven months and twenty days, or whatever there are left in this fiscal year, for one dollar, and I say this raises a serious constitutional question. It is not possible for the Government to pay him out of Supplementary Supply. It is not possible for the Government to issue a warrant. Supplementary Supply cannot be brought in until the estimates are passed and then, Mr. Chairman, we are in the position that they have to wait until the next financial year comes. How do they pay him for the end of this financial year? How do they pay him in the meantime? By special warrant? Are we going to have the position where a Minister of the Crown in this Province is being paid by virtue of an emergency procedure?

MR. WM. ROWE: With the House in session.

MR. ROBERTS: This done with the House in session, as my friend, the Leader of the Opposition, says. This Government, Sir, cannot carry their own estimates. If there be one test in the parliamentary sense of when the Premier should go down to Government House, and he knows full well how to go there, as I know full well that he knows full well how to go there.

PREMIER MOORES: Are you suggesting you would go yourself?

MR. ROBERTS: Yes. I may yet get the chance to go myself, Sir, and if I were in the position the Premier is in I would have been at Government House by now.

SOME HON. MEMBERS: Hear, hear!

April 11, 1978

Tape No. 870 (Night)

RT-2

MR. ROBERTS:

I would have said, Mr. Chairman, -

SOME HON. MEMBERS:

Hear, hear!

MR. ROBERTS:

I would have said, Mr. Chairman, to his Honour, the Lieutenant-Governor, "Your Honour, there is one supreme test in the parliamentary sense and that is that the Cabinet can carry Supply, they can carry with them the House on the questions of Supply" and I would say, "Sir" - Mr. Chairman, I appreciate your courtesy in giving me one minute, I have every expectation that I will be interrupted by Your Honour, perhaps in mid-word, certainly in mid-sentence, and almost, I am sure, Your Honour, in mid-speech - that I would have said to the Lieutenant-Governor that, "Your Honour, we cannot carry Supply, one of my colleagues has had a lack of confidence voted in him by the House directly, not incidentally," To use a word that was referred to in the debate in the House when we discussed the point of order, 'designedly', because the sole purpose of the motion moved by the gentleman from LaPoile was to show a lack of confidence in the Minister.

I think, Sir, that when this House meets again, whether it meets later this night when the Committee rise or on the morrow when we meet, according to Standing Orders, the Premier owes it to the people of this Province and to the House, and I put them in that order, Sir, because this Province comes before this House, owes -

MR. CHAIRMAN:

I would like to remind the hon. member that the time for this Heading has elapsed.

On motion, 131-01 as amended, carried.

On motion, Heading XII, Forestry and Agriculture, all items, with amendment, carried.

SOME HON. MEMBERS: Hear, hear!

MR. CHAIRMAN:(Collins) Heading XV, page 97 - 05-01-01.

The hon. member for Humber East.

DR. FARRELL: Mr. Chairman, thank you very much for this opportunity to make a few brief remarks about my Department of Industrial Development. We are rather delayed here today, but I am glad to have the opportunity now to make a few remarks.

As you know, this department, Mr. Chairman, is by far the smallest department in government and besides the General Administration Division there are two other divisions, Project and Promotion Division and the Research and Assessment Division. Now we have approximately fifteen professional people in this department, which I think is one down from last year - very dedicated, I think all hon. members of this House will agree with that - and in total in the department, with support staff, I think we have thirty-three people in its entirety.

Now I would like to point out, because there have been some statements made and misunderstandings about this department and its role, I want to point out that some of the responsibilities of the department which include the Industrial Development on developments or opportunities which exist in the Province and the development of these opportunities, and working to attract new industries to the Province and the expansion of existing industries.

Now the Project Development and Promotional Division is responsible for promoting the industrial development opportunities of the Province, and this includes mass media advertising, preparation and publication of promotional literature, exhibitions, international trade fairs, etc., and conferences and seminars.

DR. FARRELL: And this division also provides a very important function in providing specific and general assistance and guidance to industrial prospects to assist and expedite their development. Also, this includes interpretation of other agencies of government, such as DREE, to prospective industries including site locations; also helping prospective investors in the Province in the preparation of their briefs and liaison with other departments and agencies which would assist them in getting their projects off the ground.

The other division is Assessment and Research, and this includes financial, auditing, accounting, engineering and economics required to conduct feasibility studies, research into the economic impact of major industrial development in the Province and related industries, and performs detailed analysis of specific industrial proposals.

Now certain Crown agencies and Crown corporations also report to the Department of Industrial Development, and these, of course, as you well know, include one which creates controversy, as I have noticed in the last few days and in previous estimates, the Newfoundland and Labrador Development Corporation for one, which I feel, myself personally, is doing an excellent job. I think in discussions in other departments in the last few days, one of the hon. members on the other side asked what the interest rate was and they were told that it was prime plus one. Well, this depends on the federal loan involvement, because it may be a little bit over prime, it may be above prime, but basically prime plus one, and it was compared to FBDB which traditionally has a 2 per cent over prime interest rate. As we go further down into the Newfoundland and Labrador Development

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Tape 871 (Night)

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DR. FARRELL: Corporation - on which we will go into a lot more detail later, I am sure - the fact is that in its inner estimates there are some bad debts, and a few agreements have been arranged with the federal government on the new agreement, that these can be written off and I can see since the inception of NLDC, this approximately 12.2 per cent,

DR. FARRELL: which I think is a very good record indeed of the loans given out by NLDC, as bad debts.

AN HON. MEMBER: Eighty-eight per cent good.

DR. FARRELL: Eighty-eight per cent excellent. In the past year, and I will just mention this in passing as I am sure we will go into it in more detail later again, the jobs produced, as can be seen by the financial report of the corporation which was tabled some time ago, since its inception was 1,537 full-time, actual jobs and 345 part-time in a total for the year to February 28, 1978 of 327 full-time and 136 part-time. Now there is a lot more detail available and I will go into that later, but this corporation which provides loans to eligible industrial developments or enterprises in the province I think is doing rather a good job and I am going to prove that later when we go into more detail in the estimates.

I would like to mention this time, just briefly, Nordco, which was initiated whose main plus is in the area of research, into marine technology for cold and ice infested areas. Mr. Chairman, this department has had some problems in the past but there are definite indications, in recent months particularly, that things are on the upswing. As I have said already, we have a very dedicated group of officials who work twenty-four hours a day in many areas, many tricky areas, many areas of concern, many areas which appear rather rapidly on the scene and they have to get into them, and we do not have the manpower in many occasions to do the job we would like to do and we are looking for some increase in this because we are below strength at the present time. I would like to mention here particularly the great interest in ocean orientated industries as far as our department is concerned and this includes areas such as the exploitation of the fisheries resource, vessel construction, instrumentation, equipment on board, mineral exploration on the offshore areas and we are getting applications and requests for information from provincial, national and international companies in this area who are showing an extreme interest in ocean industries

DR. FARRELL: particularly as our fisheries are improving so much in the last year or two.

I would like to mention a few of the areas which to me are a matter of a little pride and one of them particularly is the Marystown Shipyard and I would like to spend a few minutes discussing the Marystown Shipyard and the new contracts which have been obtained there and for that I must thank my predecessor, my hon. colleague from Grand Falls, the previous Minister of Industrial Development, who helped to initiate some of this work in this area. If hon. members may remember, approximately a month or six weeks ago I announced a new contract for the Marystown Shipyard of four new offshore supply vessels for Norwegian owners, the largest vessels ever to be built, 236 feet long, in Marystown which will comprise a contract of approximately \$31 million and delivery of these vessels will be completed in approximately 1980. I will guarantee viability and, indeed even more so, I think, will put the Marystown Shipyard over the hump in the years to come because this is a very bad period. I think we should be very proud that these contracts were obtained on a commercial basis due to the expertise of the management and the workmanship in Marystown. It was done completely through the management there and the workers and with some assistance from

DR. FARRELL:

industrial development. And this was done on a purely competitive commercial basis.

SOME HON. MEMBERS: Hear, hear!

DR. FARRELL: And I would like again, which I have stated before, to congratulate the management and workers of Marystown Shipyard on the magnificent work they have done and in a clearly competitive and depressed market at this time worldwide that they were able to obtain this contract. And indeed in the previous contract in which we have upgraded and converted the last two tugs of the five tug contract which we obtained a year or so ago, Norwegians again, one of the biggest ship building companies in the world—or I should say countries in the world, who were so pleased with the first three tugs that were built in Marystown, they have now converted the last two tugs to off-shore supply vessels again with an increase in their contract of \$5 million which brings their original contract from \$21 million to \$26 million. These owners stated publicly and unequivocally that the workmanship in the Marystown Shipyards was second to none in the world, and that coming from one of the biggest ship building countries in the world is an accolade I think we all should be proud of, particularly the people in Marystown.

SOME HON. MEMBERS: Hear, hear!

DR. FARRELL: I think these two contracts, Mr. Chairman, will give 400 man years of work, will carry the Marystown shipyard down to 1980 and by that time, with the increase in the fisheries and the need for increased catchability, that Marystown is off and running and I do not think it will look back, and I am sure everybody here will agree with me and hope that that is true and I am certain of it myself. I am very enthusiastic about it. They are over the hump, and by the time that most of the companies will be replacing their fleets. With the reputation that Marystown Shipyard has already obtained in the type of vessel they are building and the quality of those vessels, they will have all the orders they need in the years to come

DR. FARRELL:

to help replace our fishing fleet in the future years.

I would also like to mention, Sir, the new Burgeo fish plant. I know this is of great interest to all our members, particularly the hon. member for Burgeo-Bay d'Espoir (Mr. Simmons). I think he has some knowledge. We have brought him up to date somewhat. There have been ongoing negotiations with National Sea, Burgeo Fish Industries and government in guaranteeing a supply, a year-round supply for the Burgeo fish plant. There is no doubt in my mind, Sir, that this is being done and will be done. I have some figures here, if I can lay my hands on them, which point to the future well-being of the plant.

As most people know who are interested in the fisheries, right now we have the Cape Alert, which was supplied at very good rates to the Burgeo Fish Industries Limited, and we have the Gulf Gerd, which is not one of our best. As I am sure my good friend opposite will say, it is one that is fairly inefficient and causing great difficulties. We have four side trawlers down there, the Cape Myra, Gulf Hound, Gulf Fish, Gulf Hawk, I think. These are not allowed, as we all know, to fish in the Gulf, which they were traditionally able to do. They are now forced to fish in waters which they are not used to, neither the crews nor the captains. And right now, at the present time, national and Industrial Development have been looking for replacement for the very ill-fated Cape Royal over the past several months. And contrary to a lot of general opinion that there are lost of boats available in

DR. T. C. FARRELL: the European Market because of their being kicked out of the economic zone and their difficulties in other areas of the world, but there are not. All the ships that are available cast-offs. At the present moment National is negotiating for a large stern trawler for Burgeo, and this will include as partial the payment the Gulf Gerd. This is progressing very satisfactorily and I can say now that I can almost guarantee that the - or pretty well guarantee that the raw material available to Burgeo when the new fish plant is open is approximately 24 million pounds and this will include, say, the Cape Alert 5 million pounds; a new trawler, 5 million pounds - and I know I will be asked questions about the Cape Sambro which I will go in in more detail because I want to give everybody an opportunity to get into these areas. The Gulf Gerd 2.5 million; the Cape Myra 2.5 million; the Bar Hound 2.5 million; the Bear Hulk 2.5 million; the Bear Fish 2.5 million; inshore 1.5 million and diversions 2.5 million pounds which gives a total actually of 24 million pounds. And you can see from this table that this will give Burgeo a year-round operation which will maintain full employment, but it is by no means the maximum capacity of the Burgeo Fish Plant. As anybody in the fish business knows it is mandatory for any major fish plant, particularly one as isolated as Burgeo, to have larger quantity available because this is the absolute minimum so to provide a flexibility, especially an area such as Burgeo which is isolated and there may be unforeseen disruptions. There is no doubt in my mind and in the minds of my officials and the Department of Fisheries that the only long-term solution is the replacement of the side trawlers, and this is already being initiated. National Sea has the conceptual ideas of a new type trawler for the Burgeo plant and are ready almost, to start the naval architecture on it so that they have ships that will be of benefit to the area.

Secondly, I should mention, and this is very important, that these non gulf-based plants which were traditionally fished in the gulf should get at least 50 per cent of increased quotas, in any increased quotas in the coming years, so that it will make the plant so much more viable. Mr. Chairman, National and our Department of Fisheries have spent considerable effort again in obtaining trawlers for the Burgeo area and for other areas

DR. T.C. FARRELL: through National. But as I said already, a lot of these trawlers, although a lot of people say there are hundreds of them available, are not suitable—they are old vessels, they are cast-offs from the British fleets, they are there tied up by the scores. And we do not want Burgeo to have a fleet consisting of different type vessels. We would like to have vessels of a similar type, which would be much more beneficial economically and would help to maintain the plant in a very good, viable position. I could go on for a great deal more on this area, Sir, I am sure I would be asked a lot more questions on it, Mr. Chairman, which I will be delighted to answer and go on from there.

Now as mentioned in the Budget Speech, a high priority has been placed on the reactivation of the Linearboard mill in Stephenville, and I am not going to go into any great detail on this but a very aggressive approach has been made by our sales team in Industrial Development and we are very encouraged with the

DR. FARRELL: negotiations ongoing now with three companies who show very strong interest in getting this plant back into operation.

MR. CHAIRMAN: Order, please! I will have to remind the hon. minister that his time has elapsed.

DR. FARRELL: I am sorry, I had a lot more to speak to. I will say it later on. Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. CHAIRMAN: The hon. member for Burgeo - Bay d'Espoir.

MR. SIMMONS: Mr. Chairman, first of all since the minister in his opening remarks made reference to specific items among others, I will just respond to these first of all before getting on to some other issues.

I come first of all to the matter of the Burgeo fish plant which will open this July, somewhat ahead of schedule, a couple of months, thanks to a number of factors, not the least of which is the co-operation that all concerned are receiving from the minister's department. So the plant is going to be opening ahead of time and one of the big questions in the minds of all concerned is will the plant have enough catch capability to allow it to operate on a full-time basis? It is a question that I do not particularly want to take the time of the Committee on now because I think it might be advisable to hold that question somewhat in abeyance in view of the fact that the union in Burgeo, and I, have invited the Minister of Industrial Development, together with the Minister of Fisheries, to visit Burgeo fairly soon. We had set up a meeting a week or so and that had to be called off, but in talking with the two ministers I understand we are going to be able to do it in the next week or so. And at that time the people of Burgeo, the Council at Burgeo, and the union in particular, have one question - they have others, but they have one question which takes priority over all others - and that is will the plant indeed have the catch capability? And a related question, how realistic

MR. SIMMONS: are the figures that the minister has just given us in terms of the projections for catch for the Cape Alert, the Gulf Gerd and the other boats? I am not at all questioning his right to give the figures to the Committee, I am sure he gives them in good faith. We have had those figures, thanks to a meeting with the Minister of Fisheries about a month ago with the Burgeo representatives, fish union representatives, and the council representatives from Burgeo, and at that time the minister and the Minister of Fisheries, together with the Deputy Minister of Industrial Development by way of telephone, gave us the same figures, I believe, that the minister has now given to the Committee. And I have since had someone look at the figures, someone who is conversant with the matter under discussion, the matter of how much fish the boats can be expected to take over a year, and I am told that, to be kind, Mr. Chairman, I am told that the figures are optimistic. I am told that the minister's total of 24 million pounds ought perhaps more realistically to be about 18 million or 19 million. Well, that is a matter that I will leave to people more expert in the field than I to debate with the minister when we are pleased to have him in Burgeo a week or so from now. But it is a question that is not at all resolved, I say to the minister, it is certainly not resolved in the minds of the people of Burgeo or in the minds of the union people up there and those who work in the plant.

Another issue relating to the Burgeo fish plant is the agreement, now it is a fact of law, we passed it in this House here last year about this time, the agreement between National Sea and the government. And I said at that time and I just want to repeat very quickly, very briefly, that the concept which is now being implemented in Burgeo is a good concept where you have a partnership between the private sector on the one hand, and the public sector, government, on the other hand. It is a good concept. Where the concept falls down miserably is in this very area of catch capability. Because the clauses covering this

MR. SIMMONS: matter on paper leave the ball in the company's court, but in effect leave it in the government court. To put it another way, Mr. Chairman, there are disincentives, I say disincentives, in the agreement, which, if you could attribute the worst kind of faith to the company, which could result in the company saying, "What have we got to lose if we do a less than good job of operating the fish plant?" Because the guarantees built in are such

MR. SIMMONS: that even though the company loses on current account on the Burgeo operation, it cannot lose in terms of its net receipts from the overall agreement. And that is a matter that is of tremendous concern to the people of Burgeo, and I give the minister notice now, is a matter that the union representatives particularly want to talk to him and the Minister of Fisheries about. They are very concerned about Clause - I believe, offhand, it is Clause 25 of the agreement, I am not sure - but it is the clause that relates to the company's -

AN HON. MEMBER: The Management clause.

MR. SIMMONS: Yes, the Management clause and the net profit relationship of the company and that kind of thing.

Now I will leave that, because we are going to have an opportunity, I believe, outside of Committee - when I say 'we' I mean me as the member for the area, together with the two ministers involved - we are going to have the opportunity to discuss otherwise as I intimated just a moment ago.

I just want to quickly make a comment on the minister's reference to Marystown. I believe all of us, no matter what part of the Province we come from or represent, all of us take particular pride in the kind of work being done in Marystown and the fact that so many job opportunities are being created on a continuing basis.

I believe, Mr. Chairman, it is being somewhat less than honest to the Committee to imply that the present prosperity at the Marystown Shipyard is the result of very many direct initiatives by the provincial

MR. SIMMONS: government. I would suggest, Mr. Chairman, that the government finds itself in a fairly happy position on the Marystown Shipyard for a couple of reasons, not the least of which is that the member from Newfoundland in the federal Cabinet also happens to be the member for the area concerned, the area which embraces the Marystown community and the Marystown Shipyard.

What I was about to say to the minister was that the announcement that he made about four or six weeks ago about the new offshore supply vessels for Norway is an instance where it was certainly a joint announcement and a joint involvement and one in which I understand - and the minister can correct me - but my information is that the working capital here is coming through the federal government whereby -

AN HON. MEMBER: Joint development.

MR. SIMMONS: That is right - whereby the government, in effect, will buy the boats - will finance the boats and then in time sell them to the Norwegian people. The role of the federal government in this one has been crucial and should not be underestimated or completely understated as was the case in the minister's opening statement.

Now, Mr. Chairman, both the matters I have touched on, the Burgeo fish plant and the Marystown Shipyard, are themselves monumental issues of tremendous importance to this Province and each deserves a fair amount of debate.

The rules of Committee require that I confine myself to twenty minutes of this time and I shall use the remaining twelve or thirteen minutes to

MR. SIMMONS: address myself to other subjects relating to the minister's salary.

I might say for the record, Mr. Chairman, and to ease the minister's mind, that I do not have any intention to reduce his salary. We have the utmost respect for that minister and we think he earns every cent he gets, and we would not want to put another Newfoundlander on the unemployed roles at this particular time.

DR. FARRELL: I thank you very much.

MR. SIMMONS: Mr. Chairman, central to the question of whether or not we ought to vote the minister's salary is whether there ought to be a Department of Industrial Development. There certainly ought to be if there is some rhyme or reason for it; and equally, there ought not to be if we cannot find any rhyme or reason for it, which is where I find myself tonight, Mr. Chairman. I cannot at this particular time find very much rhyme or reason either in the estimates themselves or in the public record with respect to the operations of this department for any real reason as to why we have a separate department of government at this particular time. Now, Mr. Chairman, I have not said there is no need for a Department of Industrial Development. What I have said, Mr. Chairman, is I fail to see the need for this particular Department of Industrial Development, given its record and given the evidence before us tonight.

Now, Mr. Chairman, do you need a department just to shut things down? Is that what you need

a

MR. SIMONS: department for? Certainly it has a fairly speedy track record in that area of shutting things down. If you need a government department to shut things down, to shut industries down in the province, I would suggest this government has done enough shutting down to warrant two departments of government, let alone one.

Mr. Chairman, I have not yet figured out what this department is doing but that is not to say, Mr. Chairman, that I have not noticed certain things it is doing. I have mentioned shutting things down, and Labrador Linerboard is the biggest example but there are others. I have noticed, Mr. Chairman, that this department is frantically busy producing studies and paying out consultants fees. Mr. Chairman, in November 1973 I ran in the Hermitage by-election and during that election one of the Premier's many announcements, an absolute diarrhea of announcements he made during that three week period. One of his many announcements was that he was going to establish through the Department of Industrial Development a study, a study to determine the job opportunities in Bay d'Espoir. Well, Mr. Chairman, to his credit he kept his promise; he established the study, he paid the Research and Productivity Council, known for short as RPC, RPC of New Brunswick, he paid several tens of thousands of dollars to do a study. It was a beautiful study, the cover was pretty, it had a nice plastic binding on it, it numbered three or four hundred pages, it contained about thirty recommendations each of which if implemented would have created a number of jobs in Bay d'Espoir. And the study was received by the then Minister of Industrial Development, the present Minister of Transportation, in January 1974 - that is action, three months after it was launched. And the study was then promptly and almost finally shelved. It next saw the light of day four months later after I had asked questions about it for four months in this House. I then distributed it to members in the Bay d'Espoir area,

MR. SIMMONS: about thirty or forty copies of it altogether to members of council and so on. And to this day, Mr. Chairman, the government has not yet made the first move on that particular study.

Now, Mr. Chairman, is this what the department is for? Have studies become an end in themselves? Is this hon. crowd possessed with the idea that they should produce more studies than the last government did, with more pages, with prettier colors that cost more money, that put more money in the pockets of the consultants? How much money, Mr. Chairman? Well let us have a look at this year. This is the year of restraint, Mr. Chairman, the year when we had an eleven per cent sales tax until Ottawa bailed them out last night. And what are they doing? Four hundred thousand dollars on studies, four hundred thousand dollars.

Mr. Chairman, let the record show that a new first was established in the House in the last few minutes, the Minister of Tourism actually kept his mouth shut for about seven minutes, never heard a peep from him for about seven minutes.

MR. MORGAN: Get on with it!

MR. SIMMONS: And now he blows again.

MR. WHITE: He does not want the federal tax cut.

MR. SIMMONS: Mr. Chairman, \$400,000 on studies. I am not against studies if they were used to arrive at some end, but if they are used the way they were in Bay d'Espoir, to fill a shelf in the minister's office, then I am against my tax money being paid out for studies, \$400,000 again this year. What did they do with the \$400,000 last year for studies? Three hundred thousand on promotion. What are they promoting, the Labrador Linerboard shut-down?

MR. WHITE: The Premier.

MR. SIMMONS: It would take more than \$300,000 to promote him at this point in time I will tell you. It would take a lot of \$300,000 bills to promote the Premier in this Province right now.

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Tape No. 377

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MR. WHITE:

He has got that much in every department?

MR SIMMONS:

Four hundred thousand on studies,

MR. SIMMONS: -\$300,000 on promotion. Now, Mr. Chairman, that is just in this Department. That is not to mention the \$2,000,000 they gave their buddies up in Montreal under the Premier's Office vote on this so-called Special Action Group, the most costly telephone listing in history, \$2,000,000 for 737-3800 so that you could be told, 'I am sorry, you have the wrong number, you should be calling somewhere else'. An operator will tell me that these days for nothing at all except my monthly telephone bill. There are people in the galleries of this House tonight, Mr. Chairman, who know that to be the case, that 737-3800 is an institutional runaround, an absolute runaround at a cost of \$2,000,000. Anyway, Mr. Chairman, back to this Department. \$400,000! \$300,000! Is there any end to the degree to which this crowd thinks that the people of Newfoundland are gullible, stupid and stunned? They are not nearly, Mr. Chairman, as stunned, not nearly as stunned as this Government would have you believe. \$400,000! \$300,000! Mr. Chairman, why does this Department exist? To shut her down, to have some more studies to go on the shelf, or perhaps, Mr. Chairman, somewhere back there somebody had an idea, somebody had an idea that a Department of Industrial Development meant what one of the Heads says, 'industrial development, specific industrial operations' and so on.

Now that it is the idea but it is like most ideas brought in by this Government: The reality is a joke. It is an absolute sick joke, Mr. Chairman. 'Industrial' development, what a misuse of a word. What did they ever industrially develop except the Minister of Tourism? Well they certainly developed him to his potential or beyond, Mr. Chairman, at least to his potential or beyond.

MR. WHITE: Beyond his potential.

MR. SIMMONS: The 'Peter' principle walking, Mr. Chairman.

MR. WHITE: You should explain the 'Peter' principle to him.

MR. MORGAN: Is that your own life?

MR. SIMMONS: Mr. Chairman, I have long felt that this whole government just lacks the basic - I was going to say 'guts', but I suppose that is almost unparliamentary - just lacks any sense of direction, any feeling for the people of the Province, any desire

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Tape No. 878 (Night)

EC - 2

MR. SIMMONS: to do anything for the people of the Province.

Mr. Chairman, this government should take a page right out of the good Liberal book of the Premier of Nova Scotia.

MR. HICKEY: The former Premier (inaudible).

MR. SIMMONS: No, the picture I have is the one person on that side who had the guts to say he did not agree with the government. I cannot understand what he is saying these days, but for a while that hon. gentleman had the guts, and I hold him up as an example to all the would-be defectors over there - it is the former Minister of Rural Development, and the Minister of Tourism must have some fond memories of late nights and resolves that got waylaid when the Premier got back in the country.

MR. WHITE: They could not do it.

MR. SIMMONS: That is the picture I carry around with me - one man over there who had the guts to say what he had on his mind and not retract it after.

MR. MORGAN: You criticized the same man the day before he resigned.

MR. SIMMONS: And, Mr. Chairman, we shall criticize the man again many times, but if the Minister of Tourism ever does anything right we will commend him. As a matter of fact, he did something right, Mr. Chairman, except he cannot be responsible for it - he got out of Transportation. Now that was a good thing for the people who travel the roads of this particular Province. Mr. Chairman, I was saying -

MR. CHAIRMAN: Order, please!

MR. SIMMONS: - they should take a leaf, Mr. Chairman, a page out of the -

MR. WHITE: You are slimey, boy. You are like that. You are slimey.

MR. SIMMONS: Mr. Chairman, have they run out? All right. I just have a minute and I do not know, Mr. Chairman, whether I should use the remaining minute to make a point or to allow the Minister of Tourism to continue to make a fool of himself.

Mr. Chairman, they should take a page out of the book of the Premier of Nova Scotia.

MR. MORGAN: Carry on. You are making a good job of making a fool of yourself.

April 11, 1978

Tape No. 878 (Night)

EC - 3

MR. SIMMONS: Mr. Chairman, is there -

MR. MORGAN: They are laughing behind your back.

MR. WHITE: You should see what they are doing behind your back.

MR. SIMMONS: Mr. Chairman, I believe I have a minute -

MR. WHITE: You should see what they are doing behind your back.

SOME HON. MEMBERS: Oh, oh!

MR. SIMMONS: Anyway some time later if we can -

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN: Order, please!

MR. SIMMONS: - some time later, Mr. Chairman, if the Government House Leader could restraint his arrant Minister of Tourism pro tem. then perhaps we could get on with the business of the House.

MR. HICKMAN: Please be quiet, 'Jim'.

MR. SIMMONS: Perhaps we could.

MR. HICKMAN: I have just taken care of him.

MR. SIMMONS: The minister has taken care of him almost as well as the Premier took care of him when he got back from his extended trip down South, but he is such a hard man to take care of it is only a temporary thing.

MR. CHAIRMAN (MR. YOUNG): Order, please!

MR. MORGAN: Oh, oh!

MR. SIMMONS: At least! At least! Mr. Chairman, I do not mean to run out so quickly.

MR. MORGAN: Oh, oh!

MR. CHAIRMAN (MR. YOUNG): Order, please!

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN: The hon. Minister of Transportation and Communications.

MR. DOODY: Mr. Chairman, I will not take too much of the Committee's time on this particular area, but it is one with which I feel some identification having had the advantage of holding the portfolio for a while. And I could not help but feel that I should react in some way to some of the comments made by the hon. member for Burgeo-Bay d'Espoir (Mr. Simmons) who just preceeded me.

The history of the Department of Industrial Development is a relatively short one, Sir. It was proceeded by the department that was called under the old regime Economic Development. It contained various bit and pieces of this and that. The Parks Division was in there, as I remember it. There were three or four people who were involved in provincial development and industrial development in trying to do the necessary feasibility studies, and in trying to do the cost-benefit analysis that would justify the great economic jump throughs and push throughs and leaps forwards that were taking place at the time in the history of our Province, the great economic theories, brains, and inspirations that brought us such great momentum at the steel mill and at Donovans - the one I remember most clearly, one of the first of our inheritances, a steel mill built too far away from tide water to ever be a viable operation; a steel mill without a raw product supply at an economical price to make it operate; a steel mill that had cost us some \$13 million when we were reluctantly forced to take the necessary action and do as the hon. member has just indicated, that is, to close it down. We could have kept it open, we could have poured in a great deal more money, but would not have been sensible or reasonable, Sir, and so the steel mill was closed down.

This is not something which one can be proud of, but one can be far more proud of taking the necessary action, Sir, in correcting that economic error than one would take in perpetuating the error by keeping the thing going. Having established the Department

Mr. Doody: of Industrial Development, a small group of dedicated economists, accountants, and EAs business people were brought together to provide government with the advice which it needed, and needs, and will continue to need to make economic decisions for the orderly and sensible development of an industrial base for this Province. This is something that we had never had before, something the previous government felt no need for, something which no operation can possibly afford to be without. I am delighted to say that this operation is now in being. And it is there, and it is being used, and it is being used to maximum effort.

The hon. member opposite asks, What is the purpose of the Department of Industrial Development? The purpose of the Department of Industrial Development is to provide government with sane, rational advice and investment opportunities to the public and for the people of Newfoundland so we do not get ourselves involved in steel mill operations which are doomed to failure from the start -

SOME HON. MEMBERS: Hear, hear!

MR. DOODY: - or we do not get ourselves involved in unfortunate tragedies like the Labrador Linerboard situation.

SOME HON. MEMBERS: Hear, hear!

MR. DOODY: Or we do not get ourselves involved in financial fiascos like the Come By Chance situation. Or we have a bunch of people down there with the background and the knowledge and the expertise to advise government in the correct areas to travel in terms of the development of the Province.

I do not honestly think, Sir, that hon. members opposite can really fault the department in its efforts in that direction. Because, on the one hand,

Mr. Doody: while my hon. friend from Burgeo-Bay d'Espoir (Mr. Simmons) says really he sees no reason for the existence of the department, sees no purpose in its being, feels that a department such as this should be really in place but at the same time sees no need for that particular department to be in place; at the same time cannot help but feel some pride and some pleasure in the efforts that that department have made in the direction of the revitalization and development of the Marystown Shipyard, He himself said that it is something of which we should be all justly proud.

Well, Sir, I can say from the distance that I am now, which the present minister, and his immediate predecessor are too perhaps humble to say, that it was the effort of that department and the people in it who made that Marystown Shipyard turn into the very, very active, productive, competitive and very, very aggressive organization that it is today.

SOME HON. MEMBERS: Hear, hear!

MR. DOODY: In this day and age, which is so often the phrase that one sees in various petitions and whatnot before this hon. House, in this day and age the shipbuilding industry is one of extreme competitiveness, of extreme technology, and one in which perhaps Newfoundland should feel somewhat in an inferior position, because of the efforts of the people who have been recruited both at the shipyard and in that department this is not the case and we are in a position to compete in a competitive marketplace, in a profit centred, oriented sort of business, commercial situation and compete not only with the shipbuilding industry in Eastern Canada but indeed in the Western World. And I think the hon. member opposite, and indeed all members of this hon. House, can justifiably take pride in the efforts of that department. and of the people of the shipyard for having brought this about. And I am sure the people in Marystown, or that particular area, will be the first to say that it is a job well done.

But I am more particularly interested from my own point of view, and my own particular involvement in the Burgeo

Mr. Doody: Fish situation. The hon. member for Burgeo-Bay d'Espoir in speaking of the Department of Industrial Development took great pains to point out that he was very happy with the situation in Burgeo with one exception; there was a clause in the management agreement which dealt with the profit sharing arrangement. I do not have a copy of that very complex and complicated agreement with me, and I cannot refer to it off hand, and the hon. member did not quote the particular section anyway, but for my purposes in this particular debate, this is an irrelevancy - at that particular time, as hon. members are well aware, the line-up for people who were rushing into Burgeo to develop a fish plant was not a very thick one. It was not a matter of the people in Burgeo beating away with great big sticks all those fish plants and all those great operators, and all those entrepreneurs, and all those developers who wanted to rush in there and take advantage of this golden opportunity to make a fortune in Burgeo.

This Province had taken over a very sad situation. And I think that I can honestly say to this House that this Province did not get a very good deal in that particular situation. At the time of the Burgeo takeover by the Province of Newfoundland, we were faced with one of the most tragic, social, economic situations that this Province has ever seen. The Town of Burgeo was split perhaps as no town had ever been to a management-labour dispute, perhaps no town since the unfortunate IWA dispute in Central Newfoundland of some years before that time. The situation in Burgeo was a desperate one, and one of which we were forced, and I think justifiably so, forced to take action.

MR. DOODY: We bought that property, the Government of Newfoundland, through this Legislature and we ended up with another government operated industrial opportunity. The result was predictable - it was a losing proposition. The Government of Newfoundland no more knows how to operate a fish plant than it knows how to operate linerboard mills or, indeed, any other commercial enterprise of that nature.

MR. NEARY: (Inaudible).

MR. DOODY: The hon. member for LaPoile (Mr. Neary) is starting again, Your Honour. Can he please try to control himself after that terrible fiasco this afternoon and into this evening? He is going to go have another few rounds now this evening.

DR. FARRELL: Wasting the time of the Committee.

MR. DOODY: Sir, the situation in Burgeo is such that National Sea, together with the Lake interests, had on the island in Burgeo harbour a herring processing plant which was pretty well inactive, The Department of Industrial Development arranged a marriage between National Sea and that facility which was underutilized, and the Province of Newfoundland, through the Department of Industrial Development, persuaded National Sea to join a partnership operation with the government to take over that operation.

DR. KITCHEN: You would prefer to take the losses (inaudible).

MR. DOODY: I do not know if the hon. member for St. John's West (Dr. Kitchen) has read the agreement. If he had, I do not think he would have made that statement because that is not so.

AN HON. MEMBER: You would prefer to take the losses to - (inaudible).

MR. DOODY: We take the losses on Burgeo fish - that is because the new company is not operating down there yet. I fully expect that operation to be a profitable one. As a matter of fact, I do not think National Sea have ever

MR. DOODY: had an unprofitable operation and I think they are one of the greatest exponents of the private enterprise philosophy that I have ever seen in operation, and I sincerely hope that they continue to operate, to expand and to set up more of their own operations.

MR. DINN: Are you trying to convert

MR. DOODY: But certainly I have absolutely no intention to try to convert those economic disciples on the other side of the road. Karl Marx has his disciples and then the private enterprise people have theirs.

The situation down in Burgeo right now is one of a bright future for those people, and rightly so, because I think in this Province there is not a more industrious, dedicated work force than there is in Burgeo. I think the people in Burgeo deserve that opportunity, the opportunity to demonstrate to the people of this Province and to the people of the world that they can make a fish plant work and work well. They have done it since National went in there and they will continue to do it. They have done it under very difficult conditions.

I was very delighted this evening when the minister mentioned the landings that had been put into Burgeo during the past year. I had not heard the figures as I had not been that close to it for some time. I was delighted particularly to hear of the divertance which is one of the commitments that the company made when they took over the plant that even though the existing plant was not equipped or able to take the large trawlers which

MR. DOODY: it would need to make it a profitable operation, they undertook to divert some of their own catching capacity and make at-sea transfers and divert some of their own catch to Burgeo to keep that plant operating while the new plant was put in operation and made capable of accepting the type of trawler that burgeo will need and will have to turn it into the sort of operation that we have planned and envisaged.

 That agreement is probably one of the more complex ones that government has ever been involved in. I do not pretend, and I never will, that it was the most perfect agreement. Obviously we would have liked to have had one that was a great deal more favourable to government. Under the circumstances it was the best agreement that it was possible to obtain and I think that we have

MR. DOODY: few complaints. Certainly there were no complaints at that time. I do not remember the hon. member for the district at that time complaining very viciously or vigorously about the National Sea agreement. I do not really expect to hear too many complaints in the future. I do believe that that town and that fish plant and that company working together will provide that part of the coast, that part of -

MR. NEARY: A giveaway! National Sea taking the profits!

MR. DOODY: Mr. Chairman, can you control the hon. member for LaPoile? It is most distracting. The ex-member for Bell Island - it seems he feared and disappeared and surfaced in LaPoile.

MR. CHAIRMAN: Order, please!

I would remind the hon. members that a member when he is speaking, has a right to be heard in silence.

I ask you to respect that ruling.

MR. DOODY: Thank you, Mr. Chairman.

The situation in Burgeo now is one I think that really deserves the attention of this House in a positive way. It is very easy to take that very complex agreement and pick various clauses and holes in it. As I look back over the months it took to negotiate that rather complex document, I wonder that it ever came to fruition at all because I can assure you that the Board of Directors of National Sea were not leaping up and down with enthusiasm over the prospect of getting in there. But I do sincerely hope that their investments - and there is an investment despite comments to the contrary - will be realized and I sincerely hope the people in Burgeo get the full benefit of the confidence of this government and of this Province in their future. I for one am happy to have been a part of it and I make no apologies for it.

And that is the sort of thing, Sir, that the Department of Industrial Development was created for and that is the sort of area in which it operates.

From time to time it has to make difficult and unfortunate decisions. I mentioned the steel mill. From time to time it gets involved in complicated rescue missions, like the Burgeo situation. From time to time it gets involved in salvage operations and turnabout situations, like the Marystown Shipyard. From time to time it is called upon through its various branches and various

MR. DOODY: areas of expertise to offer management help and assistance to struggling industries. And one of our big problems in this Province, Sir, is not the lack of ideas, and not only the lack of capital. A lot of our problems, Sir, are in the lack of management expertise. We have not had and our people have not had the opportunity to be trained or to be exposed to some things that a great many of us take for granted, and they find themselves very often, unfortunately, in a world in which they are ill-equipped to adventure. Now this is not because they do not have the desire or the ability or the knowledge or the capability to compete in this commercial world of ours, but because they have not had the opportunity to be exposed to some of the basic management skills which are so important. I think that is one of the areas that this department has shown great leadership, and one in which I would hope to see a great deal more in the future. I think the Newfoundland Institute for Management Advancement and Training, which is not very well known and very little is heard from, is a big step forward in that direction, working together with the Extension Department of the university, with various training institutes in the Province to bring what some people might look upon as rather rudimentary exercises in management but which are very very basic and very, very important to an awful lot of our industries. And I would suggest, Sir, that in many cases some of the basic courses in management expertise are far more important to some of our young industries in fisheries and in the sawmilling industry and other resource industries, but the management expertise and the training is probably as important if not more important than ongoing injections of cash and ongoing injections of credit. I think, Sir, that my time is up at the present time and I thank the Committee for the opportunity of speaking.

MR. CHAIRMAN: The hon. the member for
Burin - Placentia West.

MR. CANNING: Mr. Chairman, I am glad
to have the opportunity to speak on this Department of
Industrial Development, under which the shipyard at
Marystown comes.

Mr. Chairman, I was the
lucky one when that industry was brought to the Province,
in that the location chosen was in my district. Of course,
Mr. Chairman, I think it was good foresight on the part of
government, where they located this industry. The
location itself, and one of the best trade schools in
Canada being nearby to train the men, I think it was a
good choice in the first place. A lot of success, I
believe, is owing to the government of that day considering
carefully where they were going with this industry.

Number one was it was near
the trade school at Salt Pond. I am very glad to say that
in the shipyard there are very few employees among the
five hundred that are there today who do not come from the
general area, or else they are a product of that trade
school.

Mr. Chairman, I have kept
close to the operation of that shipyard, and what has been
going on. I have an undying interest in it. I have seen
its ups and downs, its growing pains and the dark days
it has gone through, and the brighter days.

Mr. Chairman, when that
yard was constructed, when that shipyard was built, and
the synchronized dock installed, I do not think I am
mistaken when I say it was probably among the first three
such synchro-lift docks in the whole world. At the time
the yard was opened there was one such synchro-lift
being constructed in a dockyard in Australia, there as
another one in America, I think it is in one of the naval

MR. CANNING: yards, and I think at Halifax they were considering having one installed. But I believe the one at Marystown, when the first ship came up on it, it was probably the second or maybe third such lift in the whole world.

Mr. Chairman, of course it was a big step forward in docking ships, especially for maintenance, and particularly when a ship was damaged - because this is what can happen there and what has happened there - ships leaking and pumps barely winning the battle, they have come into Marystown, and they can come in there, and they can be on dock and out water in a matter of minutes. I think it is something like six minutes or eight - or less than ten minutes from the time that the ship enters the dock and is out of the water. Of course, in many instances she could have been saved from going down.

Mr. Chairman, when this industry got going we had several orders for draggers. Of course, the initial intent, or the planning of that dock, it was meant to construct and maintain and serve the dragger fleet of Newfoundland, and that is what it has done. The first few years, of course, they were kept very busy there. There were two draggers up at one time and that plus the

Mr. Canning: maintenance kept it going pretty good. But it is a very competitive or it is very difficult industry. As we have seen across North America in recent year since the war, many dockyards have closed, and today the situation is not that good. We saw a few days ago the big shipyard at Halifax being closed; I believe it is closed out completely. So in that regard we are fortunate today that we have that yard working at what we consider full capacity, 500 men. When I last visited the district there were 500 men there. And the general area, Mr. Chairman, at the moment, that part of the Burin Peninsula from say Bay L'Argent West, it is one of the most industrious areas, it is an area where there is less unemployment than in any other part of the Province. We are very lucky in that area in that regard.

I said for the first few years everything went well there. Mr. Chairman, when I came back to this House, a few months previous, before I came back to the House in 1975, that dock was almost on the rocks. Mr. Chairman, when I was running my campaign I was down in that yard and there were at least 150 men there, not working there, they were there going back and forth every day. There was no work for them to do. They had no orders. They had run out of the orders that were gotten by the former administration and planned by the former administration, of building druggers. And when I came into this House I kept quiet on it. I spoke to the new minister, tried to reason with him, told him that I thought there should be an investigation on what had gone on there. But I told him that I was not going to demand it, I was not going to criticize what had gone on because I could damage the dock, I could damage it.

Then, Mr. Chairman, for quite a while it was on the brink, it went down to 130 men, I think. I had hopes, I was like the rest of Newfoundland, I had some hopes in the Tory Government when they came into power, even up to that time I still had some hopes in them. In the black, darkest day - and I have said this publicly, and I will say it again - I went to the Premier who had promised fabulous construction of twelve first, I think, I think

Mr. Canning: twenty-four, I do not know what it ended up to, draggers for the fishing fleet. They were not being built. They were not even being planned. And I asked him, you know, for the sake of the - or try to get the men off the street in Marystown, would he consider constructing draggers. I said, we need them, our plants are as they are today with one-third capacity. I just could not understand why we were not building the draggers. He said he would give it some thought - or he agreed with me at that time, he told me if we had them built we could sell them then. So there was one dragger put up and I may say it was probably the most modern dragger in the North Atlantic for its size, it is proving one of the best draggers we have, landing the most fish, and the crews give it a name that they did not sail in anything like it, The skipper of that dragger has been on other stern draggers since the first one came into Nova Scotia, that is Captain John Kelly. By the way, a couple of years ago when our draggers would come in with 70,000 pounds, 100,000 pounds, 125,000 pounds I do not think that man made trips that he did not come in with the dragger loaded, he has not been doing it ever since, and he is doing it now.

Now I will give an incident of what happened to him the year before last, I think it was, when the federal government chartered some of the draggers from the plants in experimenting in the North or in the further North, looking for cod and looking for redfish, I think. Captain Kelly was among one of those draggers that went down, I think he was fitted for something like three weeks, he was about

MR. CANNING: halfway between Greenland and Cape Chidley in that general area of fishing; he had orders, or that was the agreement he went on, he was to spend three weeks dragging in that general area to see what he could get. Six days after the dragger got in the area he sent back to the owners, or perhaps to the federal officials involved, and he told them that he was coming home. So they gave him orders, said, "No. You have an agreement with the federal government that your are to remain in that area." I think it was three weeks. Well he said, "I have to come home. or else there is only another alternative - if I do not go every fish that I drag during the next two weeks will have to be thrown overboard." So they asked him why he was going to do that and he said, "Well, I have the dragger loaded." I think he loaded her in six days. And I believe he proved that there was cod, and I believe he was surprised that he had something like 80,000 or 100,000 pounds of redfish, which is a scarce commodity in the North Atlantic today.

Mr. Chairman, I am going to give credit where credit is due, I am going to give credit to the former minister and at the same time I will express my faith in the minister who has taken over the yard now. I know that he will have a deep interest, keep a close watch on it, It is a Crown corporation which has directors - I think they are all from St. John's. I am a little bit disappointed there because originally we did have some of our fresh frozen people, business people on the Southwest Coast who were directors on that yard. I think it was a good thing because these were the people that the yard was serving; they were experienced and knew what it was there for, knew the costs and what it meant and what not, but today I believe all the directors are from here.

Mr. Chairman, regarding the tugs, I do not know how the yard will come out with that, I am not going to take a guess on it, but I think that in order to compete I do not think that the yard will make too much money out of it and perhaps it may be at a loss. But at the same time, Mr. Speaker, when you

MR. CANNING: have 500 people working, pumping so much money into the economy of the area, perhaps we will not consider the loss. At the same time, Mr. Chairman, I was surprised when the gentleman who spoke before me did not give some credit to the federal government and to our federal minister in Ottawa, our representative of that area, who, by the way, has done every thing he could in the last two years, almost three years now, to direct any business he could to that yard from the vessels who transport, the CNR. That is really what has kept it going. Again the federal government, as far as I understand, are financing the tugs and they played a part in the negotiations to get them - the recent ships. So really, Mr. Chairman, I will give everybody credit where credit is due, I do not care if it is the Tory government on the opposite side or the liberal government in Ottawa. Of course if I find occasion to criticize either one I will not mind doing it; I have done that in the past, too. But I am grateful that the member for the riding in which my district is located has taken an interest in that. At times when we were running almost completely out of work he came to our aid by using his influence, I guess, to direct ships into that port for maintenance and repairs. It is no more than we should get, we are only getting our due, and why should we not get our share of those ships?

MR. CANNING: Mr. Speaker, I have great confidence in the yard, in the manager, who I do not know too well yet. I have not met him too often. I do not interfere in the yard. I do not go along looking for jobs for anybody in the yard. I leave it to those whose responsibility it is to make it work properly. But I certainly join with those, particularly with the minister, when he talked of the great workers and the management and the staff that he has there. We will say they are next best to none in any shipyard on the Eastern Seaboard of North America. Everybody who goes in to that yard, anyone I have talked to and any reports I have heard have given the yard a good name.

I am glad that we have the business in Norway, but at the same time, Mr. Chairman, I would much prefer, and I think we need it today, if we had draggers, particularly larger ones, ice breaking draggers or draggers that can fish in the Northern waters, that is what it was built for, that is what it was meant for and I am looking forward to the day when that is what will be going on in there, if we are to get our benefits from the 200 mile limits and from the rich waters off our shoreline.

But, Mr. Chairman, again I am not going to criticize any mistakes of the past, but I will give everyone their due and I just hope that the yard will be a success. There is no reason why it would not. Like I say, we have the management, we have the men, we have the technicians and I think in the future, down the road for the next eight or ten years, I think that if we are to - what I just said, to reap the benefits of the 200 mile limit and our rich fishing grounds - perhaps not so rich at the moment, but it will definitely be rich in the future, because we have already noticed a difference, the signs that the fishery is improving. We at least have more room out there and we are doing better so I look forward and I hope that that industry

MR. CANNING: will be one that we can be proud of.

MR. CHAIRMAN: The hon. member for Grand Falls.

MR. LUNDRIGAN: Mr. Chairman, first of all let me express my appreciation to my colleague, the Minister of Industrial Development, my successor, and my colleague, the member for Burin - Placentia West (Mr. Canning) for some kind remarks which I sincerely appreciated, about some aspects relating to the Marystown Shipyard in particular, and to offer to my colleague, the minister, my very best for the work he is doing with a small department, but one of the most dedicated perhaps in the provincial government. I think he has approximately twenty staff and support staff, another seven or eight people, less than thirty altogether in his department, a department that is a new department, as I said before when I was involved actively as the minister, a department that only came into existence a few years ago and it will take a number of years to grow and develop, having done a tremendous job in a very difficult period when it is not easy to get industries off the ground. It is a challenging time and I believe all government, Canada as well as provinces, find it a very big challenge.

I sort of enjoyed the member for Burin - Placentia West and his comments and he talked about Captain Kelly. I have never met Captain Kelly but every now and again in talking about fishing, which is my first love, I hear about this Captain Kelly and I hope one day to be able to meet him, because apparently he stands very tall among fishing captains in the world as one of the great ones, and all of the gumption, the adventuresome spirit and the kinds of qualities that - maybe almost some of the characteristics that made Newfoundland what it was and what it is and what it will be and will continue to be in the future.

Mr. Chairman, I enjoy the member because he brings to the Legislature a tremendous amount of experience and of course

MR. LUNDRIGAN: I believe he holds the position of being the senior statesman in our midst and I enjoy listening to his remarks. I would like to be able to say the same thing for the member for Burgeo - Bay d'Espoir (Mr. Simmons). I really do not want to be negative but I think that when he represents an area such as Bay d'Espoir, which has such a tremendous problem, such a tremendous challenge, such a serious unemployment problem in that area, that he should try to develop a little bit more conciliation and a little bit more congeniality, a little bit more working relationship with his colleagues. I am not the easiest to get along with, and I am always on a limb and I am certainly not the type of person who

MR. LUNDRIGAN: always get my own way and sometimes I have found myself having to do some rare things because of circumstances. But I have always found a way, and I am not lecturing the member, in federal and provincial politics to try to develop working relationships with people without being abusive. And I think the people of Bay d'Espoir deserve a bit of leadership because it is not going to make one single bit of difference, not going to cut any ice, not going to provide one single job for the member to abuse his colleagues and the ministers who are responsible for the development portfolios and I would like for him to present himself in a way that invest 5 per cent of his energies in his district and in the development sense, and maybe even 95 per cent of it in being a politician because sooner or later he has got to invest a little bit of his efforts in being a representative and concerning himself with the real issues. There are lots of opportunities to help his district, to help develop structures and ways and means in committees and take advantage of government spending for his area and I think that perhaps the sooner that he recognizes that the sooner that his riding might be a bit better off.

Perhaps hon. members might have seen the program, I believe it was alluded to by the most vocal member of the Legislature the other day, The Newfoundlanders. It was on on Sunday evening. That was a programme that I was very pleased to see, for one reason; I just spent about a month with Dr. Joe McGinnes. Dr. Joe McGinnes is a Torontonian, grew up with a very impressive family background - his father was quite an adventure in his right - and Dr. Joe McGinnes, a medical doctor, developed an affinity for the sea. And in his interest in the sea, developed an interest in diving, which is quite diverse from his medical background, and he became maybe the world's most renowned diving expert in the Arctic region and he was the person who popularized the sub Igloo which under the Arctic ice cap and did all of the exploratory work. He was the person who took down Prince Charles under the Arctic ice cap, and did all of these. Presented six or seven films, he has had a dozen expeditions and he talks in glowing terms about his prospects to make Newfoundland, in his own way and he is thinking down the road a bit, the center of attraction

MR. LUNDRIGAN: for some new Arctic expeditions, which I am not in a position to be able to elaborate on, but I am sure you will be hearing much more about Dr. Joe McGinnes. And I mentioned that point just to say that if you looked at the program on Sunday evening you would have seen a little bit of the fact that from day one, going back to 973 historically, coming back in the modern times with your fifteenth century expeditions and up until recent history, quite an attraction by the people, everybody who ever came here, associated with us, lived here, visited here, with the sea—an intriguing kind of almost captivating kind of presence of the sea. And that is something that we are getting back in a particular type of way today, not only through the fisheries department and through the emphasis on fisheries but things like Nordco, that hardly a soul knows about. I predict that very few people in the Province know much about Nordco because it is low profiled deliberately. It has got to be low profiled because they are dealing with the international community, the ice breaking community, the ship construction community, the oil drilling community and so on in a consulting capacity and they have built up a tremendous reputation in the community they are living in to try to attract attention that Newfoundland has an expert area as the center of activity for marine resources, marine activity, everything related to the sea. And that is what is happening very slowly. Now this is the sort of thing that I would like to see us be able to develop a little bit of attention on. The Minister of Transportation and Communications who spoke a minute ago mentioned this as well, and if anyone wants the First Ministers Conference there was a fairly elaborate paper presented by the Minister of Transportation and Communications to the First Ministers Conference on Newfoundland as the center of marine activity and you can see it happening, can you not? The Seal fishery indirectly is focusing that kind of attention, the whales a couple of days ago focused that kind of world attention, if you noticed, see?

SOME HON. MEMBERS:

Hear, Hear!

MR. LUNDRIGAN: And away we go! Now the other day we went through the business of trying to convince the federal government to build an ice tank in Newfoundland to do the work which is related to the

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MR. LUNDRIGAN: iceberg, ice floes, ice movement, ice densities, all the kinds of international research. Members will be surprised to recognize that the intention was to place that facility in Ottawa. And one of the things that broke up the First Ministers Conference was when the Minister of Transportaion and Communications suggested that that was just as rational and reasonable as putting the wheat pool in

MR. LUNDRIGAN:

Corner Brook, exactly as reasonable. We have not won that little war yet. The National Research Council are still dragging a Mr. Buchanan, who is the federal Minister of Science and Technology, to have an ice tank built in Ottawa. Now that might be a little thing, but I think it is a big thing, because the more we can drag that type of thing which your C-CORE, and members have seen the engineering building at Memorial and the Wave type of activity which is going on on the - I do not know if you saw the experiment where they measure the flow of currents and the back flow of currents which has had quite an impact on Churchill Falls and the dams and the like. All of this is being done in our Province. But these are thousands of little things that are unreported many times, hardly ever discussed in the Legislature, things that are happening in Industrial Development or are related to Industrial Development that is bringing attention to our Province. The unfortunate thing in many ways is that it is long-term. It takes years to build it up and it is going to take maybe a generation before it is recognized that we have achieved some excellence in some of these fields.

And that is the kind of thing that I think government should be proud of when they take this kind of leadership.

NIMAT is a brand new institution in our Province - the Newfoundland Institute for Management Advancement and Training. How many members in the Province today can talk a little bit about NIMAT? How many people in the Province know a little bit about NIMAT? They have just completed a very detailed bit of work with my colleague's brethren of old in Ireland, the Irish Institute of Management, I believe it is called, and I can guess by the estimates,

MR. LUNDRIGAN: Mr. Chairman, there is increasing emphasis there is another bit of money being put in there above last year. And I am not going to let the cat out of the bag - my colleague will mention it - but I believe we are going to see NIMAT getting more involved this year in a management role in our Province, which is one of our big challenges and one of our big weaknesses as well.

Now I want to make another little point-and this is the basic reason I stood up, other than to sort of suggest to the minister that I really appreciated his remarks and I think that he made an excellent statement starting off, having only just been in the portfolio for a few days - and that is the business of APEC.

We have been funding APEC for the last several years. APEC is the Atlantic Provinces Economic Council. They get a federal grant and they get several provincial grants. I am a little bit concerned myself that what is happening in the Atlantic region today is that there is a concentration of powers and authority outside our Province, particularly in Halifax. The other day I noticed there was a new - what is the word when you move down from Ottawa? -

AN HON. MEMBER: Decentralization.

MR. LUNDRIGAN: - decentralization - a new regional office opened; it was Halifax. A year ago we had several regional offices opened in Halifax. Three or four years ago with the CBC and Crown corporations, several others opened, Halifax. No argument, no criticism, no derogatory statements. But the problem is with APEC - APEC is supposed to be responsible for economic analyses in the Atlantic region. I have been close to it and I have taken the time to read

MR. LUNDRIGAN: many of the reports from the economists and the like, and my conclusion is that much of the research is terribly inadequate. I have gone as far one time as to take the report, which was a quarterly or a yearly report, and the information was downright incorrect. It was absolutely incorrect. Their forecast was based on false information that you could pick up any Stats Canada elementary bit of materials and point out the weaknesses in it. That was being used as broadly quoted indicators of growth and development and the like, very bad information, very poor information.

I do not want to criticize the people who make up the Atlantic Provinces Economic Council, many of them are people from our own Province. I believe Mr. Brait is the president.

MR. NEARY: A resident of our Province?

MR. LUNDRIGAN: Well, he came here. I believe Mr. Larry Hudson was the former president. I can go down the line - I believe Mr. John McNeil is the immediate past president.

AN HON. MEMBER: Yes.

MR. LUNDRIGAN: And we can talk about a number of distinguished people who are on the board. But what I would like to see happen, quite frankly, I would like to see the Province start to take a second look at our participation with APEC. It is a few dollars - I know I am going to hit the minister right in a point that will bring a responsive chord, I am not sure he is going to want to withdraw anything this evening because we already have budgeted for it.

I know that many of the people in government are concerned that APEC is not fulfilling the role. We have plenty of Newfoundlanders who are able to form our own economic council.

Mr. Lundrigan: We can get involved in issues like the fisheries issue where there is a concern.

MR. NEARY: Sit down boy!

MR. LUNDRIGAN: Mr. Chairman, the hon. member is telling me to sit down, he is aggravated because he never got the floor.

SOME HON. MEMBERS: Oh, oh!

MR. LUNDRIGAN: Every time I - Look! He gets aggravated, he get petulant.

MR. WOODROW: He will not speak today! He will not speak tonight!

MR. LUNDRIGAN: He gets nasty.

MR. DINN: He has been in Panama too long.

MR. NEARY: Oh, oh!

MR. WOODROW: He will not sleep tonight.

MR. LUNDRIGAN: Mr. Chairman, there is no danger about the hon. member getting through to me. I think my hide now is about as thick as any rhinoceros when it comes to being sensitive about the hon. member's injections.

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: He is very depressed.

AN HON. MEMBER: (Inaudible).

MR. NEARY: And I would not want to depress the hon. gentleman.

AN HON. MEMBER: Order, order!

MR. CHAIRMAN: Order, please!

MR. LUNDRIGAN: He fell in love with himself at an early age, Mr. Chairman.

SOME HON. MEMBERS: Hear, hear!

MR. LUNDRIGAN: One of his favourite friends.

MR. NEARY: Do not crack up now!

AN HON. MEMBER: Shut up!

MR. LUNDRIGAN: Mr. Chairman, I am out of order, am I?

MR. LUNDRIGAN: Well, Mr. Chairman, just in a nutshell I think that we should seriously consider in the Province with our people at the University, or people in the business community, we have got some aspiring and very excellent business people in our Province. The people who are knowledgeable in fisheries matters form their own council, fund their own council.

SOME HON. MEMBERS: Hear, hear!

MR. LUNDRIGAN: Not a council that is a - not to replace a Board of Trade, not to replace the Chambers of Commerce, the Lions Clubs, and the various bodies that play roles in the Province, but to engage with government in a way to look at directions, to look at broad policy areas. Engage in the debate, for example, on fisheries jurisdiction today which is one of the most fundamental debates in our Province. Who has jurisdiction? Should there be more of a sharing of jurisdiction? What about the licencing issue? And maybe look at economic projects, analyzing our borrowing patterns, and project the growth in our economy. Should we be spending more? Should we be spending less? I do not know for sure. I have got opinions. The government have opinions. We have some knowledgeable people who have opinions. Maybe we are wrong.

And I would like to throw that out as a suggestion that we seriously - maybe even we can go as far as to be willing to serve notice on APEC, and say, thank you very much. You have done a very good job. We have \$12,000 or \$15,000 here. We do not think we are getting the service. Any time we have a study done you sent your people in from Halifax. And by the way, we are spending hundreds of thousands of dollars a year out of our Province getting studies done, evaluations done on programmes through APEC. I do not know if members are familiar with it. Almost every agreement which is signed with the federal government today there is a clause at the end that there must be an evaluation of that programme. And the evaluation is normally done by APEC, \$25,000, \$50,000, and \$75,000. And what will happen, you will find economists and a stagg of people coming in from Halifax sitting down in our departments, going around our Province doing an assessment on

Mr. Lundrigan: our programmes, and reporting back to Ottawa.

I will also go as far as to say, and I cannot say this officially, that you find a little bit of skepticism, even at the federal level today, about the role of APEC. And I do not want to hit it, but I just suggest that it might be time for us to start our own council. And maybe, Mr. Chairman, if the minister can be so bold one day, it might be worthwhile to sound out that idea and see if he does not find a receptive response because I found some of the most bona fide members of APEC have said to me that they are really getting tired of it. And I understand that recently New Brunswick have pretty well served notice on APEC that they are going to withdraw their participation, and that is a thought for the future.

SOME HON. MEMBERS: Hear, hear!

MR. CHAIRMAN: The hon. member for LaPoile.

MR. NEARY: Can you imagine, Mr. Chairman, a former minister, a member of this House getting up and giving us a lecture on APEC, the value of APEC. Well, I have heard it all, Mr. Chairman, in this hon. House.

MR. W. ROWE: What a weak performance.

MR. NEARY: Well what a weak! no wonder the hon. - Sometimes I wonder if the hon. members are not right about the hon. gentleman, what they have been saying about him behind his back. But then, Mr. Chairman, the hon. gentleman has the gall in the early part of his remarks to give advice, this hon. gentleman to give advice to the member for Burgeo-Bay d'Espoir (Mr. Simmons). What an hon. gentleman to be passing out advice to anybody!

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: Mr. Chairman, I know the hon. gentleman is on the brink and I do not want to be responsible for pushing the hon. gentleman over. So the hon. gentleman should restrain himself and not get upset. And I would not want to be the one to upset the hon. gentleman. The minister I do want to deal with, Sir, is the Minister of Transportation and Communications, who spoke for twenty minutes, Mr.

Mr. Neary: Chairman, with his head hanging down. The gentleman never had the face to look up and face the members across the House. The hon. gentleman spoke for twenty minutes with his head down, his eyes gazing down on the floor. And I do not blame the hon. gentleman for being ashamed to look up with the argument the hon. gentleman was using.

And I will show you what the argument was, Mr. Chairman, and we are not going to fall into the trap of debating the Marystown Shipyard. We want to talk about Industrial Development, and we want to talk about the minister's abuse and misuse of government aircraft that I will come to tonight if I have a chance, to find out how often the minister has use that aircraft? And what it was used for? How often the minister has taken it outside of the Province? These are some of the questions I want to put to the minister, but I want to deal with the Minister of Transportation first.

The argument that he used was this, Sir, "Oh, we could not make a go of the Linerboard mill, the Linerboard mill is in the wrong place and everything in the world is wrong with the Linerboard mill. But we managed to turn around the Marystown Shipyard," the hon. gentleman says.

MR. NEARY: Mr. Chairman, let us look at the two arguments. The Marystown shipyards was put there by the former administration. The foundation was laid. It is one of the most successful industries, it is a success story, Sir. It is a success story.

MR. W.N. ROWE: Always has been.

MR. NEARY: And always has been. There has never been any doubt about the Marystown shipyards being a going concern. There has never been any doubt about it.

MR. HICKMAN: Rise the Committee now.

MR. NEARY: No, Mr. Chairman. I am not going to move the minister's salary be reduced, Sir. Mr. Chairman, as it happens, through some fluke, through a fluke, Sir, and no effort on the part of the hon. gentleman, the Marystown shipyards is now a going concern. So they are beating their breasts and pounding their chests and taking the credit for it and saying, "What a wonderful government we are." Mr. Chairman, what they do not realize, they could have done the same thing with the Linerboard mill.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: But the difference is this, Sir, the difference is this, that here they were pouring millions of dollars into the Linerboard mill, at the same time they were defeating their own cause, through their own public relations by going out and saying it will not work, But the same time they were putting the taxpayers money into the Linerboard mill, Messrs. Crosbie, and the Minister of Transportation and Communications, and the Minister of Finance, the Minister of Justice, were going around the whole world saying, "It will not work, it was put in the wrong place, it was ill conceived, it was this - , " they condemned it themselves. At the same time -

AN HON. MEMBER: The Committee rise.

MR. NEARY: Mr. Speaker. I move that the Committee rise and make no report.

SOME HON. MEMBERS: Hear, hear!

MR. CHAIRMAN: It has been moved that the Committee rise, report progress and ask leave to sit again.

MR. NEARY: You cannot have two motions, Mr. Chairman. I move the Committee rise and make no report.

SOME HON. MEMBERS: Hear, hear!

MR. CHAIRMAN: On motion that the Committee rise, report progress and ask leave -

MR. NEARY: No, Mr. Chairman, I have already - look, you cannot have two motions, Mr. Chairman. I move the Committee rise and make no report.

MR. CHAIRMAN: Order, please! It has been moved that the Committee rise, and make no report, All those in favour indicate by saying "Aye," all those contrary, "Nay", in my opinion the Nays have it.

MR. SIMMONS: I have a few words I would like to say on the subject of industrial development if we are not going to rise the Committee.

MR. HICKMAN: It has been moved that the Committee rise, report -

MR. SIMMONS: You just voted against it. Mr. Chairman -

SOME HON. MEMBERS: Sit down. Sit down.

MR. SIMMONS: Mr. Chairman, they just voted against rising the Committee. Are they playing games with the House or something?

MR. CHAIRMAN: Order, please! Order, please! Just for clarification, despite we have voted down a motion, an hon. member has not yet been recognized by the Chair.

MR. NEARY: - my few remarks, Mr. Chairman.

MR. W.N. ROWE: A point of order, Mr. Chairman.

MR. CHAIRMAN: A point of order has been raised.

MR. W.N. ROWE: Before a second motion to rise the Committee can be made there has to be some intervening business, and that the member has to be now recognized to speak I would submit, Your Honour.

MR. NEARY: So, Mr. Chairman, I will carry on with my few remarks.

MR. HICKMAN: To that point of order, The hon. member for Burgeo - Bay d'Espoir rose and was recognized -

MR. W.N. ROWE: He was not recognized.

MR. HICKMAN: - and despite what the hon. Leader of the Opposition might think of him, he is something.

MR. W.N. ROWE: No. No.

MR. NEARY: Mr. Chairman, could I carry on with my remarks?

MR. CHAIRMAN: Order, please! Would you just permit the table just a moment or two?

MR. NEARY: The hon. gentleman is not Chairman or Speaker. The hon. gentleman is an incompetent and should be recognized as such.

MR. DINN: (Inaudible).

MR. NEARY: Now there is the wild eyed, wolly eyed, gone berserk again, The hon. Minister of Municipal Affairs is gone berserk again.

MR. W.N. ROWE: Silly as a loon.

MR. NEARY: The hon. Minister of Industrial -

MR. DINN: Talk about an abuse of power -

The former Minister of Social Services -

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: You had better hurry up, Your Honour, they are all going cracked over there.

AN HON. MEMBER: They cannot take it.

MR. NEARY: Suffering from battle fatigue. They are all going beserk. They are hanging on for power.

AN HON. MEMBER: Right.

MR. NEARY: They were defeated. They

MR. NEARY: would not go down and resign. Would not move a vote of confidence. Clinging on by their fingernails.

MR. CHAIRMAN: Order, please! Order!
Quoting Standing Rule No. 45 indicates that if a motion to leave the Chair is rejected it cannot be renewed unless some intermediate proceeding has taken place.

The hon. member for Burgeo -
Bay d'Espoir.

MR. SIMMONS: Mr. Chairman - how long am I going to go on with this? - Mr. Chairman, Mr. Chairman has to do what Mr. Chairman has to do. What I have to do, Mr. Chairman, is what I want to do, to talk as long as the Committee is in session, is convened, or until such time as my twenty minutes run out. If Mr. Chairman has to leave the Chair because of the rules of the House well, of course, he has to do that. But I recognize that he is presently in the Chair, Mr. Chairman, and since he is in the Chair I would assume that I have the same right in this Committee -

MR. W.N. ROWE: And you can move the Committee rise.

MR. NEARY: When you get near the end of your twenty minutes move that the Committee rise and -

MR. SIMMONS: Shall I go on?

AN HON. MEMBER: Sure, go on.

MR. SIMMONS: Mr. Chairman.

SOME HON. MEMBERS: Oh, oh!

MR. SIMMONS: Mr. Chairman, if we could have some order in the Committee I -

MR. CHAIRMAN: Order, please!

I do have to inform the hon. member that the hour is eleven o'clock and according to our Stand Rule No. 8 at eleven o'clock -

SOME HON. MEMBERS: Oh, oh!

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

"At eleven of the clock p.m., unless the closure rule be then in operation, the proceedings of any business under consideration shall be interrupted and Mr. Speaker shall adjourn the House without question put, provided that all business not disposed of at the termination of the sitting shall stand over until the next day when it will be taken up at the same stage where its progress was interrupted." So at eleven o'clock -

MR. SIMMONS: Mr. Chairman, on a point of order. I am certainly familiar with that rule and it distinctly says, Mr. Speaker, and does not make any provision for the Committee, I submit, Mr. Chairman. I submit that I am well within my rights to continue. The Committee is sitting, there is no procedure to rise the Committee save a motion. The government has just defeated that motion, Mr. Chairman. I can only assume they want the Committee to continue which is what I want at this moment in time.

MR. CHAIRMAN: Order, please!

PREMIER MOORES: To that point of order, Mr. Chairman.

MR. CHAIRMAN: The hon. Premier.

PREMIER MOORES: I should just like to say, Sir, that we saw this exhibition this afternoon which was obviously done to embarrass the government.

SOME HON. MEMBERS: Oh, oh!

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

PREMIER MOORES: But, Mr. Chairman, if I may -

MR. CHAIRMAN: Order, please!

I do have to hear a point of privilege.

MR. NEARY: A point of privilege, Mr. Chairman. Mr. Chairman, the hon. the Premier is going to get up now and make his usual snide remark about members

MR. NEARY: being childish -

MR. W.N. ROWE: Impugning motives.

MR. NEARY: - impugning motives, hoping that he can be quoted on that. The hon. the Premier knows full-well, Sir, that the government was defeated on a very substantive motion this afternoon. The Premier should have gone and resigned -

MR. W.N. ROWE: Through lack of leadership.

MR. NEARY: - through lack of leadership on the government side of the House.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: And, Mr. Chairman -

MR. CHAIRMAN: Order, please!

MR. NEARY: The point is, Sir.

SOME HON. MEMBERS: Order! Sit down boy.

MR. CHAIRMAN: Order, please!

A privilege is quite clearly defined, really. There has to be a prima facie case. There hon. member is really talking in terms of the order of the House and the arrangement of House business. I cannot recognize that as a point of privilege.

MR. NEARY: Well, a point of privilege then, Mr. Chairman.

MR. CHAIRMAN: A point of privilege.

MR. NEARY: Another point of privilege, Sir.

The hon. the Premier, Sir, a few moments ago impugned motives on the part of the Opposition.

MR. F.B. ROWE: That is right.

MR. NEARY: That is unparliamentary, Your Honour. The hon. the Premier cannot assign motives to any member of this hon. House and the hon. the Premier is completely out of order, Sir, and I would ask Your Honour to discipline the Premier.

MR. W.N. ROWE: And ask him to withdraw.

MR. NEARY: And withdraw these remarks.

MR. CHAIRMAN: Order, please!

MR. HICKMAN: Mr. Chairman, that is not a point of privilege. The hon. Premier had not really said anything. This is a deliberate attempt to try and make this Committee unworkable.

MR. CHAIRMAN: Order, please!

From my recollection of what was heard there was no imputation against an individual member of the House in terms of motives. If a remark was made, and I really hear only very few remarks, if a remark was made it was in a general sense. Hon. members will remember that this has come up before. For privilege to be involved an individual member has to be implicated in terms of unavowed motive. A point of order is on the floor. The hon. Premier.

PREMIER MOORES: Mr. Chairman, as I was saying I do not mean to get publicity as the hon. member for LaPoile well understands.

MR. FLIGHT: You have had it today.

PREMIER MOORES: If there are any people, Sir, who understand how to try to get publicity -

MR. SIMMONS: Listen to what is coming now.

PREMIER MOORES: Are you sitting down or standing up? I am never sure, in your case.

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN: Order!

PREMIER MOORES: Mr. Chairman, all I am saying is that we are adults in this House and as I said the other day I do not know why we cannot behave like it. This afternoon, fine! It was

PREMIER MOORES: an opportunity to embarrass the government, That was done. And that is the case as may be. What I am saying is, Sir, that this goes on and on, whether it is members on the other side or members on this side. I do not know, Sir, if it is past his bed time or what but it is most unfortunate that this sort of procedure is allowed to carry on.

SOME HON. MEMBERS: Hear, hear!

MR. CHAIRMAN: Order, please! I do think there is a point of order I have to rule on and I -

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

MR. CHAIRMAN: A point of order has come up.

MR. WELLS: I would refer, Mr. Chairman -

MR. NEARY: There is a point of order already, Sir. You cannot have two points of order.

MR. CHAIRMAN: Order, please!

MR. WELLS: To the point of order, Mr. Chairman -

MR. NEARY: To the point of order? That is different.

MR. WELLS: - the Chairman himself read Standing Orders of this House. If the House wishes, or the Committee, the same thing, wishes to go beyond eleven o'clock at night then there is provision for that and an hour before or a half an hour before, whatever it is, notice must be given. Otherwise at eleven o'clock it is very clear that the Chairman or the Speaker, as the case may be, must leave the Chair. So the time has gone beyond eleven o'clock and Your Honour must leave the Chair if the Orders provide because the procedure was not gone through -

MR. F. ROWE: We are in Committee.

MR. WELLS: - to extend the life of the Committee. So that anything we are talking now is really a nullity, Mr. Chairman, because Mr. Chairman is supposed to be out of the Chair and the House is closed.

MR. CHAIRMAN: Order, please! I do thank the hon. member. The hon. member will recall that this was a ruling I had made and then I did have to hear a point of privilege that did arise. So as it is now past eleven o'clock I will have to leave the Chair to allow Mr. Speaker

MR. CHAIRMAN: to follow Standing Order number eight.

MR. NEARY: Mr. Chairman, we would like to appeal
Your Honour's ruling.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: The hon. Chairman of Committees.

MR. CHAIRMAN: Mr. Speaker -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please! Order, please! Order, please,
to my left and to my right!

The hon. Chairman of Committees.

MR. CHAIRMAN: Mr. Speaker, the Committee of Supply have
considered the matters to them referred and have passed items
of expenditure under Heading XII - Forestry and Agriculture, with
amendments, and have made further progress and I ask leave to
sit again.

MR. SPEAKER: The Chairman of the Committee reports
that they have considered the matters to them referred and have
passed headings of expenditure under Heading XII - Forestry
and Agriculture, with amendment, made further progress and ask
leave to sit again.

On motion report received and adopted.

On motion Committee ordered to sit again on tomorrow.

MR. SPEAKER: It being eleven o'clock -

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

MR. SPEAKER: A point of order.

MR. W.N. ROWE: Mr. Speaker, there was no motion in Committee
that the Chairman rise, report progress and ask leave to sit again.
This is a clear abuse of the rules of this House, Mr. Speaker. The
Chairman left of his own accord, walked over there, no motion made,
stands up, reports to Your Honour that he in pursuance presumably
of a motion made in Committee, that progress was made and asked
leave to sit again. No such order, no such motion was put or
passed by the Committee, Sir, and it is a clear abuse of the
orders of this House and the Chairman to have done so. And, Sir,

MR. W.N. ROWE: the Chairman, in fact, left in the middle of a request by my hon. colleague to get an order and a ruling which he had made be appealed to Your Honour and to the House.

MR. NEARY: And while he was making the appeal he walked out.

MR. W.N. ROWE: While the appeal was being made he walked out and then he stands up and makes a report to Your Honour, a clear abuse of this House, Sir.

MR. SPEAKER: Order, please! I did hear the hon. gentleman. I probably should not have had because I am obliged by the Standing Orders, as is the Chairman of Committee, I refer to Standing Order 8, "At 11 of the clock p.m., unless the closure rule (SO 50) be then in operation," obviously it did not, "the proceedings of any business under consideration shall be interrupted and Mr. Speaker shall adjourn the House without question put, provided that all business not disposed of at the termination of the sitting shall stand over until the next sitting day when it will be taken up at the same stage where its progress was interrupted." Now that refers obviously to the Speaker in the House, that hon. members are aware of another Standing Order which says that the rules of the House are applicable in Committee, unless there is some specific rule to the contrary.

One specific rule to the contrary which was adjudged this evening was the difference between the standing vote in Committee and the recorded vote in the House. There is a specific difference there. But in this case this rule must be applied and strictly speaking nobody should have heard anybody, after eleven o'clock the Chairman should have left the Chair, presumably he would then have to inform me what had transpired and without question put I adjourned the House pursuant to the sessional orders until tomorrow, Wednesday at 3:00 P.M., and I do that without question put. I do it automatically and the House stands adjourned until tomorrow, Wednesday at 3:00 P.M.