



Province of Newfoundland

THIRTY-NINTH GENERAL ASSEMBLY  
OF  
NEWFOUNDLAND

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Volume XXXIX

Third Session

Number 63

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***VERBATIM REPORT***  
***(Hansard)***

***Speaker: Honourable James Russell***

Monday

10 December 1984

The House met at 3:00 p.m.

MR. SPEAKER (Russell):  
Order, please!

Statements by Ministers

MR. SPEAKER:  
The hon. Minister of Labour.

MR. DINN:  
Mr. Speaker, I have a statement on the recent Housing Ministers' Conference in Ottawa.

MR. NEARY:  
Table it.

MR. DINN:  
That is exactly what I will do, I will table the information for all hon. members, because we have very important things to discuss in the House today. So I will just table the statement.

SOME HON. MEMBERS:  
Hear, hear!

MR. SPEAKER:  
The hon. Minister of Rural, Agricultural and Northern Development.

MR. GOUDIE:  
Mr. Speaker, through this hon. House I wish to inform the general public of the Province, and particularly those residents of the East Shore area of Labrador, of a programme initiative being undertaken in that area by the Department of Transportation in connection with the East Shore Labrador Development Association, which organization is, of course, supported by my department.

For the past several years, the East Shore Labrador Development Association has been operating

trail grooming equipment in the East Shore Labrador area as a means of improving the Winter transportation system by snowmobile, which, other than by air, is the only transportation link between communities in this area during the Winter months.

Mr. Speaker, this government has supported this activity since its inception by providing funding in the amount of \$60,000 for the purchase of the equipment and through the provision of operating grants in the order of \$25,000 to \$30,000 per year. This is in recognition of the fact that there are no connecting highways in the area and that these snowmobile trails are in effect the highway system.

But during this past Summer, my colleague, the hon. Minister of Transportation (Mr. Dawe) met with representatives of the association to discuss the merits of this programme and to assess its future. Government is most impressed with the programme and as such is supportive of the association's and the resident's desire to expand and enhance it.

To this end, Mr. Speaker, I am pleased to be able to announce that government has decided to support the association in the acquisition and operation of a second trail groomer to be in place for this coming Winter. To facilitate this, government has approved an increase in the grant to the association of approximately \$62,000, bringing the total funding for this project for the coming Winter to approximately \$92,000. The provision of the second machine will allow for faster grooming after snowfalls and will provide back-up capability in the event of

mechanical problems with either of the machines.

In addition to this, Mr. Speaker, the Department of Transportation has provided some 130 signs to the association for trail marking and safety purposes. As well, a Name the trail contest was conducted among local school children and government provided some small prizes to the winners.

Mr. Speaker, it might be suggested that in the overall scheme of things the sum of money involved here is not that great. Now that may be true, but to residents of this area of Coastal Labrador it represents significant and welcome improvements to their Winter transportation system. Government commends the East Shore Labrador Development Association on their initiative and efforts relative to this project and is pleased to be able to provide the requisite financial support. We look forward to continued co-operation with the Development Association and the residents of the area in this and other transportation related matters.

MR. SPEAKER (Russell):

The hon. member for Torngat Mountains.

MR. WARREN:

Mr. Speaker, I would like to say at the offset that we are quite pleased to see that the minister is moving in a positive direction by providing \$92,000 to be spent this year by the East Shore Development Association for a very vital means of communication on the Coast of Labrador. I should also remind the minister that there are some 37 communities which need to be connected. Although this is only just a drop in the bucket, I assure the

minister that he will have the support of this side if he keeps coming up with such initiatives as this.

### Oral Questions

MR. SPEAKER (Russell):

The hon. Leader of the Opposition.

MR. BARRY:

Mr. Speaker, I wonder if the Government House Leader could tell us whether it is intended to file the Public Accounts and the Auditor General's report on these accounts before the House closes?

MR. SPEAKER:

The hon. President of the Council.

MR. MARSHALL:

Mr. Speaker, I will have to take notice of that for the hon. Leader of the Opposition (Mr. Barry). I do not know whether the Auditor General's report has actually been received by the Minister of Finance (Dr. Collins) as yet. I know it was in the course of preparation. I will certainly take notice of the question. I can say, however, that as soon as the report has been filed with the minister, within a reasonable time thereafter it will be tabled. As the hon. Leader of the Opposition (Mr. Barry) knows, it is customary for the government in recent years to file a response at the same time as the report is filed. But certainly it will be filed very shortly after its receipt. But I will have to take notice of this question to answer it more specifically.

MR. SPEAKER (Russell):

The hon. Leader of the Opposition.

MR. BARRY:

Mr. Speaker, I would just like to ask the minister on another topic whether he agrees with the approach that seems to be taken by Mrs. Carney that before any public hearings are set up on the Mobil Environmental Impact Statement that it is necessary to arrive at a decision, a final decision with respect to the one mode of development which will be adopted for Hibernia. And I would like to ask the minister would he not agree that in deciding upon a particular mode of development, the environmental aspects are very important and, therefore, the people of the Province should have an opportunity of having input before the final decision is made?

MR. SPEAKER:

The hon. President of the Council.

MR. MARSHALL:

Mr. Speaker, in relation to that, the old cliché comes up, which comes first, the chicken or the egg? Quite frankly -

MR. TULK:

In this case we are caught in the middle.

MR. MARSHALL:

- I do not know how one can formulate a sensible Environmental Impact Statement unless one has a firmed up idea of the preferred proposal that is being made for the permanent type of development, the mode of development or the development plan, which, Your Honour, as will be appreciated by all members, is going to impact greatly upon the Environmental Impact Statement and its effect on the government and on the Province.

Now in the present situation the Environmental Impact Statement that had been prepared, apparently, by Mobil, but which we

have not received a copy of, and asked that it be postponed, was prepared without any adequate or really any reference at all to the Province, and was prepared under a regime that just ignored completely the Province's wishes.

So between the time of the preparation of that Environmental Impact Statement under another regime, an oppressive regime which was affecting this Province as contrasted with the present way in which development is going to occur, that is, the Province is going to have the ultimate decision on the mode of development or the development plan, it seems perfectly logical and reasonable, I would submit, that the Province should have an input into that development plan before it is presented to the public. Then when it is presented to the public, of course it will be open for the public to have input into it, and any adjustments that might be necessary as a result of those hearings will be made in the final report.

But the fact of the matter is that we were faced with a situation where an Environmental Impact Statement was to be made without us having any impact at all into the development plan. Now that we have an impact into the development plan I am quite happy, Mr. Speaker, to have the support of the Federal Minister (Mrs. Carney) who, as you will note in her every statement is supporting provincial rights in this Province in connection with the offshore development.

MR. SPEAKER (Russell):

The hon. Leader of the Opposition, a supplementary.

MR. BARRY:

I would like to ask the minister to indicate whether the approach he is now taking is not a significant departure from the approach that has up to now been taken by the Government of Newfoundland, an approach as set forth in the Newfoundland and Labrador Petroleum Regulations, 1977, specifically regulation 62, subsection (1), sub-subsection (n), which requires that every development programme submitted should include a description of the technical and economic feasibility of alternative methods of development? Now, Mr. Speaker, the Federal Minister of Energy (Mrs. Carney) is saying that a decision must be taken upon the mode of development, a single mode of development before this report must be filed, yet the petroleum regulations of this Province have always required and still require that there be a description of alternative methods. What is the purpose of having public hearings if not in order to permit government to get input from the general public before deciding upon the mode of development? Is that not a significant departure from this regulation?

MR. SPEAKER:

The hon. President of the Council.

MR. MARSHALL:

Mr. Speaker, the hon. gentleman indeed has to go into circuitous routes and alleys and avenues to try to justify his position with respect to the offshore and he shows this by his every statement and he is showing it by that particular question. Now the fact of the matter is, Mr. Speaker, it is the preferred mode of development. Obviously if you are going to have a development plan and environmental impact statements there are going to be

avenues for alternative considerations because that is really the purpose of it. But we are talking about the preferred mode of development, and the very, very much preferred mode of development of this government is the fixed concrete platform, and the position taken by the government has been that for some period of time on the basis of safety and economics, but we have a caveat to that and the caveat is that the companies are placed under notice that they have to have very cogent proof to show that another means is preferable. I mean that is the situation. What is the purpose, the hon. gentleman asks, of public hearings? The purpose of the public hearings is to get public input into the situation.

MR. TULK:

It is already decided.

MR. MARSHALL:

No? The preferred mode of development is the one that we want to have put before the general public. The preferred mode of development will hopefully be the development plan that will have to be followed. Now the hon. gentleman there opposite can get his surrogate, his predecessor on the other side to come to his rescue as much as he wants to, but I repeat my first words, that the hon. gentleman is getting on rather shaky and quaky grounds indeed where he has to go into these circuitous areas to try to continually justify his flight to the Opposition, which flight has been shown to be completely unjustified as a result of the events that have transpired and particularly as a result of the co-operation we have received from the Federal Minister of Energy who continues to insist that the

ultimate mode of development is to be determined by the Province of Newfoundland.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

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

MR. BARRY:

A final supplementary, Mr. Speaker. Would the minister undertake to release the Mobil Environmental Impact statement to show some respect for the common sense and good judgement of the ordinary men and women of this Province, to understand that this is a preliminary report, to understand that it is something that will be updated and, to quote the federal minister "reformatted", whatever that means? And would not the minister agree that to do otherwise than to release this report shows that there is something on the part of the provincial government and the federal government which they wish to hide and not have revealed to the people of Newfoundland and Labrador?

MR. TULK:

Now that is the question.

MR. SPEAKER:

The hon. President of the Council.

MR. NEARY:

Give us a straight answer.

MR. MARSHALL:

The poor old Leader of the Opposition (Mr. Barry) has to call his predecessor to his rescue.

Mr. Speaker, nobody is trying to hide anything. In the first place we have not got that report in our possession. That report was not

filed. It is not in the government's possession so how can we release it? And on the second point, Mr. Speaker, we are trying to pursue this development in a way that is beneficial for the people of this Province, and surely the most beneficial way for a development plan to be first presented to the people of this Province is after the Government of the Province, their elected representatives, have had a chance to look at it, have had a chance to look at the entire situation and put before them, and have an input into putting before them what is the preferred mode of development. Because then and only then can we assure the optimum benefit to the people of Newfoundland and Labrador which is really what has been our aim and objective all throughout this very troublesome issue.

Now the fact of the matter is, Mr. Speaker, we are on the threshold, indeed we have resolved that issue, we have obtained for the people of Newfoundland the right to participate in the joint management, the right to establish and collect taxes, and, Mr. Speaker, we are seeing by this action the working of that agreement, that agreement in operation, where the people of Newfoundland have a say as a result of the present federal government's agreement with this Province whereas before with the government of the party that the hon. gentleman scurried over to, we had no say at all in the whole proceeding of filing an environmental impact statement without any reference at all to the Province is a manifestation of that as well. So I am very happy, Mr. Speaker, that this course of events has occurred because it shows that the Province of

Newfoundland is going to have some real power and the government will exercise that on behalf of all the people in this Province.

MR. NEARY:  
Mr. Speaker.

MR. SPEAKER:  
The hon. member for LaPoile.

MR. NEARY:  
Mr. Speaker, I am going to direct my question to the Minister of Energy, the Government House Leader (Mr. Marshall) also, and I hope I get a straight answer from the hon. gentleman, and I do not want any game playing like the hon. gentleman just did. Three years ago I asked the hon. gentleman this question, and two years ago and last year I asked the same question in connection with claims that were made by a company that worked on the Upper Salmon, Viking-Sintra?. Dobbin's company here entered into a joint venture on the Upper Salmon with a Mainland company and because they felt they did not get enough for the contract they had they made a claim against the Newfoundland Hydro and against the taxpayers. Now would the hon. gentleman indicate to the House if that claim has yet been settled?

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

MR. MARSHALL:  
Mr. Speaker, that claim was submitted, and it was a legitimate claim from the point of view of the claim itself. The measure of the claim is something else.

MR. NEARY:  
What about the government?

MR. MARSHALL:

It was submitted to the Board of Directors of Newfoundland and Labrador Hydro and it was put out for independent assessment. Mr. Speaker, I will check the actual resolution, but I know that it was on the throws of a resolution by an independent assessment. But as to whether or not that decision has actually been made by the independent assessment and the nature of the settlement, I will have to take notice of it and I will advise the House accordingly.

MR. NEARY:  
A supplementary, Mr. Speaker.

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

MR. NEARY:  
Mr. Speaker, the claim was for a substantial amount of money. I believe the hon. gentleman indicated the last time I asked a question about Mr. Dobbin's company that it was probably going to go to court. Now the hon. gentleman is indicating to the House that the matter has been settled. Now let me as the hon. gentleman a couple of questions in connection with that. Did the matter ever come before Cabinet? If so, what did Cabinet do with it? Could the hon. gentleman indicate to the House the amount of the settlement of the claim? \$9 million was a lot of money over and above the contract amount that was let to this company. Would the hon. gentleman indicate the amount of the claim, if settlement is indeed made, and will the hon. gentleman undertake to table all documents in connection with this claim in this hon. House?

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

MR. MARSHALL:

It has not been before Cabinet. Many things when they are before court are subject to negotiation for the purpose of settlement, and this was one such claim. I said it would have to go before court because there was no progress. But it certainly has not come before Cabinet as yet, it may not come before Cabinet because of the fact that it is a matter of Newfoundland and Labrador Hydro adopting the usual procedures for a settlement of a claim of this nature, but certainly any relevant information with respect to the settlement of the claim I would certainly be prepared to table in the House when it is available to me.

MR. NEARY:

Mr. Speaker, a final supplementary.

MR. SPEAKER (Russell):

A final supplementary, the hon. the member for LaPoile.

MR. NEARY:

Would the hon. gentleman undertake to get this information for the House at as early a date as possible so that we can look at this? Because the taxpayers are entitled to know, Mr. Speaker, why a contractor who was given a fixed contract for work on the Upper Salmon, now comes back with a claim for \$8 million or \$9 million, and the minister is indicating that it may have been settled for a substantial amount. The taxpayers are entitled to have this information. Would the hon. gentleman undertake to table that information in the House at as early a date as possible?

MR. SPEAKER:

The hon. the President of the Council.

MR. MARSHALL:

Mr. Speaker, I will undertake to table it at the earliest date possible when I have all the documentation because we see an indication by the way the hon. gentleman is asking his question as to why we need all of the information. Because I am not going to have the hon. gentleman twisting things and turning things as he did right there when he got up and said, 'There is settlement.' He would give you the impression there is a settlement for \$8 million or \$9 million. I said I was not aware that there had been any settlement, but that they were near a settlement. And, as to the business of a fixed contract that the hon. gentleman talks about, in all construction contracts of this nature, it has not been unusual for unforeseen circumstances to arise, and there is a term in the contract that provides for unforeseen circumstances that there is a claim for extras under the terms of the contract. And I can guarantee the hon. gentleman that any settlement that is reached with respect to this claim or any claim will be purely and simply on the basis of the contract, purely and simply on the basis of fair, assessment and arbitration, if necessary, or court, if necessary, of any extras that may be payable for it, and that goes not only for this contract but any other contract but any other contract that this government or any Crown corporation enters into.

But, in answer to it, Mr. Speaker, so the hon. gentleman will know it, I will give the information when I have the full and complete information. I will not be giving partial information that the hon. gentleman can twist at will.

MR. WARREN:  
Mr. Speaker.

MR. SPEAKER (Russell):  
The hon. the member for Torngat Mountains.

MR. WARREN:  
Mr. Speaker, I have a question for the Minister of Labour (Mr. Dinn).

I understand that today the Premier has issued a proclamation on the 36th anniversary of the signing of the Universal Declaration of Human Rights. I further understand that he has said in this proclamation that 'The Government of Newfoundland and Labrador desire to reaffirm its faith in fundamental human rights, in the dignity and worth of the human person' and he has further urged all residents of the Province to show a personal concern for human rights. Therefore, I would like to ask the Minister of Labour would he please, for the sake of all the people of this Province, withdraw all anti-labour measures before this House?

SOME HON. MEMBERS:  
Hear, hear!

MR. SPEAKER (Russell):  
The hon. the Minister of Labour.

MR. DINN:  
Mr. Speaker, I am delighted that the Premier signed a proclamation on human rights in this world, and I am also delighted, as Minister of Labour in this Province, to be able to bring forth the best labour legislation in Canada - and Canada has the best labour legislation in the world. We have the best labour legislation in Canada. We have the best Occupational Health and Safety legislation in Canada.

SOME HON. MEMBERS:  
Hear, hear!

MR. HODDER:  
That is not true.

MR. DINN:  
The hon. member for Port au Port (Mr. Hodder) just chimes in. He has not said a word in this House since the House opened, but now he chimes in, breaks the rules of the House, but he does not have the courage to get up and state his position on anything. He has been out in his district hiding since the September 4 election, I understand.

MR. HODDER:  
Where have you been?

MR. DINN:  
Mr. Speaker, I was in Ottawa once, but otherwise I was here every day, every minute, every hour that the House has been open.

Mr. Speaker, we have the best legislation. If the hon. the member for Port au Port thinks there is a government in Canada that has better legislation, I would like to see him produce that information. Because we have checked all across this Dominion, the Territories, B.C. to Newfoundland, and we have the best labour legislation bar none in Canada.

Now, Mr. Speaker, we have a bill before the House that is going to improve the situation in Newfoundland for temporarily laid off workers, and we intend to make sure that that labour legislation is still the best in Canada.

MR. FENWICK:  
Mr. Speaker.

MR. SPEAKER (Russell):

The hon. the member for Menihek.

MR. FENWICK:

Well, I was going to ask the Minister of Labour (Mr. Dinn) a question about housing, but now that he has brought up Occupational Health and Safety, I have one for him there.

Given that we have such tremendous legislation, by the minister's account the best in the world, I would ask him why are we then getting complaints lodged with the Department of Finance over Occupational Health and Safety violations? I have a copy of them here. The minister insists we have such great legislation, but the fact is that the Department of Finance is still violating that very same piece of legislation he is talking about by not having its joint management-labour committee in place in order to oversee the elimination of safety hazards in the Department of Finance. My question for the minister is, Is he going to get in touch with the Minister of Finance (Dr. Collins) and make sure that he starts living up to this fantastic legislation that we have?

MR. SPEAKER (Russell):

The hon. the Minister of Labour.

MR. DINN:

Mr. Speaker, I am delighted that the hon. the member for Menihek asked a question about Occupational Health and Safety. He has made several statements about Occupational Health and Safety which make it obvious that he is not aware of what goes on with respect to enforcing the Occupational Health and Safety Act. He has stated, for example, that we do not have all the workplace committees set up,

government are not following the regulations as they should. Well, let me just inform the hon. member about how this thing works, what we do. We do not drive people into the ground, that is not what it is all about. The act is basically centered around a fairly democratic process. Now, the hon. member may not understand democracy in this sense. But, what we do with Health and Safety committees, as an example, is we have the union people elect representatives for Occupational Health and Safety committees. Until they do that, we do not enforce it. We do not go and grab hold of them and say, 'You had better appoint these people or we will throw you in jail.' We democratically allow them to elect people for Occupational Health and Safety committees. We have over 100 Occupational Health and Safety committees in government right now. The hon. the Minister of Finance (Dr. Collins), about whom the hon. member asked a question, is currently, through Treasury Board, attempting to set up a co-ordinator of Occupational Health and Safety who will be responsible for making sure that these Occupational Health and Safety areas have all the equipment necessary so that they can comply with the act. The hon. member says, 'You are not living up to this,' and 'You are not living up to that.' Out in Grand Falls, in my hon. colleague's district, the Minister of Forestry here (Mr. Simms) - there was a problem with the laboratory out there, and the Occupational Health and Safety division got a complaint about that. There was a committee set up out there, I inform the hon. member. We got a complaint about that, we investigated the complaint and found it to be a legitimate

complaint.

MR. SIMMS:

Under pressure from the member.

MR. DINN:

Pressure from the member, obviously, who is concerned most in Newfoundland and Labrador with Occupational Health and Safety.

As a result of that we built a new laboratory in Grand Falls.

SOME HON. MEMBERS:

Hear, hear!

MR. DINN:

That is what this government bases itself on. We have an act; it is the best act. There is no labour leader or company man or employer in this Province who will say that the act is not the best. We all know it is the best. We have 827 committees, all volunteers, who spend their time to make sure that the workplaces in Newfoundland and Labrador are safe. Mr. Speaker, I, as a member of this government, am proud the government brought in Occupational Health and Safety.

MR. SIMMS:

What is it like in other provinces?

MR. DINN:

I would not want to go near the Occupational Health and Safety legislation in other provinces. There are several other provinces that come up near to our standards but are second class in Occupational Health and Safety. And I say that in Workers' Compensation we lead this country and this country leads the world.

SOME HON. MEMBERS:

Hear, hear!

MR. CALLAN:

Mr. Speaker.

MR. SPEAKER (Russell):

The hon. the member for Bellevue.

MR. CALLAN:

Mr. Speaker, I have a question for the lady Minister of Education (Ms Verge). I want to ask the minister is she aware that in Grade XII, that is level three, in these courses, students who have to register, sign on for the public examinations in level 3000 courses have to pay a \$3 per course fee to sign on, even though they are not writing public exams in some of these courses? For example, in level 3000 courses such as Home Maintenance or Career Education or Phys-ed, the students who sign on for the public exams have to pay even though they are not writing public exams. Is the minister aware of that and, if so, what does he plan to do about it?

MR. SPEAKER (Russell):

The hon. the Minister of Education.

MS VERGE:

Mr. Speaker, as far as I know, fees are charged for public exams for only those high school courses for which the exams are required and are, in fact, given. I will review this matter with my officials to ascertain that that policy is being followed.

The policy of the Department of Education, in a general sense, is to require public exams for level 3000 courses, which is the most advanced type of high school course, and which now may be taken by students in any of the senior high school grades, although they are usually taken by students in their last year of high school. The public exams count for half the final marks, with the other half being determined by the school evaluations.

MR. CALLAN:

Mr. Speaker, a supplementary.

MR. SPEAKER:

A supplementary, the hon. the member for Bellevue.

MR. CALLAN:

Mr. Speaker, the minister says that she is not aware of that. Let me ask the minister, then, has she not received any letters from any school principals around the Province complaining of this?

MR. SPEAKER:

The hon. the Minister of Education.

MS VERGE:

Mr. Speaker, I personally have not received any such letter of complaint, although it is possible that such a letter has been addressed to senior officials of the department. I will review the matter with the staff of the department to make sure that the policy of the department is being applied correctly, because it is the policy that fees be charged and collected from students for only those situations where students will be writing public exams for the level 3000 courses.

MR. NEARY:

Mr. Speaker.

MR. SPEAKER (Russell):

The hon. the member for LaPoile.

MR. NEARY:

Mr. Speaker, I would like to direct a question to the Minister of Social Services. The question is asked, by the way, when the House is in session every year around this time.

In view of the fact that the federal family allowance cheques were distributed to mothers throughout the Province today and,

in view of the fact that the cheques for old age pension and veterans' allowance and Canada Pension and so forth will be sent out early so that people can have the money for Christmas and New Years, would the hon. the minister indicate to the House if it is his intention to send out the cheques early to people on social assistance so that they can enjoy Christmas this year?

MR. SPEAKER (Russell):

The hon. the Minister of Social Services.

MR. HICKEY:

Mr. Speaker, last year we mailed the cheques early so that the recipients could have them in time for the New Year. I cannot answer the hon. gentleman as to what the plans are for the Christmas cheque. I will check with my officials and see what is being done and I will report to him.

MR. NEARY:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for LaPoile.

MR. NEARY:

I thank the hon. gentleman for the information, Mr. Speaker. I presume that we will have an announcement in the House on this matter in due course.

I have another question for the Minister of Communications.

Will the minister inform the House if her department intends to assist in allowing communities or individuals throughout the Province in locating satellite dishes in remote communities, in remote parts of the Province? I think the minister's predecessor indicated that that was a

possibility. Would the hon. the minister tell the House whether or not they have yet taken a decision on whether the government and the minister's department will allocate funds to assist remote communities of this Province that want to get a second channel or want to get television other than CBC T.V.?

MR. SPEAKER (Russell):

The hon. the Minister of Communications.

MRS. NEWHOOK:

Mr. Speaker, this matter has been looked at, but I would have to tell the hon. member that there has been no decision made as yet. It may be a matter for the budget, I am not quite sure, but there has been no decision on it yet.

MR. BARRY:

Mr. Speaker.

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. BARRY:

Mr. Speaker, I would like to direct a question to the Minister of Health. I would like to ask the minister if he could inform this House whether there is any serious problem developing with respect to the loss of medical specialists in this Province and whether he could give us any update on the numbers of specialists that have been lost over the past year in the Province?

MR. SPEAKER:

The hon. the Minister of Health.

DR. TWOMEY:

Mr. Speaker, yes, I can say quite emphatically that there are more specialists in Newfoundland at this moment than ever before in

the history of our Province.

SOME HON. MEMBERS:

Hear, hear!

DR. TWOMEY:

Yes, there are specialists coming and going. They come for many, many reasons; some of them are personal, some of them are professional. Some like the type of life they can have in other parts of this North American continent, but definitely there are more here now than there has ever been before in our history.

MR. BARRY:

Mr. Speaker.

MR. SPEAKER (Russell):

The hon. the Leader of the Opposition.

MR. BARRY:

Would the Minister of Health indicate, where Newfoundland has enjoyed the services of specialists for a number of years, whether we no longer have access to the same specialists? Have we lost specialists in certain areas where we have had them for some time?

MR. SPEAKER:

The hon. the Minister of Health.

DR. TWOMEY:

Yes, we are losing them, but we are also gaining them. There is a shortage of specialists, not alone in Newfoundland but all over Canada. We would like to have more anaesthetists, we would like to have more psychologists, we are trying to get more obstetricians and gynecologists, especially for the periphery of our Province. We are looking for a few surgeons at the moment, we are looking for dermatologists at the moment, and I think that is

about the list. If there are any more, I will be glad to inform the House. During the last two weeks I have made very definite attempts to get in touch with people who have these qualifications. As yet I have not received a reply. I have been talking to deans of universities and talking to other physicians who might be in a position to direct those particular people who are qualified to come and stay in Newfoundland.

MR. SPEAKER (Russell):

The time for Question Period has expired.

I would like to take this opportunity to welcome to the galleries a delegation from the Twillingate - New World Island - Change Islands Development Association with their President, Mr. Albert Canning and members, Mr. Malcolm Anthony and Mr. Wayne Anthony, and the co-ordinator of the association, Mr. Winston Jennings.

SOME HON. MEMBERS:

Hear, hear!

### Orders of the Day

MR. MARSHALL:

Order 19, Bill No. 52.

MR. SPEAKER (Russell):

Order 19, Bill No. 52, a continuation of the debate on the Kruger agreement. I believe it was adjourned last day by the hon. the member for Menihek.

MR. FENWICK:

Thank you, Mr. Speaker.

In my initial comments on the legislation, I indicated that,

given the time constraints and the ideological bent of the government, I was quite pleased to see this legislation in the form that it was in, since it seemed to me that it was somewhat better than I had anticipated.

Since we are the Kruger bill, Bill 52, and we are discussing it in principle, I would like to enter some comments on the whole concept of development of which this bill is a manifestation and, in my comment, argue for a possible different direction in terms of development that we should proceed with in the future.

If we look at the bill, we can see that there is a commitment by two levels of government for somewhere in the neighbourhood of \$40 million to \$50 million. The exact amount, of course, will depend on what kind of a loan has to be put in place and what the interest rates are; it will depend on a lot of things that we do not really know about now. But, on a base line, we are talking about a commitment of federal/provincial money in the neighbourhood of \$40 million or \$50 million.

In return for that, we have received, I guess, a reprieve in the sense that the mill will continue to operate, or at least we hope it will continue to operate, for a good, long period of time. But, if you look through the agreements, and you look through the legislation, and you look through the Statement by the Minister, there is no real overwhelming guarantee that that will actually occur. What we have is the best efforts on the part of the new owners, we have commitments that they will try to do such and such, and so on, but we really do not have anything

that we could tie them down with and say that the decisions that they will make over the next number of years will be consistent with keeping the mill there for an infinite period of time. What is obvious is that this \$40 million or \$50 million represents somewhere around 20 per cent to 25 per cent of the total cost of the modernization of the mill, perhaps a little less than that when we take out the actual cost of the mill itself, because from my reading of the agreements, it looks like the mill sold for about \$30 million, but it depends on interpreting British pounds to Canadian dollars and so on, and it is difficult, at this point, to be sure of it.

But, nevertheless, the one irrefutable thing that we can say about it is that there are considerable amounts of dollars coming from government that have gone into this mill, and in the long run we really have very little in the way of assurances that our priorities and the priorities of the federal government will be paramount in the operation of this company. We have a limited number of guarantees and assurances and so on, if it goes bankrupt we end up with a power plant and so on, but we really do not have the kind of assurance that I would think would be useful in terms of going on in the future.

But this is not a unique situation. We are looking at the operation that we will be discussing later on, some legislation about the fluorspar mine in St. Lawrence. I do not want to talk about the bill because frankly I have not even read it, but what we do know at this point is we are talking about

perhaps something in the neighbourhood of \$7 million being put in there by various levels of government in order to get that operation viable as well. And that is not a unique situation. We are looking at massive subsidies that were provided, for example, in power for ERCO at one particular period of time, which have been reduced, thank God. We are looking also at subsidies that were given for a whole bunch of other companies.

In other words, if we had to define our economy, what we have is the free enterprise economy in which a chunk of the money seems to be provided on a very regular basis by government, either federal or provincial. From our point of view, perhaps it is fortunate that more of it comes from the federal level than the provincial. But, indeed, a considerable chunk of money goes to most of these large enterprises that come here. I would even argue in offshore oil that the same thing is true given the massive write-off depletion allowance that they had there as well, but I am not going to extend it that far right now.

One of the problems that our economy has, and one of the problems that Western economies have had over the last decade or the last fifteen years is that we are not getting the kind of investment we need in order to modernize the machinery that we have. Corner Brook is the classic example. What we have is machinery that was put in there forty or fifty years ago. It obviously produces the kind of paper that is not particularly suited to the markets that we are looking at today, and as a result we have to be modernized at great

expense.

The question that we should ask ourselves right now when we talk about the principle of how we developed this economy is what should have been done with Bowater? I have listened to the Premier in the times when he has yelled at me for being a Socialist, which is questionable because I am not entirely sure that that is exactly what I am, but when I have listened to him yelling that way -

AN HON. MEMBER:

What are you then?

MR. FENWICK:

- I wonder about the fact that we may be having some other way of looking at this particular thing. Fifteen years ago if we had had some sort of representation on the Board of Directors of Bowater, either at the Corner Brook level but preferably at a slightly higher level, maybe Bowater Canada, which I think we could have argued for in terms of the resources we turned over to that company over the last fifty years or sixty years or so that we should probably have had, we may have been in a position to influence the investment decisions made by that company. Because it is obvious now that the investment decisions made were to invest the money in several American mills, Calhoun being one of them, and in the mill in Nova Scotia.

And unfortunately we did not have the leverage or the ability to force the kind of investment in the Corner Brook mill which would have left Bowater there. The Premier says we do not need that, that we have labour legislation, we have other things that we could use in order to make sure these

corporations act as good corporate citizens. Yet the important decisions, I would argue to you, although labour legislation is important and we will be discussing that, I would suggest probably later today on the other bill, but the most important decisions that are made in a company are decisions such as where does your investment go, when do they modernization their machinery, what kind of markets are they going to develop, what kind of products are they going to produce? These are the most critical decisions any company can make because they are the ones that will make the company viable in the future or will lead them down the path to ruin and not be able to go on in the future.

I suggest to you the decisions on the products produced in the Bowater mill, the decisions on what to invest in were made by people who had no concern whatsoever for Corner Brook, otherwise, we would not have such a despicable situation there to this very day. And I argue with you that we are perpetuating the same mistake with Kruger, in the sense that we have, as near as I can make out from reading all of this material, no presence whatsoever in the Board of Directors. And that is where the important future decisions on investment will be made, the kind of products that they will be looking for, where to market it and so on. And these decisions, these important decisions make all the other ones pale into insignificance. The ones on occupational health and safety and labour legislation and all of that, as the minister will argue later on, are as meaningless if we do not have a mill there that is viable and can continue to

operate. And yet we have no leverage at that level. And that is why I argue to you that it is important that we have that presence at the Board of Directors level. And having invested \$40 million to \$50 million in the operation between the various levels of government, it seems obvious that we had the opportunity to extract some sort of presence at the Board of Directors level to make sure that those decisions were made in the future. By the way, that is about as far as I go in terms of being a Socialist, that I would expect some representation at that level.

Now that is not really a foreign concept to the government opposite, because I just saw them last year restructure an entire fishing industry in which they appointed a number of Board members to it. Admittedly, they had a higher proportion of the investment there than they do here, but a 27 percent investment in the fishing industry versus about 18 percent or 20 percent in the paper industry does not seem to be a huge difference. Yet they followed one principle with the fishing industry and another completely different one in this one.

As I perceive it, the problem of development in this Province - and the problem is not unique to us; it is the same problem that Canada, the United States, Western Europe and so on has - is that there appears to be better investment opportunities in Third World countries, such as Brazil, if you use iron ore as an example, if you use paper as an example, the Southern United States and other places. What happens is a capitalist who has \$100 million or \$200 million to invest can see a

much larger return for his money in a place where his workers are willing to accept \$2 an hour with no occupational health and safety regulations, I admit that, where there is no minimum standards of working conditions that have to be enforced and so on. I think it is important for us to realize that on a straight dollar for dollar basis it is going to be difficult to try to compete with places that are willing to sweat, in a sense, their labour and allow their resources to be ripped off for nothing. Although, quite frankly, looking at the amount we get for our resources, we are not far distant from getting nothing for them already. But given all of that, it is going to be extremely difficult for us to compete with these investments that are made in Third World countries. Again I say it is not only our problem, it is Western Europe's problem and the United States' problem.

So how then do you get investment? Well, our provincial government has made a decision. What it has decided to do is along with the federal government, to put in enough money to lower the investment costs in the particular mill, and that is exactly what is happening in this particular case so that with the money that the investors put in they will be able to get something closer to what they would get if they were to invest the money in a Third World country. That is the procedure they have taken. I do not argue that it is not inconsistent with their thinking, but what I would argue is that it provides us with a company which may be all right for a couple of years, maybe five or ten years or something like that, but it does not give us what we really need, which is the long-term security that the

investment decisions that will continue to be made are in the best interest of the people who work in the mill, people who reside in that community, and Newfoundlanders and Labradorians in general. And that to me is the oversight in this particular piece of legislation.

I do not expect the members in the government to have even thought of that, because it seems like the kind of thing that does not occur to them. But it seems to me a rather rational thing to do in this particular case. I would argue also in reactivating the St. Lawrence fluorspar mine that it would be a reasonable to take an equity position. There is a considerable amount of money going in there that we have advanced in that direction as well.

You see, I do not disagree with the government's approach in the sense that they understand that we have to compete with places that have enormous advantages over us and therefore we have to do something in order to induce this kind of massive investment here, but what I say, and I repeat it again and again, is that we are foolish if we put in the money and we do not take back some sort of control that the important decisions made are in our best interest and not in the interest of these corporations solely. And that, I think, is where the major error has been made here.

Anyway, that is by way of summing up the substantive objections to the overall concept of it. I would like to look at some individual comments of the Premier's statement in general, some of which point out why this is an accurate assessment of what is going on there. On the first

page of his statement he says, 'The company have been attempting for the past two years to sell the Corner Brook mill. On that day the government was informed by Bowater that the company had been attempting for the past two years to sell the Corner Brook mill.' Which meant, if I read his statement correctly, that for the previous two years the government knew nothing about the attempt by Bowater to sell the mill, which I think shows you how much control the government actually had over Bowater operations if they did not even know they were trying to peddle it to somebody else at the time. Our initial reaction was to try to find some way of persuading Bowater to stay in Corner Brook and to continue to operate the mill. It was probably a good idea except that we had seen over the last fifteen years only a minimum amount of investment and not the kind of investment that was necessary in order to modernize the mill. But I am wondering why the government thought that they could convince a company that had already run the mill into the ground, so to speak, to stay there and try to rebuild the whole thing when it was obvious that their investment decisions were made in a different direction. But I am supposing that the government would have gone there and got down on its hands and knees, as the Premier very often describes, in order to try and get them to stay.

Another comment: "We had to make sure, Mr. Speaker, that a new operator would be willing to remain in Corner Brook for a long time and would be capable of bringing the mill up to modern standards." And the question I have is what real guarantee do we have over a long period of time that they are going to stay

there? The answer is we have really none. All we have is what limitations are built into those covenants.

The other thing I ask is a question and that I have to ask because it continues to amaze me. If this is Kruger Incorporated of Montreal - and I know it is being naive - but I got the impression that if it was Kruger Incorporated of Montreal it was a Canadian company, and why did it have to go to the Foreign Investment Review Agency? I find that difficult. I have heard that and I am not sure of it, so I would ask someone.

MR. DINN:

Bowater is not a Canadian company.

MR. FENWICK:

Does it have to go through the ex-FIRA when it is coming back?

MR. DINN:

It had to get out to get in.

MR. FENWICK:

I thought that the actual eventual owners of Kruger were in Ireland. If it is not, I stand to be corrected on that. Anyway, I just bring it up because I have not had an answer for it and I was not quite sure. I would really like to know where the owners of the mill reside, whether it is Kruger of Montreal, whether it is someone in Ireland or somewhere else. The other comment in that same section of it is, the Premier says, "I am not at liberty to describe those put forward by the four unsuccessful bidders." I realize his problem and I realize where his priorities lie, that is with the four bidders to make sure that there offers are not divulged, but it does make our job, as the loyal Opposition to the government, particularly difficult when we get

an assessment package from across the House with all this stuff with it and we have nothing whatsoever to compare it with in terms of finding out what the other bidders were like. And even if it had to be done in some sort of manner which was kept confidential, it would have been helpful to have had a look at what else was available in terms of making a comparative decision on what exactly is going forward. There are, going through the Premier's statement, a couple of comments that he puts forwards which I must take extreme exceptions to. 'These were not final agreements but were dependent on certain conditions being fulfilled before closing of the transaction.' And, (a), the first one and probably it is appropriate to put it up there, 'Negotiation of collective agreements with all the unions involved,' is one that I find particularly objectionable because what essentially is being said by the September 18 agreement is that the mill unions are told you have a choice, you can accept whatever Kruger gives you or you could have no mill, and that is a heck of a way to ask people to negotiate. And I would suggest that it should not have been a precondition of the whole operation because what it does, of course, is put the mill unions in an extremely disadvantageous position and we saw what kind of things happened as a result of it. In a sense the people who are really paying for the neglect that Bowater demonstrated over the last number of years are the mill unions, because they are the individuals concerned who had to make concessions and had to backtrack from their collective agreements and so on in order to get the mill in there. So what we have seen are bad decisions by Bowater -

well, not bad decisions; but very good decisions from the Bowater point of view but bad for the Province, bad for Corner Brook - supported by the government, or at least not opposed by the government because they did not do anything to oppose it, and when the final tab came in for the modernization of the mill it was laid at the feet of the unions and the actual workers themselves are the ones who basically had to pay the piper for what was done. I find that a particularly reprehensible way of transferring the mill ownership. I know the mill unions did take a lot of beating in the whole operation and it is unfortunate that that had to happen, but it is the kind of thing that they were set up by this particular government for and I must say that I object very much that that is the way in which it was done.

One of the things, though, I would agree with, and it is one of the things I would put forward as a position that I think would be reasonable in circumstances like this, is if the unions were expected to bear a lot of the costs of this particular operation, somewhere in the whole negotiations there should have been some means of compensating them in the long run for the kind of sacrifices they are putting in there. And where we have seen this government endorse the idea of a social contract, admittedly on a small basis with the fisheries restructuring, it is unfortunate that under the circumstances they did not allow some sort of entry like that for the actual workers and the union itself. I would argue that if they had to give it up, when the mill becomes successful, as I certainly hope it does become successful because it

is the last thing that I would like to see happen to Corner Brook, but if it does become successful and it continues to prosper and make a lot of money, it seems to me that the mill workers, who have suffered as a result of this transfer should be the people to benefit by it on the upswing. I think it is unfortunate that the government did not have the creativity to go into that particular aspect of it because if you are asking people to make sacrifices I think they should receive some long-term benefits at the end of it other than just keeping this operation going.

These are pretty well the comments I have in terms of discussion on second reading on the principle of the thing. I hope Kruger is better at living up to its undertaking than Abitibi-Price was in Stephenville.

'Kruger has agreed to use its best efforts to reduce the period of time required for modernization of the four existing machines.' I must admit I went through there and started underlining the times I saw, 'best efforts', and I think 'best efforts' does appear quite a high number of times which, as I recall when I was negotiating collective agreements, 'best efforts' means just about nothing, all it means is that you have to make some sort of effort towards it. Now I am hoping that that does not happen in this case, but I would suggest that those are not overwhelmingly secure kinds of agreements to have there. The other thing I would mention also is that the Stephenville mill, of course, is supposed to be building a second unit right now in terms of its agreement which has its 'best efforts' in it and so on and

so forth, and I suggest that since nothing is happening there it is likely that some of these 'best efforts' may go by the wayside as well, but we will see.

The other thing is, of course, the ancient act, the Bowater Act of 1938, 'To improve the provisions of the act with respect to forest management,' which I would entirely endorse. I think our forest management, although in small areas where it has actually been done has been reasonably good, but it has been nowhere close to adequate, I think, to give us the kind of wood stock in the future that we would like. It has improved substantially over the last number of years but when you are going from zero and you are up around one or two you are not really that far towards your objective. But it almost seems to me that with the transfer over of the assets there may have been a better opportunity to work out something a little bit better than, 'has agreed to review the provisions of the Bowater Act to improve the provisions with respect to forest management,' which sounds like a very soft condition in the sense that they will look at it and say, 'Well, we cannot improve it much,' and that will be the end of it. Hopefully some sort of stronger teeth than that could have been put into it in the transfer over because as we know Bowater does have the lion's share of the woodlands in the Province and, when we actually look at the condition of them, a lot of them are in particularly bad condition because not enough time and money has been put into them in order to bring them up to standard or to make sure that we get sustainable yield year after year.

The last part I would like to mention before I sit down is to refer to the tactics that we have been subjected to on the Opposition side here with respect to this Bill 52 which, as I said, I have a lot of objections to in terms of my basic philosophy and how I perceive our problems and how I perceive the solutions to it, but given the perceptions of the government opposite it is obvious that this was as far as they could see at the time. What I object to specifically is being called one of the - Is it the socialist Liberal cohort or the Liberal socialist cohort? I have forgotten which one it was, but I wondered why the words were particularly offensive. Yesterday, on television, I was watching Smallwood, who was going through the I.W.A. thing, and he was calling Landon Ladd a Communist and so on, and I realize that what we have here are the exact same kinds of tactics being perpetuated by a Premier as Mr. Smallwood did twenty-five years ago. Both of them are not answering the questions on the bills that we are dealing with, all they are doing is poisoning the well, to use the logical fallacy, calling you names rather than deal substantially with the arguments you bring up. And I think we should realize that Mr. Peckford, in five or six short years, has arrived at the position that it took Mr. Smallwood about ten years to do, and that is just a little bit faster. Thank you very much.

MR. WOODROW:  
Mr. Speaker.

MR. SPEAKER (Aylward):  
The hon. the member for Bay of Islands.

MR. WOODROW:

Mr. Speaker, Wednesday, September 12th will go down in the memory of all Newfoundlanders and Labradorians as a great day for our Province, but it will be more significant and meaningful to the people of Corner Brook, Bay of Islands and Humber Valley as the final signing of the Kruger deal will mean continued prosperity for Corner Brook and the surrounding area of Bay of Islands that I have had the honour to represent since September 16, 1975.

Although, Mr. Speaker, there are other industries in the area, such as the two hospitals, the Sir Wilfred Grenfell College, the new college not yet named, the various business outlets, three hotels, herring plants and other forms of industry, nevertheless, the backbone of Corner Brook and Bay of Islands is primarily the Corner Brook mill. Shut it down and all other industries mentioned above will become almost obsolete and the population would probably be reduced to some 5,000 or 10,000 people.

Other speakers, such as the Premier and the hon. the Minister of Forest Resources and Lands (Mr. Simms), have gone into detail about the agreements. I would like at this time to offer my congratulations to all who have worked so hard to make the deal a reality. We will never know how hard the Premier worked, as every 'i' had to be dotted and every 't' crossed to make sure that the deal would be a long and lasting one and not one that would break down in a few years.

Also, Mr. Speaker, I have to congratulate the Divestiture Committee and the unions, as well as the members for Humber East (Ms

Verge), Humber West (Mr. Baird), Humber Valley (Mr. House) and yours truly, the member for Bay of Islands.

SOME HON. MEMBERS:

Hear, hear!

MR. WOODROW:

There were times, I am sure, when we all got discouraged as we met time after time with the Premier, the Divestiture Committee and the unions, and, as the Minister of Forestry (Mr. Simms) said on Friday, certain things went on in Cabinet to which the member for Humber West and I were not privy. Can you imagine, Mr. Speaker, 150 applications, then they were reduced to thirty and to five and finally one.

As has already been stated, Kruger was chosen and practically made to order for the Bowater situation in that, number one, the company had been very profitable in recent years and had the financial resources to be able to take on the raising of capital investment required at Corner Brook; number two, the company has a history of purchasing older pulp and paper mills that were closed or in need of capital investment, and of turning such operations into profitable ventures and increasing employment, for instance, Kruger mills at Trois Rivieres and Bramptonville in Quebec; third, the company has a reputation of being able to sell paper in the best markets, especially in the United States. Everybody involved in this transaction agrees that newsprint from Corner Brook must be sold in the U.S. if the mill is to be profitable in the long run; and, number four, Kruger has the kind of management and professional expertise that is required for the successful

upgrading of older mills, the kind of job which must be done at Corner Brook.

MR. WARREN:

How do you know that?

MR. WOODROW:

You will find out in the next five years.

We are indeed fortunate, Mr. Speaker, to have a company like Kruger. Even though there will be layoffs, we cannot stop progress in world technology. In fact, I read some time ago that Japan has one person using a computer to replace over 300 people. However, I do feel, Mr. Speaker, with our local preference policy and the fact that Kruger will be spending \$198 million over the next five years, many of those who were laid off will retire or be employed in the modernization of the mill.

Mr. Speaker, before closing, I would like to mention the agreement we signed in Corner Brook with Kruger on September 18, which contains some very key points on forestry. For example, "Kruger acknowledges its full forest management responsibility. Number two, Kruger has agreed to review with us the 1938 Bowater Act with a view to rewriting the legislation, particularly as it relates to forest management" - the member for Menihek (Mr. Fenwick) was glad that clause was included - "and, three, the government offers Kruger the same cost-sharing programme for silviculture as it had with Bowater and with Abitibi-Price."

Now, Mr. Speaker, I would be very remiss in my remarks if I did not mention the great Bowater Corporation. The first chief I knew was Sir Eric Bowater, who

loved Corner Brook and Bay of Islands. I personally knew Monty Lewin, Albert Martin, Ben Pride, Hugh Joyce, Mick Greene and Wally Clarke. All these managers were good corporate citizens and helped the churches and the schools in many ways, and what they did is there today in living memory.

I must say, though, Mr. Speaker, that after a couple of court battles brought about by the city council over city taxes, the past few years showed signs of poor relationship. I would like to wish Bowater well in their future endeavours.

Now that the Bowater chapter in Corner Brook has been closed, I wish Kruger every success and promise to work with them, as the lives and the prosperity of our people depend upon the success of Kruger. I do hope, Mr. Speaker, for those of us who have worked for this great day which will soon be upon us, that time will tell those who perhaps wish us evil - it would seem that some people on the other side would love to see it become a failure. But, Mr. Speaker, I will repeat again, every 'i' has been dotted and every 't' has been crossed - that Corner Brook will rise again and Bay of Islands will rise again and we will be an integral part of the great Province of Newfoundland and Labrador.

MR. WARREN:

Mr. Speaker.

MR. SPEAKER (Aylward):

The hon. the member for Torngat Mountains.

MR. WARREN:

Mr. Speaker, I rise, as others on this side, in support of this bill. We believe that it probably

is the better of the worse. The final comments of the hon. the member for Bay of Islands (Mr. Woodrow), that there appears to be people on this side wishing that the Kruger venture would be a failure - I have all due respect for the hon. gentleman and I am sure a lot of Newfoundlanders and Labradorians have - I do not think anybody is wishing that this Kruger takeover of Bowater will be a failure. We have too much respect for the work force in the Corner Brook area, maybe a little more than we have for the hon. member.

MR. WOODROW:

If you would (inaudible).

MR. WARREN:

Mr. Speaker, I assure the hon. gentleman, according to the latest polls that were done, there is a good possibility that we will be on the government side.

MR. TOBIN:

You are not talking about the one done by EastCan, are you?

MR. WARREN:

No, I am talking about a poll that was done by that party that shows that we are going to be on the government side.

Now, Mr. Speaker, I want to get back to the Kruger bill. I remember over the last four or five years members on that side, in particular the Premier, the Energy Minister (Mr. Marshall), the Finance Minister (Dr. Collins), and many others saying what a raw deal we got on the Upper Churchill. Now at that time when the Upper Churchill deal was signed, Mr. Speaker, at that time it was the best deal possible. I believe, if my memory serves me correctly, that the Liberals were

in power in Newfoundland at the time and the Opposition consisted of the present Minister of Social Services (Mr. Hickey), the present Minister of Justice (Mr. Ottenheimer), and Mr. Ank Murphy, and all three of those individuals voted unanimously for the Upper Churchill deal. Now, Mr. Speaker, at that time those three individuals voted with the government in support of the Upper Churchill development, and at that time it was the best deal possible. We are saying the same thing now, that the Kruger deal is the best deal possible, but maybe, and it is quite possible, ten years down the road, or fifteen years down the road, the hon. member who just spoke could probably have to eat his words because at that time we may say that we gave away the shop. It is quite possible because in this bill there are enough loopholes that Kruger could take us to the cleaners so we have to be careful. But it is the best bill possible.

MR. POWER:

Not a chance.

MR. WARREN:

Now the hon. Minister of Career Development (Mr. Power) may say there is not a chance of that. Sure I remember back in 1968, I think it was, that members also said there was not a chance, that the Upper Churchill was the answer, the Upper Churchill was the best deal possible. But, Mr. Speaker, I think we have to be very serious. We are taking a gamble, but life is full of gambles, and here is a gamble that this government is taking and a gamble that the Opposition Party is supporting because, Mr. Speaker, it is the best deal that the government could get for the

takeover of Bowater. I think the real problem, the real culprit in the whole deal was that Bowater got off so easy. That is what is so frustrating, Mr. Speaker, Bowater getting off so easy. And I could see, Mr. Speaker, also that Kruger is coming in and they having a pretty rosy picture painted for them, and, in fact, they have a nice nest egg to start off with. All we have to do is remember back fifteen years and everybody was quite pleased with the Upper Churchill; there was all kinds of work, lots of people had employment, the Premier of the day, J. R. Smallwood, said it was the biggest event in Newfoundland's history and at that time it was the biggest event.

MR. POWER:

The biggest disaster.

MR. WARREN:

Yes, now it is. Now we can agree with you. I agree with the hon. minister now as we look back over it, it was one of the biggest blunders, But at that time it was not. Hindsight might be good, Mr. Speaker, fifteen years afterwards, but we are doing the same thing with Kruger.

I would like to issue that as a concern. I am sure the hon. member for Bay of Islands (Mr. Woodrow) will not be around after the next election, but five years down the road, or ten years down the road when the hon. member is sitting back in his rocking chair and smoking his cigar, he will be recollecting back in 1984 when we passed the bill, and I am not saying it will, but there is a possibility that the Kruger deal could be just as bad as the Upper Churchill.

MR. WOODROW:

'Oh, you of little faith.'

MR. WARREN:

Mr. Speaker, it is amazing that the hon. member for the Bay of Islands could say, "You of little faith." Mr. Speaker, since 1979 when I came into this hon. House, at the time maybe I did have little faith, maybe two years I had little faith, but now, Mr. Speaker, seeing the polls being turned around, seeing the Newfoundland populace, seeing the people outside the Overpass are beginning to realize what a shambles this government is, then Mr. Speaker, my faith has been renewed.

MR. SIMMS:

I wonder are they saying that in Corner Brook?

MR. WARREN:

Yes, Mr. Speaker, in fact I believe that the hon. minister should take heed from what he just said because the people in Corner Brook will definitely say one thing, that the members on the Opposition side are fighting for the best deal possible for the people in Corner Brook and therefore we are not going to be satisfied until there is more debate on Bill 37. That is why we are concerned about the people in Corner Brook, about the working class in Corner Brook. We are concerned about the working class, not necessarily Kruger, but the 400 or 500 people who are going to be working in the mill. Mr. Speaker that is why the people in Corner Brook will be proud of the Liberal Opposition because we are going to fight for their rights. It is ironic that the Premier should bring in a proclamation on human rights today with Bill 37 on the Order Paper.

Mr. Speaker, sure we are going to support this bill, we have already said we are going to support this bill. Furthermore, I believe it is in the interest of all Newfoundlanders and Labradorians to agree to support the Kruger takeover of the Bowater mill.

The hon. member for Bay of Islands (Mr. Woodrow) - I have to get back to him once in a while, Mr. Speaker, because he is usually a good guy - mentioned about the evilness in some people's minds who hope that it is going to be a flop. I am sure anybody with common sense, and I assure the hon. member of this, that he should not think that any members in this House, or any ordinary human beings living in the Province would not want the pulp and paper mill in Corner Brook to operate. No one wants to see it closed down. Surely goodness no one has that kind of feeling, to want it closed down.

Now, Mr. Speaker, I take exception also to the Minister of Career Development (Mr. Power). I do not believe anybody on this side wanted to see the Corner Brook mill closed, or the Grand Falls mill closed down, or the Stephenville mill closed down. For that matter, we did not want the linerboard mill closed down in Goose Bay some years ago but it was in the best interest when it did close down.

Now, Mr. Speaker, I would like to say also that -

MR. YOUNG:

Where are your buddies? There is not a soul listening to you.

MR. WARREN:

Mr. Speaker, they have forty-three people over there and I see only

seventeen out of forty-three. That is not a bad average.

Do you want me to talk about the bill?

MR. SIMMS:

I am trying to take some notice of what you are saying, but you have not said anything.

MR. WARREN:

I can talk about the latest poll that was done by the party opposite.

MR. PATTERSON:

Am I going to be elected next Spring?

MR. WARREN:

In answer to the hon. member for Placentia (Mr. Patterson) I assure the hon. member that he will not get re-elected because he will not be running. The hon. member, after seven tries I think it was, was unsuccessful in about four of them, I have a feeling he has learned his lesson now he is going to sit back and take it easy.

Now, Mr. Speaker, I am not going to be very much longer. I said I was only going to speak about ten minutes in support of the bill.

MR. YOUNG

Tell us about tthe poll.

MR. SPEAKER (Aylward):

Order, please!

MR. WARREN:

Now, Mr. Speaker, the hon. Minister of Public Works (Mr. Young) I think all he is doing as an undertaker is digging a hole, that is all he is doing. He is just digging a hole for himself, that is all he is doing. Now, Mr. Speaker, I just want to say that this bill is a major piece of

legislation that all members should be proud of, proud that it is best of the worst that was offered. And that is why we should be proud to accept this offer as has been presented.

Now, Mr. Speaker, again in closing I want to say let us not rest on our laurels and believe that we have the best deal that we could have gotten because I do not believe that we did get the best deal we could have gotten if the government was more determined. I remember the Premier going on radio and television and making news releases and telling the union people down there, "You had better sign now or Kruger will not come in." But, Mr. Speaker, I remember also when the vote was taken twelve hours thereafter the Premier really got the biggest slap that he got in his life, I believe, because the people voted against his request. The Premier learned one lesson then, that the working force in this Province are never, never again going to get down on bended knee to the Premier. I think the Premier has realized that now. You notice lately he is beginning to change his tone. The working force in the Corner Brook mill or in Labrador City will no longer listen to the whims and the wishes of the Premier. The vote showed every one of the unions rejected the Premier's request and they went back to the bargaining table the second time. Just imagine what would have happened if the unions accepted the Premier's offer in that province-wide address asking the workers in Corner Brook to take the offer. I did not hear hon. members opposite say one thing about the farce that the Premier tried to pass over on the workers, but as it happened the workers and their union

leaders were a little bit too bright to listen to the Premier. If they had listened, what kind of a deal would we have with Kruger? Not near as good as the present deal, not near as good. We know that now, but not one member on that side has said what happened to the negotiations before and after the Premier tried to interfere. One thing I must say about the Premier, by interfering we got a better deal. Now how do you figure that out? The Premier interfered but the people out there would not listen to him and, therefore, they had to go back to the negotiating table again and got a better deal and that was the only positive thing that came out of the Premier's interference. The Premier, I think, must have learned the lesson that the people will not listen to him any longer. We are all waiting for the Premier to go down and visit the Lieutenant-Governor.

DR. COLLINS:

He is the one man more than any other who made the Kruger deal possible.

MR. WARREN:

Mr. Speaker, I agree, that is right. He is also the one man who tried to get less for the people in Corner Brook and the people there and the unions would not agree with him. I remember seeing TV pictures of them coming out of the union hall and it is a good thing the Premier was not in Corner Brook during that voting.

Now, Mr. Speaker, with those few remarks I am going to support the bill and I think any praises to be given should go to the workers in Corner Brook who said no to the Premier when he tried to ram the first Kruger agreement down our throats. But they refused the

Premier, they went back to the negotiating table and they got a better deal.

MR. SPEAKER (Aylward):

The hon. Minister of Education.

MS. VERGE:

Thank you, Mr. Speaker. This bill and the agreements it ratifies represent a most happy ending to two whole years of uncertainty and worry for the people in Corner Brook and for that matter people in most parts of the Province whose livelihoods either directly or indirectly come from the pulp and paper mill at Corner Brook. As the elected representative in this Assembly for the district where that mill is located, I have to voice my strong support for these measures and to add some personal commentary to the explanations and statements that have already been given by members on this side of the House. The Premier and the Minister of Forest Resources and Lands (Mr. Simms) have set out in considerable detail the chronology of the events of the last two years when they gave such superb leadership to government's efforts to secure a long-term future for the mill in Corner Brook.

Mr. Speaker, throughout the exercise, the paramount goal of government was to make sure that there will be, on into the future for generations yet to come, a good operation of that mill in Corner Brook to employ there and in the related woods operations in other parts of the Province as many people as possible, as many people as the industry can sustain. It was almost exactly two years ago when Bowater notified the government that it was shutting permanently No. 7 paper machine at the mill. Now

that paper machine was the largest of the five then operating and it was the newest. That decision came as a terrible shock to the people of the Corner Brook area and the government, and it resulted some four months later in the laying off of approximately 700 workers, something approaching 500 in Corner Brook itself and about 250 in the woods operations in other areas of the Province.

From the point of Bowater notifying the government of their decision to cut back production so dramatically, the Premier and the government monitored very closely developments related to the mill and, indeed, dedicated themselves to the task of seeing that the best for the people was done in relation to the mill.

As my friend from the Bay of Islands (Mr. Woodrow) has already said, nobody will ever know how much time and effort the Premier personally put into this task. Because of the sensitive nature of the negotiations with Bowater, and then the talks with prospective investors, finally with the preferred bidder, Kruger, it was not in the best interest of the people to inform the people in detail as we went along of just what effort the Premier and the government were making. I suppose I am one of a handful of people who was privy to the work that was done by the Premier and the Cabinet since I was part of it. Under the direction of the Premier and Cabinet were a team of very senior government officials and most of those people have put in twelve and sixteen hour days working on this project for months on end, and they have been at it through this past weekend. In the process, some of the senior employees of government have

mastered many of the technical aspects of operating a newsprint mill and they are perhaps now able to hire themselves out as consultants for such technical matters as installing top roll formers on paper machines. They have demonstrated their expertise in financial matters related to a corporate transaction of this magnitude. In all, we have, before us, a bill incorporating agreements which I believe provide the best deal possible in the circumstances and give the best possible opportunity for the future viability of the Corner Brook mill and employment of people in Corner Brook and people throughout Newfoundland.

Mr. Speaker, some of the features of the deal that I want to comment on are, first of all of course, the choice of Kruger. Kruger clearly are the best investor, the best owner/operator of the Corner Brook mill, the best marketer of the newsprint produces there of all these bidders who came forward. Kruger are the most likely to succeed. They have an excellent record of purchasing two older newsprint mills in Quebec - mills at Bromptonville and Trois Riviers - modernizing them, out-hustling their competitors in the newsprint industry, operating those mills at full tilt right through the recession when mills owned by the larger operators in the newsprint industry had to take downtime.

The agreements contain covenants for, on the part of Kruger, a five-year \$200 million capital modernization programme. Already, Mr. Speaker, Kruger has begun that modernization programme. They have already ordered top roll formers for two of the four paper machines that are now in

operation. These are mechanisms that are required for the Corner Brook product to be competitive with paper that is being produced elsewhere in North America, that will make it top quality in the marketplace. Incidentally, the Abitibi-Price mill at Stephenville, which is one of the most modern in North America, has this kind of apparatus and is producing excellent quality paper.

The modernization programme includes a feasibility study for the re-activation of No. 7 paper machine, with that study to be done within the five-year time frame. If the results are positive, then the beginning of that restarting of No. 7 paper machine which, of course, would necessitate the adding to the workforce in the mill and in the logging operations because the machine would take more stock.

A second covenant in the agreement which is significant for Newfoundland is one calling for the equitable sharing of downtime which may be necessitated in the future, although, as I have already mentioned, Kruger were able to operate their two Quebec mills right through the recession without it taking any shuts. But the covenant calls for any downtime that Kruger may be forced to take in years to come, because, as the member for Torngat Mountains (Mr. Warren) pointed out, we do not know what may happen in the future, for that downtime to be taken in Corner Brook on a proportionate basis with what is taken in Kruger's other mills in Canada. Now, that arrangement was not in effect with Bowater with the result that Corner Brook took more than its share of downtime in the chain of Bowater newsprint mills in North

America. Corner Brook suffered the brunt of the recession while Bowater mills in South Carolina and Tennessee operated at virtually full capacity.

A third covenant, which is significant for the same reasons, provides for a fair sharing of markets among the different Kruger mills to ensure that the Corner Brook product is aimed at as lucrative markets as where the Quebec product is sold.

A final provision in the agreement, which is in the interest of people in Corner Brook and throughout the rest of Newfoundland, calls for preference of residents of our Province in Kruger purchasing and employment. On Friday the member for Menihek (Mr. Fenwick) indicated some lack of appreciation for this covenant by stating that that local preference clause applies only to purchasing when, in fact, it applies to purchasing and employment.

Mr. Speaker, again I have to say that these agreements, the expertise and record of Kruger which they are bringing to Corner Brook, auger well for the people of Corner Brook and elsewhere in the Province. It gives the people a new lease on life.

Now, Mr. Speaker, this deal is predicated on the assumption that the Labour Standards Act provision for notice and pay in lieu of notice with respect to termination of employment, as they have always been understood since passage in 1978 and applied in Corner Brook, applied by union leaders, workers and management, will continue. Now, Mr. Speaker, that common assumption and understanding, as we all know, has been upset and

interrupted by recent rulings of an arbitrator in St. John's and a Tribunal in Labrador West. Mr. Speaker, it is now essential for this deal to be consummated as it was intended in the interest of the people of the Province for that original Labour Standards Act meaning to be re-affirmed without prolonging any uncertainties, without running the risk of Kruger having to pay, in effect, \$6 million or \$7 million more than they have intended to pay to take over the mill in Corner Brook, without making Kruger divert \$6 million or \$7 million from their modernization programme to pay workers, present and past in Corner Brook, sums that those workers never expected to get, which they do not think they deserve, because those people think they got the notice and pay in lieu of notice that they were entitled to. And, Mr. Speaker, the only application of that act which people believe they were entitled to, which they have in fact received, is pay in lieu of notice with respect to the permanent layoffs that occurred in April of 1982.

In summary, Mr. Speaker, I want to voice my full, whole-hearted and unequivocal support for not only this Bill 52 that ratifies the agreements for Kruger's takeover of the mill in Corner Brook, but also the companion, Bill 37, which amends the Labour Standards Act simply by re-affirming the meaning for 'notice' and 'pay in lieu of notice' for permanent layoffs that was intended by the legislators who enacted that law in 1978 and by re-affirming the meaning assumed by the people associated with the Corner Brook mill.

Mr. Speaker, with the successful passage of these two bills I

believe that Corner Brook and the whole Province will benefit for many years to come from Kruger's investment and Kruger's initiative. I know that hundreds of workers in Corner Brook and in the woods are more than willing to continue to work hard and dedicate themselves to ensure that they will be rewarded for their efforts by Kruger getting a decent return on investment and adding to the wealth of this Province.

I say to this Assembly that I wish all the people associated with the Corner Brook mill well in the years to come. I believe that it is possible for all of them to get a very good living from that mill.

Thank you.

SOME HON. MEMBERS:

Hear, hear.

MR. SPEAKER (McNicholas):

The hon. the member for Bellevue.

MR. CALLAN:

Thank you, Mr. Speaker.

Mr. Speaker, as I understand it at five o'clock we will be going into Committee of the Whole to pass this bill and then it will be all signed, sealed and delivered, of course, on Wednesday. So if that be the case I will probably continue until about 5:00 p.m. and then allow the Government House Leader (Mr. Marshall) to put Bill 52 into Committee of the Whole. I am sure that the Government House Leader is not intending to try to get Bill 52 and Bill 37 both through the House of Assembly today because that will not be possible.

Mr. Speaker, in commenting on this bill let me review a little bit of history mentioned earlier by other

speakers. We are told, Mr. Speaker, that Bowater had attempted for a couple of years to sell the mill and finally they informed this government on August 2, 1983, that they were going to abandon Corner Brook. They had been trying unsuccessfully to find a buyer themselves and now they were going to abandon Corner Brook. Then, Mr. Speaker, we are told that the government retained the services of Woods Gordon to work with Bowater and his consultant to prepare a divestiture package and a financial computer model to present to potential investors. Mr. Speaker, we are told that 150 companies throughout the world were approached to determine their potential interest in buying the mill and other Bowater assets. Then out of that 150 that were approached by the divestiture committee, we are told that detailed, face to face presentations were made to thirty companies, and out of these thirty, ten were sufficiently interested to visit Corner Brook and to undertake an on-the-spot investigation of the physical assets of the paper mill. So we come down from 150 down to thirty, down to ten, and of these ten we are told that five proposals were submitted to government and to Bowater on April 16, so we are down to five. The question that needs answering, Mr. Speaker, is how did we finally today arrive at one? Why and how did we arrive at Kruger Incorporated?

Mr. Speaker, we are on record on this side of the House as saying that we will be supporting this bill, Bill No. 52. We will be supporting it, Mr. Speaker, but I want to ask a couple of other questions which are intertwined with the question that I just

asked. How did we arrive at Kruger Incorporated? A couple of other questions, Mr. Speaker, concern the way in which the Premier conducts matters as Premier of this Province. I am not talking about the personality of the man, I am talking about his performance as Premier of this Province.

Mr. Speaker, the member for Torngat Mountains (Mr. Warren), in the latter two or three minutes of his speech, talked about the almost threats that the Premier was laying on the mill workers and the loggers and all of the unionized employees and the workers at the Bowater mill. The Premier was saying to them, in effect, 'You have no choice, I and my colleagues have determined that Kruger is the best for this Province, is the best for Corner Brook, is the best for this mill and I want you to agree with us, with me that they are the best.' But as the member for Torngat Mountains told us, Mr. Speaker, things did not turn out the way that the Premier had anticipated.

Mr. Speaker, some people are finally beginning to realize, it came gradually over his five years in the Premier's office, the Premier's chair, they are beginning to realize that the Premier is not a trustworthy person, that you cannot really depend on what the man is saying, you cannot really depend on it.

MR. PATTERSON:

Do not get nasty now. This is a very serious subject.

MR. CALLAN:

It is a very serious subject, and that is why I am being very serious about it, Mr. Speaker. The people in the district of

Bellevue, as I have said on many occasions, have learned on more than one occasion that -

MR. NEARY:

You cannot depend on that crowd.

MR. CALLAN:

- you cannot depend on what the Premier says. Just because the Premier says it does not necessarily mean that it is true and that it is aboveboard. And I will not go into any detail, Mr. Speaker, on the empty promises that the Premier has made to the people in the district of Bellevue, in the Bellevue by-election of April 10, 1981 and, of course, in the general election of April 6, less than a year later, 1982, four days short of a year. I will not go into the empty promises regarding the Markland Hospital and the Come By Chance Hospital and all of the other empty promises that the Premier made.

You see, Mr. Speaker, the Premier has several techniques in trying to get what he wants. He gets up in front of people in crowded halls and he preaches to them.

MR. TULK:

He waves his hands.

MR. PATTERSON:

If the Premier was in his seat, you would not be saying that.

MR. TULK:

No, he would be scared to death.

MR. CALLAN:

No. I have not said it before. I have not said it before, Mr. Speaker, when the Premier has been in his seat.

MR. NEARY:

Go down, boy, and try to keep that

VTS station open.

MR. CALLAN:

He does it by threat, he does it by enticement. And, of course, if the Premier wants to stand in front of a crowd of people and wave his arms and preach to people, and for a moment these people think that they are in a crowded church somewhere, that their souls are being saved by this man who is holding out to them the prospects of a brighter day for this Province, and 'you have to vote for me and my candidates in order to have it delivered,' people can be forgiven for that.

MR. NEARY:

With his eyes popping out of their sockets pockets.

MR. CALLAN:

Mr. Speaker, the Premier loves to take credit, but he hates blame. He does not want to be around, he will put somebody else up front when there is an explanation to be made. We have seen that happen on several occasions and I will not go into the details and the examples of that either. We have seen it on dozens of occasions where somebody has to explain and take some blame on behalf of the administration, and it is usually the Government House Leader (Mr. Marshall) or somebody else. The Premier is never around, never to be found.

MR. NEARY:

The Minister of Fisheries (Mr. Goudie), the Minister of Transportation (Mr. Dawe) or somebody like that.

MR. CALLAN:

Mr. Speaker, how did we arrive from 150 down to 30, down to 10, down to 5? How did we arrive at

one? How did we arrive at Kruger, Mr. Speaker? How did it happen? The member for Torngat Mountain (Mr. Warren) reminded us of what happened a few days before we finally arrived at the agreement with Kruger. But what the member for Torngat Mountain did not do was go a step further. There were negotiations going on between the mill workers, the mill unions and Kruger officials, delicate negotiations. And it seemed as though all was lost, not only for the mill workers and the mill unions who did not want to accept the harsh terms that Kruger officials were offering them, but it seemed as though things were lost for the Premier as well. Because the Premier had decided Kruger was number one out of the 150, it seemed as though the Premier was losing as well, Mr. Speaker, it seemed as though there was going to be an impasse, and there seemed as though there would be no agreement.

What happened, Mr. Speaker? What happened? Something happened and it happened almost on the eve of the annual Tory Convention in St. John's, and there is a connection and I will tie it together in a moment. Here is what happened, Mr. Speaker. The Premier got hold of Kruger's big guns in Montreal and he said to them, 'Gentlemen, here is a way that both our necks can be saved. Now, number one, you people and your officials are down in Newfoundland trying to work out a deal with the unions and the union mill workers, but there does not seem as though there is going to be an agreement. So here is what you should do. You call your officials back, have them walk out of the meetings and walk out of the hotel and go back home with their satchels in their hands.

You do that. That will scare the mill workers and the mill unions into realizing that you people are really serious, that will make them knuckle under.' Mr. Speaker, the Premier then said, after they check out of their hotel rooms, leave the negotiating table and go back to Montreal, here is what I will do, which will save your neck because it is only a threat on your part that you have walked away from it completely and you are never coming back, it is only a threat to make the unions and the mill workers knuckle under. What I will do as Premier is announce that I have talked to you people and that I have been successful in convincing you to come back to Newfoundland and to come back to the negotiating table once more. And, of course, you, Kruger will be in a much better bargaining position. And I as I go to my convention, the annual Tory Convention in St. John's, I will be the hero who convinced you to come back, so my neck will be saved and so will yours.' And, of course, that is how, Mr. Speaker, we arrived at number one.

Mr. Speaker, is that fair ball? I mean, we all heard on the news wires that Kruger was convinced to come back again. And, of course, we all saw that within a few days after that everything was ironed out, the mill unions and the workers had accepted the contracts with Kruger and, of course, everything was hunky-dory. But at least to my knowledge, nobody has ever asked why was it the Kruger officials walked away from everything and returned to Montreal as though to say, well, if you do not want us that is fine, we will go and look for business elsewhere? And I do not believe the question was ever asked why was it the Premier

convinced the officials to come back again.

MR. PATTERSON:

He is a good negotiator.

MR. CALLAN:

Mr. Speaker, the Premier is not a good negotiator, he never was, and there has never been anything negotiated by the Premier. And in my opinion, Mr. Speaker, what happened during these several days, from the time that the Kruger officials went home and then presumably were convinced to come back to Corner Brook again, what happened, Mr. Speaker, was not good negotiating, it was schemery and skulduggery as far as I am concerned, Mr. Speaker and there are no other words for it. So, Mr. Speaker, that is why we ended up with Kruger. Well, we have Kruger now and those of us on this side of the House will vote with government for this particular bill, Bill 52. But in conclusion, Mr. Speaker, it is almost 5:00 o'clock, and I am sure that the Government House Leader (Mr. Marshall) is going to go into Committee of the Whole so that we can pass this bill before 6:00 o'clock. I am sure that the Government House Leader is not going to bring in Bill 37 this afternoon. I was saying earlier in my remarks, Mr. Speaker, the Premier is the sort of person who likes to take credit but does not like to take blame. He uses all kinds of tactics except the right ones and that is why the Premier has never negotiated anything in the five years he has been Premier. He takes credit in his pamphlets, which cost the taxpayers of this Province thousands upon thousands of dollars. We saw in the Weekend, Mr. Speaker, a full page ad talking about Bill 37 and, of

course, we heard it on the radio stations. Whenever I got aboard my pickup on the weekend I could not even listen to John Reynolds, I think his name is,--Saturday morning with his bit of humour and his good songs because every five minutes this ad would be on, a paid political announcement by the PC Party of this Province. That is what it amounted to, Mr. Speaker, a paid political announcement by the PC Party of this Province, the Premier trying to convince the people of this Province -

MR. TULK:

It was paid for by the government, was it not?

MR. CALLAN:

Well, naturally it was paid for by the taxpayers. But what it was in reality, in actuality, was a PC ad paid for by the taxpayers. Everybody has seen the Weekend paper, Mr. Speaker, so I do not have to find it. But, Mr. Speaker, the Premier, as I said, deals in half truths. One day last week the member for LaPoile (Mr. Neary) asked the Premier a question about a helicopter trip by the member for Baie Verte-White Bay (Mr. Rideout) and the member for Ferryland (Mr. Power) and the Premier comes back in his usual style, he preaches to us on this side, 'Do not compare apples and oranges. If you are going to compare compare apples and apples or oranges and oranges but not apples and oranges, do not do that.' And the Premier, Mr. Speaker, every chance he gets, on every occasion he does the exact same thing. And last week we saw him comparing apples and oranges. He compared a \$3500 helicopter trip by two minister of the Crown down to Baie Verte with a trip to Ottawa by myself on the Public

Accounts Committee and he only told half the truth. He made no mention of the fact that there was an Opposition member and a government member from Carbonear (Mr. Peach), who had gone to the same meetings in Ottawa. But these are the tactics that the Premier uses to try and make a point, especially, Mr. Speaker, when the Premier knows that he is beaten. The Premier loves to take credit but he does not want to share any of the blame. Mr. Speaker, we saw earlier in the Fall the Premier make a big fuss out in Grand Falls. The member for Grand Falls (Mr. Simms) is in his seat. The Premier went out there and held a press conference talking about upgrading the mill in Grand Falls. But, Mr. Speaker, we saw in the Weekend paper a letter by Patrick Finn, President of CPU Local 158 in Grand Falls tell us the real story. And he asked the questions why was it that the Premier was out there? What was he making all the fuss about? Dozens of such agreements have been signed previously that the Premier had nothing to do with and he had nothing to do with this one, so what was the Premier doing out there? And this writer, Mr. Speaker, says, and I am prepared to table this, 'I have been following with a great deal of interest the articles that have been printed' -

MR. POWER:

There were other things he could do.

MR. CALLAN:

Now the member for Ferryland is being uncharacteristic. The truth hurts about his trip to Baie Verte. It is very uncharacteristic of the member for Ferryland. It says, 'over the past ten years or so there have

been many modernization programmes instituted and completed at the Grand Falls mill. The normal procedure followed when such a programme was to be undertaken was for either the local mill management or some management personnel from Toronto head office to call in the local union executives at the mill to announce the programme and, more importantly, to let us know just exactly how the programme would affect the work force at the mill both during the construction phase and the operation of the mill after construction.' But what happened this Fall in Grand Falls? 'In the case of this recent project, the upgrading of our newest machine to allow us to be more competitive in the world markets, the above procedure was not followed.' The usual and traditional ten year procedure was not followed. What happened? 'Instead we were treated to a media event skillfully staged by Premier Peckford and the local PC Association of Grand Falls.' And, of course, the writer goes on and most of us have read it. But these are the sort of tactics, Mr. Speaker, that the Premier uses to take credit for something that he had nothing to do with, as he did in this case. And, of course, as I say, the other kind of tactic that he uses, like the Bellevue by-election and like his answer to a question from the member for LaPoile (Mr. Neary) last week he himself, who preaches the gospel of not comparing apples and oranges but comparing apples and apples, when he finds himself in trouble he does the exact same thing himself. Mr. Speaker, we will support this bill and we hope that it means well for Corner Brook in the future and long may Kruger's big jib draw in Corner Brook.

MR. SPEAKER (Russell):

The hon. member for Fogo.

MR. TULK:

Mr. Speaker, I have heard some statements from the Government House Leader (Mr. Marshall) that he wishes to have this bill by 5:55 this evening. If that is the case and he is agreed that we will go into Committee of the Whole I will gladly, after a few minutes, take my place and allow him to do that. However, if he is not prepared to do that, to go into Committee of the Whole and call in the Governor by 5:55, then I have a few points that I would like to make.

MR. BARRY:

The Government House Leader seems to be sulking today.

MR. TULK:

He seems to be a little sulky over there. I do not know what his problems are but that is the way he seems to be. All he has to do, Mr. Speaker, at this point is agree that he will go into Committee of the Whole and this bill can be passed by 5:55, I think we will agree to that, and the Governor can be in to sign the bill if it is that important. We agree to do that because we realize it is important to the people of Corner Brook that this bill get passed. But if he is not prepared to do that, I have a few statements that I want to make, a few points that I want to make.

MR. BARRY:

We will agree to have the clock stopped and go into Committee of the Whole to get it through after six.

MR. TULK:

We will do anything to see that this bill is passed by 6:00

o'clock this evening, anything that is required within reason.

MR. BARRY:

We are not getting any co-operation from the Government House Leader.

MR. TULK:

If there is no co-operation then I guess I might as well move on with my few remarks.

MR. BARRY:

Does he want it delayed?

MR. TULK:

Does he want the bill delayed after 6:00 o'clock? Anyway, Mr. Speaker, I would like, first of all, to congratulate my good friend for Bay of Islands (Mr. Woodrow). He usually makes a good speech in this House and this evening he did it again.

MR. NEARY:

He is real Cabinet material.

MR. TULK:

He made a statement which always reminds me of the member for Bay of Islands (Mr. Woodrow). He said he was not exactly sure that what he was saying was right because the Cabinet did not tell him.

MR. NEARY:

No, he is never sure.

MR. TULK:

He said he did not know all of the things that went on in Cabinet.

MR. NEARY:

He is always kept in the dark.

MR. TULK:

Well, he should know all of the things that go on in Cabinet because, as we have said on this side for a number of years, the member for Bay of Islands should

have a been a Cabinet minister, and why he is not I will never be able to understand.

MR. NEARY:

They are too jealous of him.

MR. TULK:

I think they must be. They are trying to keep him in the backbenches because they know he is a freewheeling thinker, that he is going to say what is on his mind, and the Premier, of course, cannot stand anybody around him who fits in that category.

MR. NEARY:

They cannot control him, see.

MR. TULK:

Mr. Speaker, the Minister of Education (Ms. Verge), I do not know if she is the number one Minister of Education or the number two Minister of Education. The only way we can distinguish between them over here is to call her the kindergarten minister. In speaking to this bill this afternoon, she made a comment on Bill 37. Now, Mr. Speaker, I have to say it was the most convoluted kind of logic that I have ever heard in this House. Like the Premier, she is not sure whether or not Bill 37 is necessary to Kruger signing a deal on Corner Brook. She said it could cost them some money somewhere down the road. Well, yes, and if we establish a space agency to put a man on the moon, that could cost Newfoundland some money as well. But the trouble with the Minister of Education is that she believes everything she is told by the Premier and by the other people in the Cabinet.

MR. NEARY:

She does not bother to check it out.

MR. TULK:

She does not bother to check anything out, and so, when she stands in this House to speak it is almost like turning on an eight track and you end up getting tape number one, number two, number three, or number four. I think this afternoon we got to tape number seven, I believe it was, if our count is right.

MR. NEARY:

The ghetto blaster.

MR. TULK:

Mr. Speaker having said that, let me say, as I said when I stood to speak to this bill, that we are not going to delay the passage of this bill. At this point in time it is the Government House Leader (Mr. Marshall) and the people on that side who are delaying the passage of the bill to see Kruger go into Corner Brook. We realize that the bill is a much needed bill which ensures the future of Corner Brook. And I say that knowing full well that it is our best hope, that it ensures the future of Corner Brook. Because the people of Corner Brook have suffered enough, as the Minister of Forestry knows - excuse me, the former Minister of Forestry, the Minister of Career Development (Mr. Power) as he is now. The present Minister of Forest Resources and Lands (Mr. Simms), I am not sure what he knows.

MR. NEARY:

He knows all about the Kinsmen movement in Canada.

MR. TULK:

He does not know anything about forestry.

MR. NEARY:

He is an expert on the Kinsmen.

MR. TULK:

He does not know anything about forestry research centres except he knows that he lost one.

MR. NEARY:

Ask him the Kinsmen Prayer and he will be able to tell you all about it.

MR. TULK:

Does he know about that?

MR. NEARY:

Oh yes.

MR. TULK:

He has another record established too in this House in the last little while. The former Speaker of this House, as you reminded him several times, has now become the Wayne Gretzky of interruptions. He has passed the record set by the member for Burin-Placentia West (Mr. Tobin) and he has sometimes acted very rude. As a former Speaker of this House, as you said, we do not expect that.

MR. NEARY:

No, I could not say he is rude. I would not say that about him.

MR. TULK:

No, because he has a humorous tendency about him.

MR. NEARY:

He may be naive, now mind you, but not rude.

MR. TULK:

As I said, Mr. Speaker, let me get down to speaking to the substance of this bill. We will not see this bill stopped - as I said, it is the Government House Leader (Mr. Marshall) who is now hanging it up - because we realizes the importance of this bill to Corner Brook. The people of Corner

Brook, as the former Minister of Forestry, now Career Development Minister knows, the people of Corner Brook have suffered long enough. They have been wondering whether they are going to be employed tomorrow morning or by the end of this year. They were wondering whether they were going to be unemployed, and Newfoundlanders are well aware, as are the people from Corner Brook, just what kind of suffering that can bring. Of course, the Minister of Labour (Mr. Dinn) is not in his seat, but Newfoundlanders have become very familiar with unemployment. I do not know if anybody has read the paper today or not, but unemployment is up again this month in Newfoundland, it is the highest in Canada. While it seems to have dropped somewhat across the country I believe a small bit, it has again gone up in Newfoundland.

Now that is no surprise to us on this side of the House, Mr. Speaker, because this government has shown no initiative at all in the economic development of this Province. We have seen a government that has neglected the fishery. In a few minutes I will discuss how this agreement itself may show neglect of the forestry of this Province, and I think when I am finished that the former Minister of Forestry will agree with me.

We have seen the fishery of this Province, as I said, deteriorate to the point where it is hard to say whether anybody has the capability to get a handle on it or not. And what do we have here? The Premier comes into the House, on Thursday I think it was, the Premier came into the House, stood up and made a long statement

on the selling of the Corner Brook mill to Kruger as if he were creating a new industry in Newfoundland.

MR. NEARY:

Who put the hum on the Humber?

MR. TULK:

Well, the member for LaPoile (Mr. Neary) quickly reminds me, and reminded the Premier about who put that mill in Corner Brook in the first place.

MR. NEARY:

And Grand Falls, and Stephenville.

MR. TULK:

And Grand Falls.

MR. YOUNG:

Who is going to keep it there?

MR. TULK:

Who is going to keep it there? It will probably end up being another Liberal government.

MR. NEARY:

That is all you ever do, try to salvage things that are closing down.

MR. TULK:

This is not a new initiative, Mr. Speaker, on the part of the government. It is not going to create any new economic development in this Province. But that is typical of them, because what we have here is the Premier, I think I am using his own words, the Premier and his government carrying on another salvage operation. They are trying to save something that somebody else created.

The Corner Brook mill will not, as has been pointed out and I think all members of this House recognize, the Corner Brook mill

will not, under Kruger, employ as many people as it did originally under Bowater. There are 400 people, I believe, as the Leader of the Opposition (Mr. Barry) pointed out last week, who are going to be laid off in Corner Brook, 196 I believe permanently - is that the case? - and 196 temporary, casual people who are going to be laid off.

MR. NEARY:

As a result of closing number four machine, 196 will be laid off temporarily, and another 198 or so casuals.

MR. TULK:

So it is a matter of 394.

MR. NEARY:

Over 400.

MR. TULK:

Over 400. The Premier on the other hand comes into this House as proud as a rooster, well that is typical of the Premier because the Premier usually acts in that manner anyway -

MR. NEARY:

You should give him your button.

MR. TULK:

Yes, I have a button. I should send that over to him, the Newfoundland rooster. We are, as I said, Mr. Speaker, going to support this bill. This is not a great initiative, let nobody be under that illusion that this is a new great initiative of the Premier, it is not. It is not even, as I pointed out, the status quo because of the numbers that will be unemployed. Legislation is needed and we will not oppose that legislation, we will vote for it, but we will not be bluffed, Mr. Speaker, we on this side of this House will not be bluffed by this

bill, by the Kruger legislation, we will not be intimidated by the Premier, we will not be told like children, as the people on the other side of this House seem to have—happening to them, to vote for the Kruger bill to get it out of the way so that the Premier can get in Bill 37. We will not be told that you have to pass Bill 37 in order to get Bill 52.

MR. MARSHALL:

Are you serious?

MR. NEARY:

Yes, he is serious.

MR. TULK:

Of course I am serious. Bill 52 has absolutely nothing to do with Bill 37. The Premier himself said it is not necessary. He has been quoted on a number of occasions as saying it is not necessary to have Kruger sign the deal for Corner Brook. Now, Mr. Speaker, the member for Bellevue (Mr. Callan) put this very well, that we have to ask if the Premier is again using the people of Corner Brook. I do not believe the member for Bay of Islands (Mr. Woodrow) would allow this to happen if he knew about it, and I do not believe that the Minister of Education (Ms. Verge) would if she knew about it, but of course she does not. If the Minister of Education and the member for Bay of Islands knew the Premier was using the people of Corner Brook to get through what has become one of the most insidious, repugnant pieces of legislation that has ever come before this House, I do not believe they would. But I say to them that I believe the Premier is now doing something that he did when we saw the negotiations going on for the establishment of Kruger in this Province with the unions - it is no secret, it is well known

to everybody, and the member for Bellevue brought it up again this afternoon - and the Premier used the misery and the suffering of workers in Corner Brook to tell them that unless they agreed to Kruger's terms for a collective agreement that there would be no mill. And I believe the member for Bellevue (Mr. Callan) was right. The Premier probably had it worked out with Kruger to go home to Montreal, create that crisis situation, the only one that he knows how to operate in, and then at the last moment call them back again. And I believe what we got here with Bill 37 is another prime example of that.

MR. NEARY:

They never left Stephenville, by the way.

MR. TULK:

No.

The Premier knows that we on this side are going to use every parliamentary tactic that we can think of to oppose Bill 37. We have told him if he wants Bill 37 he will have to eat his Christmas turkey here on the Table of this House, and that is exactly how we feel about it. So what is he now trying to do?

MR. NEARY:

I would rather have a goose, is it more symbolic. His goose is cooked.

MR. TULK:

I would rather a salt-water duck, myself.

MR. NEARY:

Turr! Put the turrs on the table.

MR. BARRY:

I like rabbit.

MR. TULK:

But that is what we have told him. Now the Premier has begun using taxpayer money for radio advertising and newspaper advertising, and it would not at all surprise me, Mr. Speaker, if the Premier has it all set up for signing on Wednesday.

MR. BARRY:

Has the Premier spoken on Bill 37?

MR. NEARY:

No.

MR. BARRY:

I do not think he has even said a word in the House on it.

MR. TULK:

The Premier now has it all set up for the signing in Corner Brook on Wednesday. I understand that he has issued invitations to all the people concerned to be at the Glynmill Inn on Thursday to sign the Kruger deal.

MR. NEARY:

The champagne corks will pop.

MR. POWER:

Are you disappointed about that or what?.

MR. TULK:

No, I am not. I hope it goes ahead.

MR. POWER:

You want to be invited.

MR. NEARY:

We do not want any champagne.

MR. TULK:

The former Minister of Forest Resources and Lands (Mr. Power) is now smarting under the attack that was laid on him yesterday by the member for LaPoile (Mr. Neary). He is usually a pretty quiet

fellow down there, but for the last couple of days his hair has been out of place, he has been dishevelled looking, he looks like he is in a terrible state down there about, and I do not know but it is a pang of conscience.

MR. NEARY:

He is a great hand to cut ribbons, though.

MR. TULK:

It could be a pang of conscience that is bothering the former Minister of Forest Resources and Lands. I am not going to call him Minister of Career Development, Mr. Speaker, that is an insult to him. Because the member for Ferryland (Mr. Power) should have a much greater task in this government than that. We know why he has not, because the Premier is trying to put him somewhere so that he will not be a leadership contender for the PC Party.

My advice to the former Minister of Forest Resources and Lands (Mr. Power) would have been to tell the Premier, no I do not want the job. But I suppose being in Cabinet is better than being out. I suppose it is.

MR. POWER:

You are a former educator and yet you cannot see the importance of this department.

MR. TULK:

I will tell you what I would have told him if you really want my advice. I would have said to him, flick out the present minister and I will take over the full job. As a former educator, the member for Ferryland knows full well that if you are going to develop careers for young people in this Province you have to know what is happening in every part of the system.

MR. NEARY:

You are after building up 'Luke's' ego down there so much he is likely to bust before the day is over.

MR. TULK:

Well, the member for the Bay of Islands (Mr. Woodrow) is a very pleasant fellow, a very knowledgeable fellow. I will have to ask the Leader of the Opposition (Mr. Barry), but the member is one of the first people that we would welcome across on this side of the House, one of the very first, and the member for the Bay of Islands has been known to change.

MR. NEARY:

And you cannot say that about too many of them over there.

MR. TULK:

No, there are not too many of them over there, but he is one of them. I think we will even write him a letter and tell him when we form the government he is going to have a Cabinet post.

MR. NEARY:

Be careful now you do not blow him up so big he will bust.

MR. TULK:

But in any case, Mr. Speaker, let me get back to what I believe the Premier is trying to accomplish with this bill and why we and Newfoundland have been told that this bill has to be ready by 5:55 P.M.

MR. NEARY:

Is that daylight-saving time or standard time?

MR. TULK:

I am about to predict that we are probably going to be here tonight. I do not know, I may be

wrong, but I am about to predict that this is going to be the second night sitting for this House since I have been a member, since 1979.

MR. NEARY:

Put the Kentucky Fried chicken on the table of the House.

MR. TULK:

The other one was when they walked in with black armbands on, the Day of Mourning, when they mourned on the other side of the House. Well, I can tell them that before they get Bill 37 they are going to be mourning again. They are going to have problems.

MR. DINN:

Will it be mourning or morning?

MR. NEARY:

It will be morning.

MR. TULK:

It will probably be both. We are not going to be intimidated on this side of the House by their saying that they have got to have Bill 37 before they have the Kruger deal because there is no relationship, the Government House Leader (Mr. Marshall) has to know, and does know, that there is no relationship between the Kruger Bill and Bill 37.

MR. MARSHALL:

You were in on the negotiations, were you?

MR. TULK:

Well, if there are other things that went on, why do you not bring them in?

MR. NEARY:

Well, if there is something that we do not know about, bring it in and lay it on the table.

MR. TULK:

Why do you not stand up now and inform us exactly what the story is? You have not done that either. As usual, that has been kept. Mr. Speaker, that Bill 37 that he is using the Kruger Bill to get in, why are they so eager to push that one? Why are they so eager to use the people of Corner Brook and the Kruger Bill to get Bill 37?

The truth is that the government knew about the present problem with Bill 37 in 1981. There are a couple of real questions that I would like to ask the government on that score. Was it Wabush Mines? There was a test case entered in 1981 -

MR. DINN:

December 16, 1981.

MR. TULK:

Almost three years to the day, today is December 10, so why was not the amendment you have there now brought into this House then?

MR. DINN:

Whether it is a matter of two years or six years, you would not want retroactive legislation in any case..

MR. BARRY:

Well, \$27 million in claims would not have built up in the meantime.

MR. MARSHALL:

Would you call Bill 37?

MR. TULK:

No, I cannot call Bill 37.

MR. MARSHALL:

I thought I would mention that.

MR. TULK:

There is the man over there who stands in this House and says it

is going to cost \$27 million if we do not retroactively legislate.

MR. DINN:

'Could', I said.

MR. BARRY:

He is backing off now.

MR. NEARY:

'Could', 'maybe', 'if', all those wishy-washy words he uses.

MR. TULK:

It could cost \$27 million. Well, has he done any research, has he looked around to see how much lower that bill would have been, if indeed it is going to cost \$27 million, Has he looked around to see how much it would have cost if he had amended that bill in 1981 and then paid the difference.?

MR. BARRY:

Yes, we will ask him that.

MR. TULK:

That is a good question to ask when we get to Bill 37 in Committee of the Whole.

MR. BARRY:

Committee of the whole night.

MR. TULK:

Did he do any calculation to see if he had brought in the amendment in 1981 how much it would have cost just to pay for the two years rather than have to pay for five or six that he has now got to pay for? No, that is another example of the incompetence and the inability of this government's move.

Mr. Speaker, I do not know how much time I have left, but in the little time that I do have left I again want to reiterate one point so that it is very clear, that whenever the Government House

Leader (Mr. Marshall) chooses to call Committee of the Whole on bill 52 we will vote for it. But there are some questions that have to be asked about Corner Brook. What is the future of the Kruger deal? Now make no mistake, I do not want to be the bearer of bad news for the people of Corner Brook. We on this side hope it is successful, as I am sure all hon. members of this House hope that it is successful.

MR. MARSHALL:

Sure you do!

MR. DINN:

You are quaking in your boots that it might be.

MR. NEARY:

Well, we Liberals put the mill there, so why would we not want it to succeed?

MR. TULK:

We made all kinds of suggestions to them last year about how they could keep it open.

MR. NEARY:

We put the one in Stephenville.

MR. DINN:

You certainly did!

MR. NEARY:

And we put the one in Grand Falls.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER (Aylward):

Order, please!

MR. TULK:

Mr. Speaker, could you get him a Newfie calculator so he can go out and see how much it would have cost him if he had passed this amendment in 1981? Let him go out and try to see if he can figure it

out.

MR. DINN:

A Newfie calculator, what is that? What do you use it for?

MR. WARREN:

It is the kind you use.

MR. TULK:

You do not know?

MR. DOYLE:

It is a light on Newfoundlanders.

MR. DINN:

(Inaudible).

MR. TULK:

No. Ask the Minister of Finance (Dr. Collins). He has been using one for years.

MR. DINN:

I see.

MR. NEARY:

He reads palms. He has been reading teacups.

MR. TULK:

Mr. Speaker, there are some problems with Corner Brook.

SOME HON. MEMBERS:

Oh, oh!

MR. TULK:

Mr. Speaker, could you either flick him out or keep him quiet?

MR. SPEAKER (Aylward):

Order, please!

MR. TULK:

Just give him the flick. Or we will get the member for St. John's North (Mr. Carter) to flick you out. That has happened before.

MR. SPEAKER:

Order, please!

MR. TULK:

Mr. Speaker, what of the future of Corner Brook? One of the questions that has always come up is a wood supply. Again, I have a lot of respect for that former Minister of Forest Resources and Lands (Mr. Power), and he knows that one of the real problems with Corner Brook was a wood supply, and to put it more specifically, what has become known as a cheap wood supply. In other words, an economic wood supply, a wood supply that could keep Corner Brook going and indeed keep Grand Falls going and indeed keep Stephenville going. We all know in this House that there have been poor markets for newsprint and so on, but we still believe, as I am sure some of the government members do, that Bowater's future depends on an adequate wood supply.

MR. DINN:

The hon. member is awfully boring..

MR. TULK:

Well, read your paper, you might get educated.

MR. NEARY:

Who said that he could read?

MR. TULK:

That is a good question, who said that he could read. Now, Mr. Speaker, we have seen the destruction in the last few years in this Province of much of our forest by the spruce budworm and I understand that we are probably now about to enter into another serious infestation.

MR. NEARY:

Do not forget the hemlock looper and the woolly aphid.

MR. TULK:

Is it the hemlock looper? Are we about to see another serious

infestation of that insect?

I still believe that Bowater's decision, given that factor, probably was no surprise to anybody. There are a number of other factors but Bowater's decision to leave Newfoundland was not a surprise. One of the chief problems, which I do not believe has not be adequately discussed in this agreement, is a wood supply. Mr. Speaker, that has been well known for the longest period of time.

MR. NEARY:

Not only that, but who talks about taking control of our own resources?

MR. TULK:

Well, that is the other point we will get to in a few minutes when we get to what is said in the Kruger deal about a wood supply for Corner Brook. There was a task force in 1973 called the Newfoundland Federal/Provincial Task Force on Forestry which pointed out a number of things about the Corner Brook mill, one of which, I believe, was the wood supply. I am somewhat surprised when I hear the member for the Bay of Islands (Mr. Woodrow) and the member for Corner Brook speaking of Bowater as being a good corporate citizen. I am somewhat surprised to hear that because I think it is fair to say that Bowater has made a fair profit in Newfoundland, some people would even argue that they have made excess profits, and some people would also argue that they have taken the profits that they have made and invested them in other mills in the United States and indeed in Europe. So I am somewhat surprised to hear members on that side of the House stand and make the point that Bowater

has been a good corporate citizen when, at the same time they were making profits in this Province, and perhaps excessive profits in Newfoundland, they did not upgrade the Corner Brook mill, and did not carry out good reforestation practices. But they did not upgrade the Corner Brook mill and we all know that the Corner Brook mill needs a great deal of maintenance.

MR. NEARY:

Are we going into Committee of the Whole now?

MR. TULK:

No, I think they are going to make us come back at 8:00 p.m.

Now, Mr. Speaker, that was not being done in 1973 and it is not being done now. So, Mr. Speaker, given these factors, it is not surprising that the Corner Brook mill was about to close the last of this year. We have to ask some questions of the government in this new agreement that they are signing with Kruger. As I said, if the Government House Leader (Mr. Marshall) wants to we can ask them in Committee of the Whole, but if he does not want that, let me put it like this: Should we now give the same concessions to Kruger that we gave to Bowater when it was established? When was it established?

MR. BARRY:

The act was in 1938.

MR. TULK:

The act was passed in 1938 giving Bowater certain rights to land and timber in the Province. Should we now give Kruger the same concessions? That is the question that has to be asked.

MR. NEARY:

Or should we take control over our own resources?

MR. MARSHALL:

Read the agreement.

MR. TULK:

I read what was in the agreement.

MR. MARSHALL:

You had all weekend to review it and you do not even know what is in it.

MR. TULK:

Are you upset? Mr. Speaker, I do not want the Government House Leader (Mr. Marshall) to have an ulcer. Is he upset? If he is, perhaps we can give him some sort of medication to calm him down. There is no problem, there will be lots of time to debate this legislation.

I believe that what has happened, in the couple of minutes that I have left, Mr. Speaker, is that we have seen the government again cave in on their own management principles. Now I do not have to go into those with the government. The former Minister of Forestry (Mr. Power) -

MR. NEARY:

Where are the Premier and the Minister of Finance (Dr. Collins) today?

MR. TULK:

- has stood in this House many times and talked about taking control of that natural resource called the woods, called the forest, and it has not happened. I do not believe there has been any progress and, as a matter of fact, we may have gone backwards in this regard by passing over to Kruger the same kind of deals - nobody in this House will agree with them - that we gave to

Bowater.

MR. BARRY:

Does the Minister of Forestry use an earplug?

MR. NEARY:

If he is, that makes four of them over there now.

MR. BARRY:

Is he listening to the radio?

MR. TULK:

No, the Minister of Forestry (Mr. Simms) and some others over there have this terrible habit of sticking things in their ears so they can hear.

If Bowater had closed this year, what would have happened to the timber and to the freehold land leases that they have in Newfoundland? They would have gone back under the management scheme that the former Minister of Forestry and that this government have been so proud of. They would have either done one thing or the other; gone back to the Government of this Province, or the Government of this Province could have forced Bowater to pay something like \$5 million a year. But now what do we have in this agreement? What do we have? We have a weak-kneed little statement which says, 'Because both parties agree that modern forestry practices are essential to the viability of the forest products industry,' and I hope the Government House Leader is listening, 'Kruger shall cause BNL to study jointly with government ways to improve the provisions of the act respecting forest management.' That is it. Well, I believe that if the government had acted boldly in this situation, it could have perhaps taken back some of the forests not only for the

use of Bowater but perhaps for the use of other parts of the Province as well. It would have given government, as the hon. member for LaPoile (Mr. Neary) reminds me, control of Newfoundland's own resources. That has been the theme song of this government since it got elected, but now, all at once, we hear no significant statements from them on it. By the way, one of the criticisms of former Liberal Government in this Province made by that side is that the Liberals when they were in office in Newfoundland made no attempt to get back the forest resources of this Province.

MR. NEARY:

And here they have it dumped in their lap.

MR. TULK:

Yes, here they had it dumped in their lap. They could not have had a better opportunity to get back the forest, and what do we end up with? A weak-kneed situation where the government backs off on its own forest resources policy.

MR. NEARY:

Give it away to Kruger, give our resources away to Kruger.

MR. BARRY:

The former Minister of Forestry (Mr. Power) knows that and he is looking very sheepish over there.

MR. TULK:

Of course the former Minister of Forestry knows it.

MR. SPEAKER (Aylward):

Order, please!

The hon. member's time has elapsed.

SOME HON. MEMBERS:

By leave.

SOME HON. MEMBERS:

No leave.

MR. SPEAKER:

Order, please!

Leave is not granted.

Shall I put the question?

MR. HODDER:

Mr. Speaker.

MR. SPEAKER:

The hon. member for Port au Port.

MR. HODDER:

Mr. Speaker, I just want to say a few words on this bill. I represent a district which is adjacent to Corner Brook. It is also a district where a number of my constituents worked for Bowater. Whether they will find work with Kruger under the new arrangements or not remains to be seen. But certainly I would say that the reactivation of the Corner Brook mill is something which is very desirable for the whole West Coast because the economy of the West Coast is very interrelated and anything adverse that happens, whether it be in the Stephenville mill or the Corner Brook mill, has a detrimental effect on the whole of the West Coast.

Mr. Speaker, when we look at the unemployment statistics for the West Coast of Newfoundland and the Labrador region, which I believe is one survey area, it has consistently had the highest unemployment rate in the Province.

Mr. Speaker, I think now that we have a reprieve for Corner Brook and perhaps for the whole of the West Coast for the time being, that we should be looking at broadening the economic base of

the West Coast or, for that matter, any other part of the Province.

Mr. Speaker, what has happened is that we have less work with the takeover by Kruger of the Corner Brook mill. We lost 700 people when No. 7 machine went down, I hear figures of somewhere around 200 with No. 4 paper machine, and I think that we cannot wait for another threat. It is now that we must try to develop an infrastructure, not only in the woods industry, but the economy of the West Coast must be stimulated generally, as well. And I believe, as my colleague, the member for Fogo (Mr. Tulk), who is our Forestry spokesman, said, that this is a time when we can perhaps learn from some of the mistakes that we have made in the past with our paper companies to try to make sure that the future is secure.

But, Mr. Speaker, what will happen if, down the road in two or three years time, we no longer have a Kruger in Corner Brook? I think it is now that we have to make sure that the right things are done for the future. Whether the Kruger deal is a good deal or not, perhaps we will never know, since we have not been told what other agreements or what other bids or proposals have been put forward. We have been told that certain companies had made proposals on that but the people of Newfoundland and the members of this House of Assembly, except for those privileged enough to be in Cabinet, are the only ones who know whether or not one deal was better than the other. I think, Mr. Speaker, that the people of the Province should be given that information.

SOME HON. MEMBERS:

Hear, hear!

MR. HODDER:

Mr. Speaker, when I heard the member for Humber East (Ms Verge) speaking today, it reminded me of somebody -

MR. NEARY:

Whistling past the graveyard.

MR. HODDER:

- whistling past the graveyard. I thought she might break her arm slapping her own back.

Having lived on the West Coast in the local media area - the West Coast has a different media from the rest of the Province, sort of a localized media - and seeing the way that the unions were treated throughout the negotiations, seeing the way that the municipal leaders and the city leaders and councils had been treated by this government - they were criticized, they were abused and they were hung out to dry in many cases - I do not think there was ever a period when there was full disclosure, with the people of Corner Brook ever getting the full story, and they still have not got the full story as far as agreements are concerned and what people are coming in. But, Mr. Speaker, it is good to see that Kruger has taken over and, even while I stand here not knowing what other offers were made, certainly the fact that Kruger has taken over the mill and that a large number of jobs will be protected, that Corner Brook does have a future and the industrial base, I suppose, of the West Coast looks to be in fairly good shape with two paper mills operating in the area at the present time, I suppose we can say that we can be thankful for that.

Mr. Speaker, I feel it is time that we started looking at the wood supply on the West Coast, both as it pertains to Abitibi-Price and as it pertains to the Kruger mill. I do not know if Kruger has taken over - and perhaps when the minister speaks he can tell us what has happened - all of the Bowater land. Because I know that Bowater received some land which I believe was Reid land. Some of it was not land on which there was much wood, but they did receive quite a bit of that land. Has Kruger now assumed all of the land? Particularly in terms of the Port au Port Peninsula, Bowater, last year I believe, took over a large lot of Reid land there, although it was not well-forested land. As a matter of fact, I often wondered why they were interested in it, unless they were interested for the mineral content rather than the fact that there would be wood on that particular land.

Mr. Speaker, I think the people of Corner Brook can breathe a sigh of relief for the near future. I do not think the government has anything to be really proud about, it was a salvage operation: We have a company but we have less jobs in the woods industry and we have less jobs in the mill. Certainly the economy of the West Coast is not healthy and I feel that the government must do everything in their power to make sure that the economy is improved.

I cannot help but think, as I speak, about the federal Forestry Centre which was promised to Corner Brook and would have been delivered to Corner Brook until the recent cutbacks. I saw the Minister of Forestry (Mr. Simms) being interviewed on the local C.B.C. station recently on the

West Coast and, Mr. Speaker, if I have ever seen a person who weasled his way out of questions, he was it. It was a show that I wished I could have kept on tape because the minister skated his way out of every question that was put to him. You would almost think that the pronouncements by the former Minister of Forestry (Mr. Power) and all the rhetoric that we heard before the federal election had not existed at all. But, Mr. Speaker, I understand that the government wants to pass this bill this afternoon. I just would like to add my pleasure, I suppose, that Kruger has taken over the mill and hope that the people of Corner Brook and the economy of Corner Brook continues to be strengthened.

SOME HON. MEMBERS:

Hear, hear!

On motion, a bill, "An Act To Ratify, Confirm And Adopt Certain Agreements Entered Into Between The Government Of The Province, Kruger Inc. And Other Parties Respecting The Future Operation And Modernization Of The Corner Brook Newsprint Mill," Bill No. 52, read a second time, ordered referred to a committee of the Whole House presently by leave.

MR. MARSHALL:

Order 8, Bill No. 37.

MR. SPEAKER (Russell):

Order 8, Bill No. 37, continuing debate. I understand the debate was adjourned by the hon. the member for LaPoile.

MR. NEARY:

Mr. Speaker, what a gigantic bluff the administration there opposite have been running for the last couple of days! They told us three or four days ago, on Friday

I believe it was, when they introduced the Kruger bill, that it had to be passed by 6:00 this evening. And they are the ones who put the deadline on the bill. Now, here they are doing a complete reversal. We have given them an opportunity. They have fifteen minutes left on the clock and, if necessary, Mr. Speaker, to get the Kruger bill through, we were prepared to stop the clock and continue sitting until the Kruger bill became law, the Lieutenant-Governor came in and signed it and made it the law of this Province.

Now, Mr. Speaker, the fact of the matter is that they have been bluffing, and they have not been able to prove to us or to the people of this Province that the two bills go hand in glove as they attempted to lead us to believe. So here we are now back to Bill 37, the worst piece of labour legislation ever -

MR. FENWICK:

The second worst.

MR. NEARY:

My hon. friend from Menihek (Mr. Fenwick) says it is the second worst, I say it is the worst. I fought the IWA battle, as the hon. gentleman knows, side by side with the Landon Ladd, Jeff Hall, Jack McCool, Hank Skinner and all the rest of them. Mr. Speaker, I fought side by side with these hon. gentlemen but I have to say that even though I disagreed with the Liberal administration, the Smallwood administration on that particular issue, that this is the worst that I have ever seen. This flies in the face of natural justice. Now while the administration there opposite have the power to do it, they have the numbers - it is forty-three

against nine - if they want to, Mr. Speaker, they could bring a piece of legislation into this House saying that the moon is made of cheese. With the numbers they have they can do it, Mr. Speaker, but is it morally right for them to do it and is it politically right for them to do it? I say, no, it is not. It is just another attempt to cut the ground out from under the working people of this Province and it is against natural justice. I went through the debate when this bill was brought into the House back in 1977 and I read the debate from beginning to end. I have it here in front of me for hon. gentlemen to see. And if you read through that debate, Mr. Speaker, the bill was introduced by Mr. Joseph Rousseau at the time when he was Minister of Manpower and Industrial Relations. When he moved second reading of the bill he kept mentioning the fact that the bill was brought in only after a consensus was reached by employer and employee groups in this Province. The employers had input into this bill, the employers knew what was in this bill, Mr. Speaker. The minister told us at that time that he went to great pains to get a consensus from business and industry and from the trade union movement and they all agreed that this was a good piece of legislation. And now the administration there opposite is going to knock the ground out from under the employees, the workers of this Province. Mr. Speaker, the first case to come up I believe was the Wabush case in December 1981. Well, the minister and the administration at the time knew then, did they not, that this was the law? But did they do anything about it? Mr. Speaker, they did not. It is three years later now when they decide to

knock the legs out from under the employees of Wabush Mining Company and other groups in this Province who are acting in good faith. They were abiding by the law, they were following the law of this Province, the law that was passed in this House, the law that gave them the right to put their case before the Labour Standards Tribunal and they did it. They followed the law in good faith and now the administration there opposite is going to knock the ground out from underneath them and that is morally wrong, it is indefensible. There is no rhyme or reason to what they are doing and they have not justified their case as far as Kruger is concerned. I might say for the benefit of members of this House that we discussed in our caucus the Kruger deal and we were even prepared to exempt the Kruger company if necessary, although we are not convinced it was necessary, Mr. Speaker. There are so many ifs, ands, buts and maybes in the arguments that we are hearing from the other side that we are not so sure that Kruger is going to inherit a liability from Bowater. Bowater already acknowledged their moral responsibility to the workers when they paid out \$500,000. Now, Mr. Speaker, granted, they said they paid it out without prejudice, they were not admitting that they were liable, but they did pay it out and they paid it out in accordance with the terms and conditions of the act as it exists now. The hon. member for Menihek (Mr. Fenwick) drew our attention to the regulations recently. Now, Mr. Speaker, let me say this, I said it the other day and I will say it again, I will repeat it again, this piece of legislation is being passed through this House, forced through this House,

rammed through this House, bullied through this House as a payoff to the companies that contributed to the Tory coffers, the Iron Ore Company of Canada, the company down in Baie Verte, the Wabush Mining Company and the oil companies. Mr. Speaker, this is a straight payoff. The question I asked the other day was was this bill drafted before or after the Premier called the Iron Ore Company of Canada and asked them for an apology because they did not let them know about the layoffs of IOC that got my colleague from Menihek elected down there? Was this bill drafted before or after these phone calls? And, Mr. Speaker, did he say, 'You apologize and I will amend that act for you'? Mr. Speaker, there is more to this than meets the eye. I consider it to be nothing but a payoff to the companies that contributed to the Tory coffers both provincially and nationally. Mr. Speaker, we hear reports about Mr. Mulroney, when he was president of the Iron Ore Company of Canada, arriving on the 8th floor of Confederation Building with his cheque in his pocket for a substantial contribution for the 1982 election. Mr. Speaker, we hear reports now about Mr. Mulroney getting his money from Mr. Wolfe via Bermuda. That is something the hon. gentlemen should check out via a former Premier of this Province. So what I think is happening here is that we are seeing a straight payoff because there is no justification for this bill, none at all. There is no connection between the Kruger case and Bill 37. If so, let the minister produce it, let him show us the documentation.

MR. PATTERSON:

He did.

MR. NEARY:  
He did not.

MR. MARSHALL:  
You are playing with the lives of the people of Corner Brook.

SOME HON. MEMBERS:  
Oh, oh!

MR. NEARY:  
That is just a cowardly statement, that is all that is, Mr. Speaker. The hon. gentleman makes a cowardly statement and then runs away. Now, Mr. Speaker, let us look at this bill again. This bill is meant to take something away from the workers that they were given by the law of this land, the law of this Province. Mr. Speaker, if it was an employer that was involved, if it was an industry or a business that was supporting the administration, do you think they would treat them the same as they are treating the employees? Let us ask ourselves this question about the Newfoundland Light and Power Company which has gouged profits out of the consumers of electricity in this Province for the last three or four years involving millions of dollars: Did the administration bring an act into this House forcing them to pay back to the consumers retroactively? Did they? No, Mr Speaker, they will not lift a finger when it involves their friends, the shareholders of Newfoundland Light and Power Company. And what about the Telephone Company? Two great monopolies in this Province, the Light and Power Company and the Telephone Company, gouging the public and brutalizing their employees, two monopolies, Mr. Speaker, each given its monopoly by this administration, both of them making excess profits. The

telephone company gloating and boasting about the highest profits in the history of the company, has forced its employees out on the street. You would not mind a legal strike, but the way they have brutalized their employees since they went out on strike by taking away some of their benefits, their health insurance and their other benefits, Mr. Speaker! So here you have two monopolies that are controlled by this government, by this House, boasting of excess profits, and one of them gouging the consumers of electricity for the last three or four years illegally, taking money from the consumers of electricity illegally, against the law. Did the hon. gentlemen there opposite bring in a bill and make it retroactive to take that money away from them? No, Mr. Speaker, they did not. But they will take it away from the workers.

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

MR. SPEAKER (Russell):  
Order, please! A point of order, the hon. Leader of the Opposition a point of order.

MR. BARRY:  
Mr. Speaker, we have given a commitment to the House Leader (Mr. Marshall) that we would see Bill 52, the Kruger Bill, go through this House by six o'clock. Now the Government House Leader (Mr. Marshall) still has a couple of minutes. We can agree to have the clock stopped and we can agree to go into Committee of the Whole, Mr. Speaker, but if that is not done then it should be recognized by the House that it is the Government House Leader's choice that the Kruger bill not go through by six o'clock.

MR. SPEAKER:

The hon. President of the Council.

MR. MARSHALL:

To that point of order, in the letter given to the Leader of the Opposition the words were that these bills, being the Labour Standards Act and the Kruger Bill, should be passed through all stages and enacted into law before the House rises at 6:00 p.m.

SOME HON. MEMBERS:

Oh, oh!

MR. MARSHALL:

Now, Mr. Speaker, the hon. gentlemen seem to want to craft themselves as to what are the necessary legislation in order to bring about the entry of Kruger into Corner Brook. We have told them consistently that it requires passage of both bills and, Mr. Speaker, both of those bills have to be passed and that is why we have taken the decision we have.

SOME HON. MEMBERS:

Hear, hear!

MR. MARSHALL:

And we have, Mr. Speaker, a duty to the people of this Province and the people of the West Coast to see those bills are brought to the House and enacted into law. We had hoped the Opposition would co-operate, but obviously we will have to come back tonight for the purpose of continued debate. The fact of the matter is, Mr. Speaker, the hon. gentlemen there opposite never believed us when we said both bills are necessary. I hope the realization is going to dawn on them now and they will stop playing with the lives of the people of Corner Brook.

MR. SPEAKER:

Order, please! To that point of

order, from a procedural viewpoint of course it is not really a valid point of order. The Government House Leader called an order of business which was second reading of a bill and certainly that motion was in order so the point of order was not a valid point of order.

The hon. member for LaPoile.

MR. NEARY:

Mr. Speaker, it is six o'clock. I would like to move the adjournment of the debate.

MR. SPEAKER:

It has been noted that the hon. member for LaPoile (Mr. Neary) has adjourned the debate. It now being six of the clock and there is no motion to adjourn, I leave the Chair until eight o'clock tonight.

The House resumed at 8:00 p.m.

MR. SPEAKER (Russell):  
Order, please!

The debate was adjourned at 6:00 by the hon. the member for LaPoile.

MR. NEARY:

Mr. Speaker, just to briefly recap what has happened to date, we on this side of the House were prepared to let the government have the Kruger Bill by 6:00 o'clock this evening, go into Committee of the Whole, put the bill through Committee to Third Reading stage, and get the Governor in and sign the bill and make it law. We were prepared to do that in the interest of Corner Brook. But through some devious manner the Government House Leader (Mr. Marshall) and the members of the administration there opposite are trying to force this Bill 37 through the House, which is the worst piece of labour legislation ever to be brought into the assembly in this Province.

Now, Mr. Speaker, this is a desperation move on the part of the government. It is the move of an administration, of a government under seige. Mr. Speaker, it reminds me of the final days of the Moores administration, when they forced the House into night sessions unnecessarily. And that is what they are doing now, Mr. Speaker. They are hoping to be able to use brute force, they are hoping to be able to use their majority of forty-three against nine of us over here. And, Mr. Speaker, can you imagine two hockey teams, one with forty-three members on the ice and the other team with nine members on the ice? Now as good as we are on this side at debating, Mr. Speaker, there is a limit to what we can do. And

they are hoping to be able to grind us down, they are hoping to be able to wear us down, Mr. Speaker, that is the strategy they are using now. They figured closure might not be too popular, it might not be a popular thing to do, they figured closure would be a bit drastic, so what they are going to do now is try to grind us down. They are going to wear us down.

Well, Mr. Speaker, we have news for hon. gentlemen there opposite, that we intend to fight this bad piece of legislation as long as it takes to get the message out to the people across this Province. This bill flies in the face of natural justice. It is immoral, Mr. Speaker, and it is a bad political move on the part of the administration. Although the forty-three of them could, as I said this afternoon, bring in a bill saying the moon is made of cheese and they force it through this House, that would not make it right, Mr. Speaker.

There is a pattern developing in this Province where the administration are coming down every time on the side of big business at the expense of the ordinary people. They will rue the day, Mr. Speaker, that they are making this bill retroactive, and that is what we are opposed to. We are prepared to go along with the bill if the retroactivity part of it was removed. And they will regret the day, Mr. Speaker, that they brought a measure into this House to cut the legs out from underneath the ordinary people, to cut the ground out from under the workers in this Province.

Mr. Speaker, they are resorting now to expensive advertising to try to get their message across

because they know they are in political trouble with the people in this Province, Mr. Speaker, for this dastardly piece of legislation they brought before this House. They are a government under seige. They have the teachers on their back, the fishermen are against them, plant workers are against them, hospital workers, nurses, NAPE, the whole trade union movement, Mr. Speaker, are against them. They are a government under seige and they are desperate, Mr. Speaker. They are desperate and that is why they brought this bill in to pay off their cronies who contributed to the coffers of the P.C. party, the Iron Ore Company of Canada, Wabush Mining Company, the oil companies, the company down in Baie Verte, Bowater, and Abitibi-Price. They are paying off now their buddies for contributing to their coffers, and that is the real reason behind this bill, Mr. Speaker. It has nothing to do with Kruger. They could not produce one bit of evidence, they could not produce one document, they could not lay one document on the table of this House to show - they could not because we challenged them to - to produce evidence, concrete evidence that Kruger wanted Bill 37 passed or they would not sign the agreement.

Mr. Speaker, if Bill 37 is not passed until the middle of next week, Kruger will still sign that agreement to take over the Bowater operation because there is too much at stake, and the Government House Leader (Mr. Marshall) can bluff all he wants.

So, Mr. Speaker, we are going to vote for the amendment. We are going to vote against this bill as long as the retroactivity clause is in there. As I said it flies

in the face of natural justice, it is indecent, it is immoral, it is unfair.

MR. YOUNG:

That is right down your alley. That is all right down your alley.

MR. NEARY:

When I talk about indecency, Mr. Speaker, I am not looking at the Minister of Public Works (Mr. Young).

Mr. Speaker, it is not British fair play. As I say, they can do it because they have the majority, but they will have to pay the price. They will pay the consequences because, let me remind hon. gentlemen there opposite, that God must have loved the poor people because he made so many of them, and there are more ordinary people and more poor people out there than there are business buddies and industrialists and their cronies who contribute to the coffers of the Tory Party.

So that is what we are faced with, Mr. Speaker, and we do not intend to tolerate it. And if we have to stay here all night we will stay here all night to prove the point.

SOME HON. MEMBERS:

Hear, hear!

MR. NEARY:

There is no doubt in the end that forty-three of them will beat nine. As I said, can you imagine two hockey teams, forty-three against nine?

MR. TOBIN:

Whose fault is it you only have nine?

MR. NEARY:

Mr. Speaker, my time now has just about run out.

MR. MORGAN:  
By leave!

MR. NEARY:  
No, I do not want leave. Mr. Speaker, I have said what I have to say and I have said it as strongly as I can say it. And let me repeat again, we are prepared to let the Kruger Bill go through to save the industry in Corner Brook.

Mr. Speaker, let me remind the Government House Leader (Mr. Marshall) there opposite that it was 1981 that the Wabush employees made representation to the Labour Standards Tribunal that they were unfairly dealt with, that was 1981, in December. And three years later they are bringing a bill in to cut the ground out from underneath their feet. Three years later. They knew then, Mr. Speaker, that these employees as well as other employees acted in good faith. They felt that the termination of employment was properly defined in the regulations, as my colleague from Menihek (Mr. Fenwick) reminded us the other day, and they were acting in good faith, Mr. Speaker. It is a betrayal of every worker in this Province.

It is a cowardly thing to do. It shows a lack of courage, a lack of moral judgement on the part of the administration. How can they sit over there, Mr. Speaker, with a clear conscience knowing that they are doing something immoral and something wrong? How can they sit there with a clear conscience, Mr. Speaker? I am sure that there must be one or two over there who are having pangs of conscience over this bill.

MR. SPEAKER (Russell):  
Order, please!

The time for the hon. member has expired.

MR. MARSHALL:  
Mr. Speaker.

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

MR. MARSHALL:  
Mr. Speaker, I move that the House do not adjourn at eleven o'clock today.

MR. ROBERTS:  
Mr. Speaker -

MR. SPEAKER:  
The Chair recognized the hon. the President of Council who has made a motion.

MR. ROBERTS:  
- he has already spoken in this debate. He has no right to be heard in this debate. Your Honour, I raise a point of order to the simple effect that the hon. gentleman has already spoken in this debate and accordingly has no right to ask the Speaker to hear him until this debate is over and done with, Sir. He has no right to ask for the floor.

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

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

MR. MARSHALL:  
This is a procedural motion that is certainly in order. I refer to the procedure that was set forth, Mr. Speaker, before the present Standing Orders were adopted in 1979, the notes to which indicate the fact that a motion may be made at any time without notice having been previously been given.

MR. SPEAKER:

The hon. Leader of the Opposition.

MR. BARRY:

Mr. Speaker, the Government House Leader refers to a note before the existing Standing Orders were brought into effect. Mr. Speaker, we have Standing Orders of this House and these Standing Orders have to be complied with. We are in the middle of a debate. There is a time and a place for the Government House Leader to get up if he wishes to make a motion, Mr. Speaker, and it is not in the course of a debate where he has already spoken. And, Mr. Speaker, we submit that he is out of order and it is improper for this attempted motion to come before the House right now. The member for the Strait of Belle Isle (Mr. Roberts) has risen to speak in this debate and the Government House Leader is out of order. And, Mr. Speaker, it is not a minor thing either. The Government House Leader should provide better authorities for this than the note, wherever the note came from, that existed before the current Standing Orders came into effect.

MR. SPEAKER:

Order, please! Rather than make a decision that may or may not be correct I would like to adjourn for five minutes to take a look at it.

Recess

MR. SPEAKER:

Order, please!

When the Chair recognized the hon. President of the Council (Mr. Marshall), the Chair was unaware as to whether or not the hon.

President of the Council had already spoken in this debate to the amendment, has since discovered that the hon. President of the Council has spoken to the amendment and therefore his motion is not out of order but making it at this time is out of order.

The hon. member for the Strait of Belle Isle.

MR. ROBERTS:

Mr. Speaker, I do not get here terribly often but when I do I am glad to be able to help the hon. House Leader straighten out his procedures and to learn how to do it.

MR. BAIRD:

As you say, it is not very often you are here.

MR. BARRY:

We are going to have our House Leader go over and give him a few lessons now in a little while.

MR. ROBERTS:

Mr. Speaker, let me say to my friend from Humber West (Mr. Baird) that I do not know how he regards this issue before the House, but I regard it as being one that is very serious and I would, I think he will agree, take a back seat to no member of this House in the badinage game. I can give as good as I get sometimes, sometimes I get better than I give. Each of us has only have half an hour on this round, but I understand there are seven or eight more rounds of debate to come on this second reading before we start the Committee stage.

MR. TOBIN:

You will miss a lot of it. too.

MR. ROBERTS:

Yes, I will, I say to my friend

who is carrying a field marshall's baton in his knapsack hoping to be in the Cabinet. He has got until the next election to make it into the Cabinet because he will not be in the Cabinet after the election. But I say to him that I make no apologies, I am involved in a fairly important issue that is being litigated in the courts of the Province and that is why I am wearing this particular funny kind of clothing today. In this House it may seem out of place, although His Honour wears something much like it, but these are our overalls in the courts.

Now I say to my friend from Burin - Placentia West (Mr. Tobin), that he too should possess his soul in patience. I have a few points I would like to make and if he would be kind enough to do me the courtesy of allowing me to make them without being disturbed by him I would be very grateful to him.

Mr. Speaker, the amendment before the House is one that has been moved by my friend, the Leader of the Opposition (Mr. Barry), which is very simple. It simply seeks to amend the resolution before the Chair. The resolution itself is that this bill be now read a second time. He wants to amend it so that instead it will read 'That this House declares that retroactive legislation is repugnant to the principles of parliament democracy.' And that is a very simple statement, Mr. Speaker, but it is one which I would hope every member of the House would ponder carefully and to which he or she would devote a great deal of thought before voting upon it. I intend to vote for it, Sir, if I am here in the House whenever a vote is taken.

MR. YOUNG:

You will not be here.

MR. ROBERTS:

No, I may not be here. I do not know which particular hon. gentleman interrupted me, but let me say for the third time that I will be grateful if hon. gentlemen opposite would do me the courtesy of observing the rules of the House. I am not asking for anything special, I am just asking for the rules of the House to be observed and let me say what I have to say? You know, I do not want to get into a battle of wits with somebody who comes half armed.

Mr. Speaker, that amendment to me sums up a very great point in public policy in this Province. My friend, the Leader of the Opposition (Mr. Barry), and the other members on this side who have spoken, have made it clear that while we have doubts about the wisdom of reducing the notice period from the eight or twelve weeks that the act now provides to the two weeks that this bill will provide in respect of what the bill deems to be temporary layoffs, that our doubts on that are not in themselves what is motivating us to oppose this legislation as strenuously as we have and as strenuously as we shall, it is rather the retroactivity principle, the fact that this bill if it becomes law will change the law of this Province back to August 1, 1978. Now that is not a date that has been carelessly chosen, of course, Sir. That is the date, as I recall it, when the Labour Standards Act was proclaimed as law and became law in this Province. Because when it was adopted by this House in the 1977 session it was not law it was subject to proclamation, and if

the Cabinet had never proclaimed it it would never have become law. But the Cabinet did proclaim it, the Cabinet of which Mr. Moores was the Premier and in which the present Premier served as a minister in it. He is collectively responsible for whatever was done by that Cabinet. That date then is when this law became effective.

What the House is now being asked to do is to turn back the clock by six and one half years and to legislatively pretend that what was done six and half years ago has never existed. Now, Sir, we probably have the legal power to do it. I once saw an opinion that said that parliament can declare a man a woman, but it cannot make it possible for him to have a baby. This House probably has the legislative power, unless the Charter of Rights somehow prohibits it, to enact this legislation. But, Sir, that is not the point, I suggest. The point of it is this, that the social compact, which is all that holds a society together, the willingness of each and every one of us to be governed by the laws and to accept the laws and to work to change the laws only within the accepted means, the willingness to abide by the social compact is what allows our society to exist. And we see examples of societies where there is no social compact, and I am not saying this will happen here, these are extremes, but in Northern Ireland, or in Iran or in fact in England itself now the social compact has broken down and we are seeing the spectacle of thousands of policemen as part of their duty being made to escort people across picket lines because, whatever the rights and wrongs of that dispute, the whole fabric of the society is

being torn asunder.

And I am not saying that will happen here. I am not equating this bill with the strike between the Coal Board and the Miners Union in England, much less with what has gone on in Iran or what is going on in Northern Ireland, but what I do say is that it is a social compact that holds us together in this society, and the social compact is the willingness of each one of us as part of the responsibility of being in this society and part of the price we pay willingly for the advantages of living in the society, that social compact means that we all observe the laws. And if there is one essential to that compact, Mr. Speaker, it is that we know what the law is. That any citizen, any man or woman can look at the law books and know what it is. That is why retroactive legislation is abhorrent. It has been abhorrent in principle ever since Magna Carta, 769 years ago, ever since The Bill of Rights in England in 1688. My friend, the Minister of Justice (Mr. Ottenheimer) is a great student of parliament. He has to agree with those statements. Retroactive legislation, while it may be lawful, is abhorrent to the very spirit, to the very soul of what holds this country together. And we have to be careful that the end does not justify the means, that so sophisticated, so seductive argument.

I have had friends of mine who happen to be business people in the last few days say, 'Why are you guys objecting to this?' And I say to them, 'Why?' 'Well,' they say, 'it makes sense. Why should they have sixteen weeks or eight or twelve or whatever the notice period is? Maybe it was all

a mistake.' I say, 'Maybe it was. But supposing tomorrow the government decides it was a mistake to charge a business 25 per cent corporate income tax and brings in a bill saying as of 1953 the income tax in this Province is 100 per cent and comes back to you as a business person and taxes you retroactively?'

My friend for St. John's Centre (Dr. McNicholas) carries on business today lawfully, and I trust very successfully, as an ophthalmologist, and a very good ophthalmologist he is, and a lawful business it is to practice ophthalmology. But supposing now a government passed a bill in this House which the House has the lawful power to do, to say that the practice of ophthalmology is unlawful, not simply from this day hence but as of twelve years ago. And that anybody who breaks that law is guilty of an offense and upon conviction thereof is sentenced to forfeit \$1,000 a day for each day that he has practiced ophthalmology unlawfully.

Now there is no difference in principle between that, agreedly absurd position and what this government are doing here now. There was a law passed in this House, and I suspect, although I have not looked it up, unanimously passed.

MR. NEARY:

Yes.

MR. ROBERTS:

My friend for LaPoile (Mr. Neary) who was also here has confirmed it. Every man - there were no women in the House at that time, 1977, in those unenlightened days - but every member of the House supported it. The government enacted it and it provided a

certain period of notice. We are now being asked to pretend that never existed. Sir, I find that abhorrent because it goes right to the root of what holds this society together. And I say to every member here, and every man and every woman opposite that they should search their consciences. Oh, it is easy, first of all, to be one of the crowd. The pressure is on in your own caucus, your peer group, very great pressure. It is easy to ignore the issue. It is easy to be seduced by the seductive sophistry of the argument this section of the law we are changing was a mistake and we are just going to correct the mistake. Just remember, we have never done this before that I can recall in this Province. Taxes take effect as of the date they are announced by the minister and the legislation often is back dated in that sense. Sometimes we back date beneficial legislation. This House first sat, Sir, in 1833. On January 1, 1833, this House first sat and except for the years of Commission there has been a House of Assembly ever since then. The Speakers are here starting right back at Garland, the member for Trinity, and then Carson, and you can right around to whomever hangs down here. The present member for Grand Falls (Mr. Simms) hangs in effigy on our wall. Never before, Sir, to my understanding has this House ever adopted retroactive legislation of this nature.

Now maybe some government in the future will make ophthalmology illegal and fine the hon. gentleman for St. John's Centre (Dr. McNicholas). That is the danger. That is why this bill is wrong. That is why this amendment is right.

Now, Mr. Speaker, is it necessary to change the 1977 Act? First of all, I think the case is far from made. I will deal in a moment with the Premier's half-hearted justification. Let me add the only reason we are here tonight, and apparently in for an all night sitting, is stubbornness. By the way, eventually the Government House Leader (Mr. Marshall) will learn how to get his act together and will learn how to move the motion to suspend this time of sitting. The precedents are clear, any member can do it except somebody who has spoken in the debate. But, Mr. Speaker, we are only here because of the Premier's ill-considered promise and because of his stubbornness, stubbornness verging on stupidity. He told somebody, he tells us, and I believe him, that the bill will be passed by 6:00 o'clock on Monday. Sir, the Premier is not this House, he is one member. He may have the unthinking support of forty-two other members, he may have their thinking support for all I know, but, Sir, even forty-three members are not this House. There are nine of us, eight and the lone lost sheep down here to my right, my right physically and probably ideological, I might add, but, Mr. Speaker, the fifty-two members have the right to decide what happens in this House. The Premier's ill-considered and hasty promise was just that, and now we are all being put through this spectacle. I think it is the first time we have had a night sitting since the Premier became Premier.

MR. NEARY:

The Day of Mourning.

MR. ROBERTS:

The Day of Mourning, was that a

night sitting? It ought to have been a morning of mourning. Another one of his rash promises.

Mr. Speaker, let me go on; was the 1977 Act a mistake? Well, first of all, Sir, we are not certain what the law was. All we know is that the Labour Standards Tribunal responded to a request made of them by an official of the Minister of Labour, for which the minister answers, of course. The Minister of Labour (Mr. Dinn) started all this fuss. He has known since 1981 when he referred it and the director referred it to the Labour Standards Tribunal. Now a three member tribunal - Mr. Finn, Mr. Rusted, Mr. Bowdring - have ruled unanimously that certain workers at Wabush Mines are entitled to a salary in lieu of a long period of notice. I understand that that decision has been, as it properly may be, appealed to the courts. I understand the matter has yet to be argued in the courts. The appeal is in the district court, is it not?

MR. NEARY:

It is supposed to come up this week.

MR. ROBERTS:

Then, Mr. Speaker, there is a further appeal, of course, from the District Court to the Court of Appeal, by right. And then one can go by leave, seek leave of the Supreme Court of Canada which may or may not grant it. But, Mr. Speaker, the fact remains that we do not know for certain what the law is. All we know is that three men, having heard arguments and evidence and applied their best mind and come to their best decision, have decided what they said in their decision, decided that the Wabush workers were

entitled to salary in lieu of the lengthy notice period which they did not get and to which they were entitled. So it is premature in any event.

But leaving that aside, what is the case put by the government? Kruger! Now that has been exploded for the canard it is. Kruger have never said that if this bill is not made law, if this act is not changed, they have never said they will not come to Newfoundland. They know it is going to be changed, that the forty-three over there will have their way eventually. The nine on this side may be able to keep the House going for two or three months with a little scrugility. My friend for Mount Scio (Mr. Barry) and his colleagues, may be able to keep this going for two or three months on this bill. The Committee stage can go on indefinitely. As long as two members chose to speak, one after the other, Committee stage can go indefinitely, and this might be a case where hon. members on this side might be justified in trying to do that within the rules. The rules are there and we are allowed to speak within them.

But Kruger know it is going to go through. If Kruger are really concerned about this, and perhaps they are, they have said nothing. I do not know what they think. I do not know what their position is on the point. They said nothing that I am aware of. But if they are really worried they get an assurance from the Premier that 'the forty-three of us stand shoulder to shoulder. This bill will go through.'

MR. NEARY:

I think they sort of covered it. They said they were aware of the

bill but they were not familiar with its contents.

MR. ROBERTS:

My friend for LaPoile (Mr. Neary) points out that Kruger have said something publicly but have not taken a position. So that is a vile and a base canard. There is no truth in the Premier's suggestion that it must be done for Kruger. Now what about the bankruptcy of FPI and Baie Verte and others? Well, FPI is hopelessly bankrupt anyway, nobody is going to bother putting it into bankruptcy. In fact, we, the people, are going to bail it out once again because that is the right thing to do. I have no idea of the financial picture of Baie Verte. I know that we, the people, have put millions into it in guarantees and in loans and more going in from time to time. What is the reason for bringing this bill in? The Premier made a statement in the Evening Telegram. He first tried to make it in the House but, of course, he was out of order. I say to this man we now have from Green Bay (Premier Peckford) I saw this once before in another Premier when I was sitting on the other side of the House, a Premier who seemed to think the House existed only for his convenience and the rules were there to be bent to his convenience, and that is what is happening now to this Premier. We are seeing history repeat itself. But, Mr. Speaker, referring to Kruger, he then went on to speak of other industries in the Province. But who are they? Mr. Speaker, there is no case, there is no possible reason for the government to ask the House with justification to adopt this retroactive legislation. There is just no case. Now they are going to do it. Those over there, all

of them, have ceased to think about it, if ever they thought about it. They are like sheep following blindly wherever the shepherd takes them, hoping the shepherd knows where he is going and that they are not being led, to mix the metaphor, like lambs to the slaughter or sheep to the shearing. That is all they have done. They have probably convinced themselves that it is a foolish law, and maybe it is, but does that justify changing the social compact? If Kruger were to say, let us have this change or we shall not come into Newfoundland, which they have not said, that would be an irresponsible position to be taken by a company newly coming into this Province and wanting to be, I have no doubt, a good corporate citizen. But they did not say that. The workers at the Corner Brook mill have the remedy in their own hands, they do not have to bring a claim under this, and the same applies to all the others. I do not know what the financial position is of the mining companies in Newfoundland and I have no right to know. As far as I know neither is a public company

MR. NEARY:

Wabush has record profits.

MR. ROBERTS:

Mr friend from LaPoile (Mr. Neary) says Wabush has record profits. I hear what he says, but as far as I know they are not listed on the stock exchange and they make no disclosure. But the claim that they will all go bankrupt, they will all be forced into financial difficulties if this bill is not changed, is just hot air, 'sound and fury signifying nothing.' Mr. Speaker, the case in favour of this amendment is just

nonexistent. We are being asked to strike aside the whole basis on which we function, which is that we know what the laws are, that this is not a government of men but a government of law, a society in which men and women can know what their legal rights are and are entitled to be protected. Your Honour is a land surveyor, an honourable although not ancient profession. But, Mr. Speaker, supposing tomorrow this House were to - and do not think it cannot happen; today it happens to be one or two thousand men and women working in fish plants and in mines who are getting the very rough justice of the forty-three opposite - outlaw land surveyors, make surveying unlawful and backdate it to 1963, and anybody who has practiced land surveying since then would have broken the law. Ridiculous, you say? Yes, but once you start you cannot stop. You cannot be a little bit pregnant. Either we have the social compact, which is that we make laws and we live by them until they are changed, and if we do not like them we change them and we change them using the legitimate and proper means of changing them, either we have that or we have no society, we have anarchy.

MR. BARRY:

Bill 35 is retroactive.

MR. ROBERTS:

My friend the Leader of the Opposition (Mr. Barry) refers to Bill 35, which, of course, I shall not debate, but Section 15 of this too, is retroactive. But either we have certainty, Mr. Speaker, or we have anarchy. It may seem like an extreme statement but, think.

MR. DINN:

Oh my.

MR. ROBERTS:

My friend, the Minister of Labour and Housing (Mr. Dinn), does not understand the argument and that is the pity of it. I believe he does not understand it. If he understood, I would have much more sympathy for him. But the trouble is he does not understand, he just cannot comprehend, and that is the problem, that is the mentality that has us here being asked to amend a law six years back. Now what happens next, Mr. Speaker? Who is next to go? Who is next to feel the ire of the legislative majority? Mr. Speaker, winning an election gives a party, a group of men and women, the right to form a government. It does not give them the right to trample roughshod over the rights of any people in the Province, and the fact that they are doing it through the legislature does not make it any more proper or any more right or any more justifiable or any less abhorrent or any less repellent. Mr. Speaker, this is a bad bill, it embodies a bad principle, it is something that this House of Assembly ought not to do and should be ashamed to do. You know, societies can do things, Mr. Speaker, that everybody says is right and I give you another example that is going on in Canada now. Forty years ago, in the early years of the war, both in Canada and in the United States, Japanese/Canadians or Japanese/Americans, people whose only crime was that they were born with yellow skin - and none of us, Sir, has any control over the colour of his skin or indeed over most of our physical characteristics - but because these people were born with yellow skin and of Japanese parents, they were uprooted, deprived of their

property and sent off to nigh on concentration camps, both in Canada and in the United States, and there was no outcry from society. In fact, most people who were aware of it - but most probably were not aware - sort of said, 'Oh, good! In the name of protecting ourselves against the yellow peril' - the Japanese were then at war then with Canada - 'in the name of that let us push these people aside, let us uproot them.' And what we are doing here today is exactly the same. They may pooh-pooh it on the opposite side, they may say, oh, no! It is not that serious,' and yet in principle it is the same. That is the whole point of it, it is the same, exactly the same kind of legislation. What they are doing is undoing something that has been done. If two months ago anybody had gone to any lawyer in this Province, or for that matter if the matter had been laid before any judge, if the question that had been laid before them was, 'What does Section 53 of the Labour Standards Act say?' there it is in black and white. But now we are being asked to rip that page out of the statute books, to take the disappearing ink, the white-out substances.

MS. VERGE:

What does it mean?

MR. ROBERTS:

I beg your pardon, my lady? The hon. member asks what does it mean? And I say to her the legislature is six years late saying what it means. The hon. lady is not a very good minister and she is, apparently, a worse lawyer. What it means, Mr. Speaker, is what the courts say it means and, as I said earlier, there has been no final judicial determination within this Province

of what this section means. The government are not waiting for that, the government, Mr. Speaker, are simply bringing in the heavy hand of the legislature, they are taking the razor to the statute books and excising out Section 52 as if it never existed. That is what they are doing. They are not waiting for a judicial interpretation.

MS. VERGE:

We are redifing it.

MR. ROBERTS:

The hon. lady is trying to redefine it - that is what I am saying - six years late. She was not around in those days, if so we might not have been in this mess, or we might have been in a worse mess. Who knows? Her record speaks for itself and a sorry and sad tale it is. But Mr. Speaker, the point of this bill is to amend legislation -

MR. SIMMS:

It is great to know everything.

MR. ROBERTS:

The hon. gentleman from Grand Falls (Simms) will never know everything. In fact he knows very little. The hon. gentleman from Grand Falls would be well advised, Mr. Speaker, to remember the old rule that he should let people assume he is stupid instead of opening his mouth and proving it.

Now, Mr. Speaker, let me finish, since I have only a moment or two left. This legislation, Sir, is irretrievably flawed because it is retroactive. It is wrong, Sir, it should not be passed. It will be a sad day for this House of Assembly and this Province if this legislation is passed. And I simply say to hon. ladies and gentleman opposite that they have

it in their hands to do it or not do to do it and I simply say to them that each of them should weigh his or her own conscience. That is all it comes down to.

AN HON. MEMBER:

A free vote.

MR. ROBERTS:

No, no free vote. They should think through the issues and realize what it is they are doing, and realize that never before in the 150 years this House has sat has this ever been done, never before have we rewritten the statute books retroactively. I doubt if it has ever been done anywhere in Canada. I doubt if it has ever been done anywhere in the United Kingdom, or in the United States. In fact, in the US the Constitution prohibits it. But I say to hon. ladies and gentlemen opposite they are starting on a slippery slope. Let them take counsel, let them realize what they are doing. I implore them not to adopt this bill. I, Sir, am going to vote for the amendment and I am going to vote against the bill when it comes as well.

Thank you very much, Sir.

MR. SPEAKER (Aylward):

The hon. Minister of Justice.

SOME HON. MEMBERS:

Hear, hear!

MR. OTTENHEIMER:

Mr. Speaker, I do not intend to speak long on this matter but I would like to express a few views. I think the figure has already been said and I am told that it is quite a conservative estimate, that we are thinking about \$26 million or \$27 million in all. People have told me -

MR. TULK:

What companies are involved?

MR. OTTENHEIMER:

I did not interrupt the hon. gentleman or his colleagues. I do not intend to speak long but I think I am entitled also to speak without interruption, the same courtesy I extend to hon. members opposite.

It is possible that it could be up around \$50 million, but let us say at least \$27 million, About \$6.7 million of that with respect to Kruger and the rest of it with respect to the possibility in the Baie Verte mines and various fishing plants. So what we are talking about is roughly \$26 million, \$27 million, and concentrating on the Kruger aspect of it, about \$6.7 million. Now hon. members can say if this legislation is not passed, as presented by the government, does that mean that the Kruger mill is doomed to failure? No, nobody can say that. Nobody can say that. When asked the question will it be an important factor, and obviously it has to be, among the various liabilities from the predecessor company which Kruger has identified and prepared for a \$6.7 million bill under this heading is not among them. So certainly it is a factor. Nobody can say that if this legislation is not passed that Kruger is doomed to failure, but one must recognize that this \$6.7 million is an amount which Kruger has not provided for, has not anticipated in its financial responsibilities and obviously it is a factor in the company which is preparing to take over a mill which has been unsuccessful, a company which has very carefully and very closely planned its financing where there is federal government involvement, provincial

government involvement, bank involvement, and the equity of Kruger itself. So it certainly is a factor. Now only a person with gifts of prophecy can say exactly how. Only a person who pretends to know the future can say that if we do not pass the legislation that the government has put forward Kruger will go under or that Kruger will survive. Nobody can pretend to read the future. But obviously 6.7 million additional dollars, additional liability on a company which is taking over a mill which is destitute, whose former owners have walked away from, obviously that is a factor. Nobody claims to be a prophet, nobody can claim for sure, but what it comes to is this, are hon. members opposite willing to play Russian roulette with the jobs at stake in Corner Brook? That is what it comes to, Russian roulette.

SOME HON. MEMBERS:

Hear, hear!

MR. OTTENHEIMER:

Russian roulette is not a sure thing.

MR. BARRY:

Will you permit a question?

MR. OTTENHEIMER:

When I am finished the particular points I am making I will be glad to. I have never played Russian roulette, fortunately, but I understand with the revolver there is one bullet in the six chambers, so it is one out of six. I tell the hon. gentlemen opposite, if they feel their luck is that good, if they are that good gamblers let them play it with themselves, not with the lives of the people of Corner Brook.

SOME HON. MEMBERS:

Hear, hear!

MR. OTTENHEIMER:

We hear a great deal about nobody likes retroactive legislation. Everybody realizes that. Nobody particularly likes retroactive legislation but when you come to the crunch between doing something which is not ideal, which nobody desires, either that or an action which is tantamount to playing Russian roulette with the livelihood of thousands of people, I myself will prefer to do something which one does not like doing but which helps protect the livelihood of those thousands of people.

So that is essentially what is comes down to. Nobody can say for sure what the effect of this \$6.7 million will be. But obviously \$6.7 million is not \$67, obviously it is a considerable sum of money. I do not think hon. member or women on this side are willing to play Russian roulette. If hon. gentlemen on the Opposite side are willing to play it, fine, that is their prerogative. One can get on a white horse and say 'retroactive legislation! never, never, never! It wipes out all of our rights!' That is a very fine position to take, a very great theoretical position to take, one can give courses in law school, one can make speeches with respect to the sanctity of the law and it should never be changed, as if the law were a fourth person in a Blessed Trinity. The law is there to serve people, that is what it is there for. It is a social instrument to serve people. It is not like the ten commandments from on high. Human law is made by human beings in human institutions to serve human purposes. And when human purposes are better served by changing the law then damn it

we will change it.

SOME HON. MEMBERS:

Hear, hear!

MR. OTTENHEIMER:

I was about to yield to the hon. gentleman's question but before so doing I think I -

MR. BARRY:

On a point of order. You had finished your debate.

MR. OTTENHEIMER:

No, no.

SOME HON. MEMBERS:

He yielded to let you ask your question.

MR. SPEAKER (Aylward):

Order, please!

MR. OTTENHEIMER:

No, Mr. Speaker, on that point of order. The Leader of the Opposition (Mr. Barry) asked if I would yield to a question. I said I would yield to his question, I sat down to hear his question, and he did not seem to have one. But I have not yielded.

MR. BARRY:

But you sat down.

MR. OTTENHEIMER:

Right. But the hon. gentleman cannot have it both ways. I sit down, as I did before, to yield to the hon. gentleman's question, then he said I could no longer speak.

MR. SPEAKER:

Order, please! A question from the Leader of the Opposition by leave.

MR. OTTENHEIMER:

Well, it is not by leave. I do not lose my right to continue my

speech.

MR. SPEAKER (Aylward):

By leave, the hon. Leader of the Opposition on a question for the minister.

MR. BARRY:

I can understand. We will go easy on the Minister of Justice. He got carried away in his debate and he forgot that he was under instructions from the House Leader to make a motion. He got so carried away with his own rhetoric he forgot, Mr. Speaker. Unfortunately that is what happened to the Minister of Labour (Mr. Dinn).

I would like to ask the Minister of Justice, since Kruger sought this in the collective agreement that it negotiated with the workers, but gave up on presumably for other concessions, and since it is not in the agreement signed with government, why does not government include in this act another clause to reduce the salaries of the employees to a quarter of what they now are just to make sure the Kruger operation is going to survive? I am sure that that will be helpful to the Kruger operation also.

MR. SPEAKER:

The hon. Minister of Justice.

MR. OTTENHEIMER:

Mr. Speaker, this government is not interested in reducing workers wages, it is interested in preserving workers jobs, and that is what this legislation is all about, preserving workers jobs and refusing to play Russian roulette with their livelihood. If hon. gentleman want to play that game that is their privilege. And when an election comes I think that is a fair question. Let the Liberal

- NDP coalition go forward, either separately or together, whichever they wish and say, 'Our main point is this that under no circumstances will there be retroactive legislation.' Let the NDP and the Liberals tour the whole Province together or one after the other, or whatever.

MR. FENWICK:

On a point of order, Mr. Speaker.

MR. OTTENHEIMER:

A point of order from our Socialist friend.

MR. SPEAKER (Aylward):

A point of order, the hon. member for Menihek.

MR. FENWICK:

The member opposite is inferring that I agree with the legislation except for the retroactivity. I do not agree with the retroactivity, I do not agree with the legislation. Let him get it right.

MR. SPEAKER:

Order, please!

To that point of order, there is no point of order, just a difference of opinion.

The hon. Minister of Justice.

MR. OTTENHEIMER:

Well, Mr. Speaker, the hon. gentleman has solved one question we were asking ourselves. They will not be going together, they will be going one after the other.

SOME HON. MEMBERS:

Hear, hear!

MR. OTTENHEIMER:

They will be going seriatim. First there will be the Liberals, then there will be the Socialists,

and they will not be able to go together because although they are both against the retroactive part of it, the Liberals are for the rest of it and the Socialists are against every God blessed thing.

SOME HON. MEMBERS:

Hear, hear!

MR. OTTENHEIMER:

So they will not be going together, they will be going one after the other, not as a duet. So that is a very important factor that I am sure the people of Newfoundland will be very glad to know.

So now we have to ask ourselves, the two hon. gentleman when they do not go together, when they go one after the other.

AN HON. MEMBER:

(Inaudible) parties.

MR. OTTENHEIMER:

Well, they are made up of gentlemen, they have not yet elected any women, because they do not seem to be able to attract any women members. We have three over here.

SOME HON. MEMBERS:

Hear, hear!

MR. OTTENHEIMER:

If the hon. members were not frequently so patronizing when they refer to the women members here they might attract a few more women candidates and attack a few more women voters.

SOME HON. MEMBERS:

Hear, hear!

MR. OTTENHEIMER:

We have listened to their condescending, patronizing, sexist, anti-female rhetoric.

SOME HON. MEMBERS:

Hear, hear!

MR. OTTENHEIMER:

So let them tidy up their act if they think they are going to get any substantial support from the women voters of this Province, who know darn well which party has put forward a Status Of Womens Council and which party has brought in The Matrimonial Property Act, and which party has furthered - there is still a lot of work to be done - the position of women in this Province during the past three or four years more than ever before.

SOME HON. MEMBERS:

Hear, hear!

MR. OTTENHEIMER:

So the hon. members can campaign on that as well if they want to. Let them compare their record when they were in government for twenty-two years and what they did when for the women of the Province with the Peckford Administration in since 1979 and what they did. That would be a good point of comparison as well.

But the one I started out with, I was not sure if the hon. parties - I cannot call them hon. gentlemen now, I have to call them hon. parties - when these hon. parties are going to the people they will not be going together, they will be going one after the other, but one of the points that they will be making in common - I suppose that is the coalition aspect of it - is that retroactive legislation is never permissible. So let them go and canvass the Province and see if the people are going to flock to the polls to support that. And let this government then go with the proposition that we do not like retroactive legislation, but if it is

necessary to protect the jobs of thousands of people, if the choice is to play Russian roulette with the livelihood of thousands of people, then we will go for retroactive legislation. That is a fair choice, that is a fair difference. I think the people will support us, but if hon. gentlemen opposite want to go on that theory -

MR. HISCOCK:

You want people to knuckle under, that is all you want.

MR. OTTENHEIMER:

The hon. gentleman from Labrador has dropped in and is interrupting me again. My voice is very weak, I have a bit of a cold and I cannot speak strong enough to overcome the hon. gentleman's interjections, so I will have to ask the protection of the Chair.

But really what it comes down to is this, there are those people in the House who are willing to play Russian roulette with other people's lives and we are not. That is the difference.

SOME HON. MEMBERS:

Hear, hear!

MR. OTTENHEIMER:

And the next point -

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER (Aylward):

Order, please!

MR. OTTENHEIMER:

On the next point, I wish to (inaudible).

MR. SPEAKER (Aylward):

Order, please!

Order, please! It is very

difficult to hear what any of the members are saying. If we can keep down the noise we can get on with our business.

MR. BARRY:

On a point of order, Mr. Speaker.

MR. SPEAKER:

The hon. Leader of the Opposition, on a point of order.

MR. BARRY:

The minister had terminated his debate on two occasions and taken his seat, Mr. Speaker. We permitted him on one occasion to proceed by leave, but not on the second occasion. My friend to my left, the member for Bellevue (Mr. Callan), had risen to participate in the debate.

MR. MARSHALL:

To that point of order, Mr. Speaker.

MR. SPEAKER:

Order, please!

To that point of order, the hon. President of the Council.

MR. MARSHALL:

Mr. Speaker, the hon. gentleman had not taken his seat. As a matter of fact, Mr. Speaker, I can certify that I took the hon. member's seat. The hon. gentleman has given the most eloquent speech in this House for a long period of time.

SOME HON. MEMBERS:

Hear, hear!

MR. MARSHALL:

And if the hon. gentlemen have not been brought to their knees by the eloquence of the hon. gentleman, nothing will make them. But the hon. gentleman, I can certify, Mr. Speaker, never sat down, I took

his seat from him.

MR. SPEAKER (Aylward):

To that point of order. I was watching the hon. Minister of Justice (Mr. Ottenheimer) and I was concerned that he might not have taken his seat. But he did not actually sit down. In the meantime, there has not been an intervening speaker recognized.

The hon. Minister of Justice.

MR. BARRY:

On another point of order, Mr. Speaker.

MR. SPEAKER:

The hon. Leader of the Opposition, on a different point of order?

MR. BARRY:

Yes, Mr. Speaker. The point of order I would like to make is that the minister has -

SOME HON. MEMBERS:

No way.

MR. BARRY:

Mr. Speaker, I think there is something happening outside here in terms of radios. I do not know if we have any electronic eavesdropping devices in the House.

MR. SPEAKER (Mr. Aylward):

Order, please!

The door of Hansard was open, that might explain that.

The hon. Leader of the Opposition, on a point of order.

MR. BARRY:

Yes, Mr. Speaker, it is going to be a long evening here, and a long night, and a long morning. But, Mr. Speaker, when members opposite have important messages to deliver, we would like to see

them deliver them before they sit down, so that we do not become embroiled in interminably points of order throughout the evening or we are never going to get on to the next amendment to The Labour Standards Bill. As a matter of fact, we may never get on to Committee of the Whole on this bill. There are several weeks of debate left on Bill 37, we may be able to compress it into two or three days, but Mr. Speaker -

MR. SIMMS:

You are trying to use up the Minister's time. State your point of order right away.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER (Aylward):

Order, please! Order, please!

MR. BARRY:

Mr. Speaker, the point of order is that I believe the minister is out of order to resume speaking after he had taken his seat.

MR. SIMMS:

He just ruled on that.

MR. BARRY:

Was that the ruling? There was so much noise going on over there, Mr. Speaker, I could not hear.

MR. SPEAKER (Aylward):

Order, please! If the hon. Leader of the Opposition has a point of order I would ask him if he would make it.

MR. BARRY:

Mr. Speaker, the point of order is that if we have motions to make we should try to make them before we sit down.

MR. SPEAKER:

Order, please!

To that point of order, there is not a point of order.

The hon. Minister of Justice.

MR. OTTENHEIMER:

Mr. Speaker, I will not continue because apparently the hon. gentlemen opposite do not wish to hear, I cannot convince them. They want to play Russian roulette with the livelihood of other people that is their privilege.

I would, however, move that the House not adjourn at 11:00 P.M.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER (Aylward):

Order, please!

I understand that there is a motion before the House right now that the House do not adjourn at 11:00 o'clock. As I understand it, the question is to be put immediately without debate.

MR. OTTENHEIMER:

Yes, that is right.

MR. SPEAKER:

Order, please!

Shall the motion carry?

All those in favour of the motion signify by saying "Aye".

SOME HON. MEMBERS:

"Aye".

MR. SPEAKER:

All those against, "Nay".

I declare that the motion is carried.

The hon. member for Bellevue.

MR. CALLAN:

Thank you, Mr. Speaker.

Mr. Speaker, I want to deal with several points raised by the Minister of Justice (Mr. Ottenheimer). It is interesting to note that the Minister of Justice (Mr. Ottenheimer), who is one of the most learned gentleman on the government side of the House, a former Leader of the Opposition and so on, had no arguments against this bill. In the absence of good, solid arguments regarding this bill, Mr. Speaker, the Minister of Justice (Mr. Ottenheimer) decided to make a humorous ten or fifteen minutes out of his talk. He decided to entertain his colleagues on his side of the House in particular, and perhaps some people in the galleries as well.

MR. NEARY:

They are grasping for straws over there.

MR. CALLAN:

Mr. Speaker, I do not know how many people across the Province are surprised by this tactic used by this government. If people are surprised they should not be because we have seen many, many examples before of this sort of tactic being used by this administration. Right here, of course, what we see is a piece of legislation which is retroactive to 1978. We have seen this same government, which talks about the fact that they may themselves have to pay out \$27 million if this legislation is not passed, we have seen this same administration, Mr. Speaker, spend millions upon millions of dollars to try and change things in this Province. We saw the infamous court case regarding the offshore oil dispute and who owns it, and of course the Premier won his last election on

it. But it cost \$3 million to the taxpayers of this Province and what did it prove? It proved, of course, what the Premier and his colleagues already knew. It was ruled by the Supreme Court of this Province and the Supreme Court of Canada that indeed the government in Ottawa, the federal government owned the offshore and not this Province. So there was \$3 million gone down the drain where this government was trying to change something that was established a long, long time ago. The difference about this piece of legislation, Mr. Speaker, is that they cannot blame it on the former administration. That is the interesting thing about this, that you are not changing a bill that was brought in during the days of J.R. Smallwood and the Liberal Government. They are talking about a piece of legislation back in 1978 when, of course, the same gentleman who is now the Premier was also in the Cabinet of the day. So that is the difference here.

Mr. Speaker, the Minister of Justice (Mr. Ottenheimer) was talking about members on this side of the House and how if we want to we can play Russian roulette with this and with the jobs of these people. And he tried to convey the impression that it was only the people on this side of the Legislature who are against this bill. Mr. Speaker, let me read from a telegram, which I am prepared to table, of December 6 to the Leader of the Opposition (Mr. Barry). It says, "Two of the ministers on that side of the House, Rideout and Dinn, have made statements to the media leaving the impression that workers at Baie Verte mines are in agreement with the suggested amendments to Bill 37."

MR. DINN:  
I never said it.

MR. CALLAN:  
"This impression could not be further from the truth. The workers at Baie Verte mines are strongly opposed to the amendment as suggested. To think that the Government of the Province, which proclaims its policy to be Newfoundlanders first would bow down to an outside company and take away retroactively the right of the people who it supposedly is looking after is terrifying to anyone who believes in justice. I suggest that if this legislation has to be amended, that discussions and consultation be carried on with the other parties, the workers affected. Under no circumstances should this legislation be retroactive." And that, Mr. Speaker, is signed by Gerald Dwyer of Local 7713 of the United Steelworkers of America. So it is not just the people on the Opposition benches, Mr. Speaker, who are against this legislation.

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

MR. SPEAKER (McNicholas):  
A point of order, the hon. Minister of Labour.

MR. DINN:  
Mr. Speaker, the hon. member is leaving the impression - I cannot speak on behalf of the member for Baie Verte - that I said that the people down in Baie Verte agree with this legislation. At no point in time, and you can check Hansard, did I make that statement. What I did say was that the people in Baie Verte, when they saw that the company in Baie Verte was in trouble, i.e., there was a strike in India, they

said to the company, "We will forgo the Labour Standards Act and we will agree, company, that you can close." That would have been outside the act. What I also said was that even though the employees agreed on the basis the company wanted to be able to close down even though the employees agreed to allow the company to do that, under section 3 of the act it states fairly clearly, "Subject to this act," section 3 (1), "any term or condition in a contract of service whether entered before or after the coming into operation of this act that confers upon an employee conditions less favourable than the rights, benefits or privileges conferred upon such employees pursuant to this act is void." So what I said was that the employees agreed with the company. I did not say that the employees agreed with the bill that is before the House, but that the employees essentially agreed with what we are doing in this Act. But that even though they did agree it had no bearing on what they could do down the road with respect to putting that company into bankruptcy. That is what I said, Mr. Speaker, and I want the hon. gentleman to know that.

MR. BARRY:

To that point of order, Mr. Speaker.

MR. SPEAKER (McNicholas):

To that point of order, the hon. Leader of the Opposition.

MR. BARRY:

First of all, Mr. Speaker, ministers, the Premier and others opposite have very clearly given the impression that the workers of this Province are in agreement with this legislation. They are now backing water, as well they

should when they are caught out, when they know that the workers of the Province realize that the dollars are coming out of their pockets, the dollars are being taken away from them, Mr. Speaker. But what the hon. minister has said would indicate, and perhaps the minister would nod if he agrees, that maybe what should be amended here is clause (3) because the minister is admitting that the workers at Baie Verte, as is the case with the workers at Corner Brook, do not intend to press their claims under the Labour Standards Act. So maybe it is clause 3 that the minister should have before us for amendment to permit the case of a temporary layoff that workers could, in writing, validly waive any claims they might have if they so wished after due consultation to longer termination under the Labour Standards Act.

MR. NEARY:

They are backing water like a squid.

MR. SPEAKER:

Order, please!

MR. DINN:

Further to that point of order.

MR. SPEAKER:

To that point of order.

MR. DINN:

Under no circumstances would the government agree to amend clause 3 so that the provisions of the Labour Standards Act would not protect workers because there are some workers in this Province who need to be protected by law, by the minimum standards of employment in this Province. The Leader of the Opposition (Mr. Barry) recommends that we reduce clause 3.

MR. BARRY:

Just with respect to temporary layoffs.

MR. DINN:

Clause 3 is a very important section in this piece of legislation, it protects workers in this Province from minimum wage and all the rest of it. So no, Mr. Speaker, in answer to the hon. Leader of the Opposition's recommendation, we would not amend clause 3 with respect to nothing.

MR. BARRY:

If I could have the final shot at that point of order, Mr. Speaker.

MR. SPEAKER (McNicholas):

To that point of order, the hon. Leader of the Opposition.

MR. BARRY:

I think we are both out of order by doing it but what is sauce for the goose is sauce for the gander. Mr. Speaker, I think the most outrageous leap in logic that has ever been taken in this House was taken by the Minister of Labour when he said, sanctimoniously, with self-righteous indignation, that no way would he amend section 3 because that is protection for the workers and prevents the workers from being able to waive the rights that are given by the Labour Standards Tribunal. Mr. Speaker, how ludicrous when he has prepared retroactively to take away the rights without consultation, without the workers even being in agreement. Mr. Speaker, that leap of logic boggles the imagination, and it could only be a minister, Mr. Speaker, who is desperate to cling to the trappings of his office who would engage in such an attempt at cynical deception.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER (McNicholas):

Order, please! Order, please!

To that point of order, there is no point of order. Members on each side took the opportunity of explaining their point of view.

The hon. the member for Bellevue.

MR. CALLAN:

Thank you, Mr. Speaker.

Before I was so rudely and unnecessarily interrupted by the Minister of Person Power, Mr. Speaker, I was saying that it is not just the members on the Opposition benches who are against this. I talked about the workers in Baie Verte.

Mr. Speaker, anybody who has read the weekend Evening Telegram is also aware that 'The national representative of the Canadian Paperworkers' Union says that he does not agree with controversial Bill 37 that it should be retroactive to August 1, 1978. Art Kelly of Grand Falls said Friday in an interview that on principle alone he disagrees with retroactive legislation, any retroactive legislation.' But Bill 37, of course, naturally, he is against it. Art Kelly, of course, Mr. Speaker, "who represents more than 2000 paperworkers at the Bowater mill and Abitibi-Price mills in Grand Falls and Stephenville, said it was always his understanding that temporary layoffs at the mills did not come under the Labour Standards Act. However, he said that that interpretation changed when Bowater shut down the No. 7 machine in April, 1983, and when that occurred, he said, the Labour

Standards people told the unions it came under the act and employees who were laid off should have been given the necessary notice." So, Mr. Speaker, as a result, here is what we have today, this piece of legislation in front of us.

Mr. Speaker, as the member for the Strait of Belle Isle (Mr. Roberts) indicated earlier, this sets a precedent, and that is what it does, Mr. Speaker, because it has never been done in this Legislature before where legislation of this kind has been brought in and is retroactive for about six years.

This piece of legislation, Bill 37, is setting a precedent, Mr. Speaker, but it is not the only one. It is a strange way we deal with bills in the Legislature, Mr. Speaker. This afternoon we were dealing with Bill 52, now we are dealing with Bill 37, and in a few days from now, we will be going back another couple of paces to deal with Bill 35, which is "An Act To Provide For Payment Of Financial Assistance For Students Attending Post-Secondary Educational Institutions."

MR. BARRY:

Now, how does that save jobs?

MR. CALLAN:

Now, on this one, Mr. Speaker, it says on page 6, 'Regulations' - regulations in this particular bill - 'may be made with retroactive effect.' Section (3) on page 6: 'Regulations may be made with retroactive effect.'

So this bill that we are dealing with, Bill No. 37, Mr. Speaker, is just the tip of the iceberg as far as what this government is up to in the way of bringing in

retroactive legislation.

As I said earlier in my few remarks, Mr. Speaker, this is not the first time that we have seen this government try to turn back the hands of time and try to make things right just because they thought they were right. We saw it, of course, with the offshore court case, we saw it also with the water reversion court case, another one that this Province lost, costing the taxpayers of this Province millions of dollars. And, Mr. Speaker, this little pamphlet that I have here confirms what we saw in the weekend paper and we heard through the media, on the radio stations and so on, all weekend we heard what this administration has been preaching about Bill 37. Mr. Speaker, how much did it cost the taxpayers of this Province? How much does a full page ad in the weekend edition of The Evening Telegram cost the taxpayers? And we are told here that the provincial government advertisement explained the reason for Bill 37, 'a controversial bill which Premier Peckford is trying to get passed in the House of Assembly over protest from the Opposition parties is being explained'. The reason for this campaign, we are told, is to explain to the public by way of advertisements and newspapers and on radio what it is all about. And, of course, it is in The Western Star, it is in The Evening Telegram, it is in all the Robinson Blackmore publications, it is in The Newfoundland Herald, and there are thirty second commercials also running on major radio stations across the Province, another total and absolute waste of taxpayers' money, Mr. Speaker. And, of course, just as we have seen

before this type of legislation fail in the courts, so, Mr. Speaker, we have seen this type of tactic as well. This administration, because they know their argument is weak and they know they are wrong, they will try to brainwash the people of this Province by putting out pamphlets and all kinds of propaganda. And, of course, we have seen this, as well, we will see the Premier ask for a half hour on Province-wide television, or he will put out a pamphlet like this one here and place it in liquor stores all across the Province, bearing a picture of the member for Burin - Placentia West (Mr. Tobin) on the cover.

SOME HON. MEMBERS:

Hear, hear!

MR. CALLAN:

'Who cannot negotiate?' And I wonder how much this Tory propaganda cost the taxpayers of this Province.

Mr. Speaker, as I was saying, when this crowd know that they are onto a losing cause, in the absence of good, solid arguments -

MR. MORGAN:

Ed Roberts is in the House? Obviously it is a big night in the House.

MR. CALLAN:

The former Minister of Fisheries (Mr. Morgan) is the master of innuendo. Mr. Speaker, you would expect the former Minister of Fisheries to be on his feet debating this bill, trying to justify its existence but, Mr. Speaker, the member for Bonavista South has not spoken since the Legislature opened on November 8.

MR. SIMMS:

He still said more than you have.

MR. CALLAN:

He may have been here in the House, and talking about people who have not been here, but he has not spoken once except, of course, as he is doing now, Mr. Speaker, speaking out of order. The former Minister of Fisheries is upset, Mr. Speaker, because his big, fat Cabinet minister's salary is gone. He can blame no one but himself, Mr. Speaker. If he had his just reward, his fat Cabinet minister's salary would have been gone long, long ago.

MR. TOBIN:

Who? The Minister of Forestry?

MR. CALLAN:

No, the former Minister of Fisheries (Mr. Morgan) I am talking about. He was asked by the Public Accounts Committee, a committee made up of members from both sides of the House - and the member for Baie Verte - White Bay (Mr. Rideout) was on it; I think he was Chairman of the Public Accounts Committee at the time - which suggested that the Minister of Fisheries should resign. Three times he was told by persons who had no political axe to grind that he should resign. Of course, he never did resign and he was never asked to by the Premier. The Premier condoned the Minister of Fisheries' acts, Mr. Speaker.

Now, Mr. Speaker, you see what is happening in the absence of solid arguments from that side of the legislature. We see the member for Burin-Placentia West (Mr. Tobin) over there heckling and interrupting and he is not even in his own seat, Mr. Speaker. He would love to have a permanent seat right behind the Premier's chair but his seat is up there.

SOME HON. MEMBERS:

Oh, oh!

MR. CALLAN:

Mr. Speaker, I would like to be heard in silence.

MR. SPEAKER (Dr. McNicholas):

Order, please! Order!

The hon. member for Bellevue.

MR. CALLAN:

Mr. Speaker, the former Minister of Fisheries -

MR. MORGAN:

He has been in the House three hours, a full session this year. I was watching your time, three hours. You are drawing a salary as an MHA and practicing law all day. You are a disgrace, drawing a big salary as a lawyer and spending only three hours in the House all year.

MR. CALLAN:

I have the right to be heard in silence, Mr. Speaker.

MR. SPEAKER:

Order, please!

MR. WARREN

Name him, Mr. Speaker.

MR. CALLAN:

Mr. Speaker, the former Minister of Fisheries knows that he should neither be seen nor heard.

MR. MORGAN:

Carry on, colleague, carry on

MR. SPEAKER:

Order, please! The hon. member has asked for silence and he is entitled to that so I ask all hon. members to afford him that right.

The hon. member for Bellevue.

MR. CALLAN:

Thank you, Mr. Speaker. The former Minister of Fisheries knows, as all bad boys and girls know, that he should be neither seen nor heard and while he is talking about somebody else who is not -

MR. MORGAN:

I will be heard, do not worry.

MR. CALLAN:

Mr. Speaker, I want to be heard in silence.

MR. MORGAN:

Carry on my friendly colleague from Bellevue (Mr. Callan).

MR. SPEAKER:

Order, please!

The hon. member for Bellevue.

MR. CALLAN:

Mr. Speaker, that seems to be a trend that is growing by leaps and bounds, members on the government benches talking about people from this side of the legislature who are not in regular attendance here in the House of Assembly. Mr. Speaker, there is a quotation in the bible apparently that they have neither heard nor read for if they had they would remember it. It says, "Why beholdest thou the mote that is in thy brother's eye and seest not the beam that is in thine own eye, ye hypocrites!" Why do you not look at your own benches and see the gentlemen who come here. When they come to St. John's for a load of freight they come here and they come here to pick up their pay cheques. So it is silly nonsense for the member from Bonavista South (Mr. Morgan) to be talking. Mr. Speaker, it is quite obvious and quite plain to the people in the gallery and to the members of this legislature,

it is quite obvious to anybody why this government is so adamant and so determined never to allow the television cameras inside the legislature as they have in Ottawa and as they have in legislatures all around. It is quite obvious, Mr. Speaker, what a spectacle the former Minister of Fisheries is making and members opposite who think the fact that we are driven into a night session is a laughing matter and a joke.

MR. MORGAN:

At least it gives some of your colleagues a chance to come to the House. Law offices are not open in the evening.

MR. NEARY:

Sing us another cowboy ditty like Voices in the Wind.

MR. MORGAN:

So now you are defending your buddy, the member for the Strait of Belle Isle (Mr. Roberts).

MR. CALLAN:

Mr. Speaker, I want to be heard in silence.

MR. SPEAKER (Dr. McNicholas):

Order, please!

The hon. member for Bellevue.

MR. CALLAN:

Mr. Speaker, I want to finish off my few remarks because obviously I do not intend to spend another ten or fifteen minutes here listening to the innuendo that is coming across from the member for Bonavista South (Mr. Morgan)

MR. MORGAN:

It is not innuendo, it is fact. The member for the Strait of Belle Isle is never here.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please! The hon. member for Bellevue (Mr. Callan) has asked to be heard in silence. I do realize that there is a certain amount of provocation but I would ask all hon. members to give him that courtesy.

MR. CALLAN:

Mr. Speaker, in conclusion I want to say that we are against this bill, especially the retroactivity aspect of it but, unlike what the Minister of Justice (Mr. Ottenheimer) was saying, we are not alone. All across this Province there are union leaders and union members and all fair-minded, honest, decent citizens are against this sort of retroactivity in this piece of legislation, Mr. Speaker.

MR. TOBIN:

Are you saying everybody who is against this bill is a Liberal follower now?

MR. CALLAN:

Mr. Speaker, I am not going to answer a question from a member who is not even in his own seat and therefore if he wanted to ask a question would not have the right to ask it. Why does the member for Burin-Placentia West (Mr. Tobin) go and take his own seat and then if he wants to stand and ask a question, of course, I will entertain it. But, Mr. Speaker, we are against this piece of legislation and if we have to stay here all night we will stay here all night and talk against it.

MR. SPEAKER (Dr. McNicholas):

The hon. member for Eagle River.

MR. HISCOCK:

Mr. Speaker, as the member for

Bellevue (Mr. Callan) has pointed out, it is rather a joke that after five years of the Premier being in power this is the only night sitting that we have ever had with regard to a piece of legislation, not counting the Day of Mourning. Other speakers talked about how much this is going to save the companies. Not FPI, FPI is bankrupt and we have to bail it out. The new Minister of Fisheries for Canada (Mr. Fraser) has told the union in Newfoundland that they are going to bail it out and they have to settle the strike with FPI or else no money. So we have the heavy hand there of Ottawa basically telling the unions again what to do.

But, Mr. Speaker, part of this legislation that is makes Bill 37 retroactive back to August 1, 1978. The Minister of Labour (Mr. Dinn) has known ever since December 16, 1981 that this legislation was being appealed to the Labour Standards tribunal, and what did he do? With regard to the fishing companies, the Baie Verte mine as well as Bowater owing a lot of money without this amendment, all that money would not be owed if the minister had acted in 1981. Probably what would have been owed basically would be about \$750,000. What did the Premier do when the problem developed at Baie Verte? The Premier wanted to have the chairman of the board come and have a meeting with him because the company did give a half-decent layoff notice. What the Premier do with regard to EPA when Mr. Steele decided to move to Halifax, and what the Premier do with Bowater when Bowater decided to pull out? The answer in each case was he threw a tantrum and ended up being very, very

anti-business. And now it has come home to roost; we have the highest rate of unemployment in Canada and the lowest rate of foreign or Canadian investment of all the provinces. We now realize with regard to the recession that we are not picking up, we are not recovering, that there is more unemployment now than ever, and with the federal cutbacks we are getting more and more unemployment all the time and hence the people are beginning to turn on this administration. So what is the administration trying to do? I feel what the administration is trying to do with this bill is put up a straw man. They cannot provide new jobs, and because they cannot provide any new jobs they have to be seen as the defender of existing jobs. Therefore they bring in this piece of legislation, which does not necessarily have to be retroactive, and end up saying to the people that Bill 37 makes the best of a bad situation, Bill 37 helps keep companies operating and thus protects existing jobs. If you had a choice between receiving some retroactive pay or saving your job, which would you chose? Obviously, the answer is that you are going to save your job. Many workers in this Province have had to take a 15 per cent cut in pay and they did it voluntarily. This government is getting into a Catch-22 situation. Mr. Speaker, with regard to the retroactive clause in it, there is no need of it. But it does open up the flood gates of having other retroactive pieces of legislation and as the Leader of the Opposition (Mr. Barry) pointed out in Bill 35, "An Act To Provide For Payment Of Financial Assistance For Students Attending Post Secondary Education Institutions," on page 6, "The regulations may be made

retroactive effective" and "this act is deemed to come into effect on September 1, 1983." We do not know what the changes are in the Canada Student Loan programme;, the way it is administered in this Province, we do not know what the new regulations are going to be, but the government has again opened up the flood gates and said, "retroactive legislation is not really of much concern to our people." As the Minister of Justice (Mr. Ottenheimer) said, we are not going to play Russian roulette with people, we are going to change the law and bend it to the situation at the time. But as I said, Mr. Speaker, this is not our parliamentary system. This is not what our system is based on, as the member for the Strait of Belle Isle (Mr. Roberts) said, the Magna Carta, the Charter of Rights, our own Constitution. If we are concerned about the idea of some companies owing \$27 million, which the Minister of Justice said could go up to \$50 million, just remember that the Premier did not hesitate to have a Day of Mourning which cost this Province something like \$80 million. This retroactive clause should not be there. We should pass a law which spells out how much notice must be given for temporary layoffs. This Bill 37 has only been brought in as a result, Mr. Speaker, of the economic situation.

If Wabush Mines, which is now beginning to recover with record profits, if all the companies in this Province were having record profits, what would the end result be? This legislation would not be taken from the books, it would not be made retroactive. The end result would be the Premier would take the attitude that he took with IOC, "You are raping Labrador," the same attitude he

took with Bowater, "You raped Newfoundland for fifty years, it is about time you pay." When the Minister of Culture, Recreation and Youth (Mr. Rideout) was on this side of the House back in 1980, he brought in a resolution. As far as I am concerned, and I probably might be corrected on this, I believe it was passed but nothing ever came of it.

"WHEREAS the economic well-being of many of our people is dependent upon the utilization of our non-renewable resources; and

WHEREAS companies and corporations can and reap profit benefits from the exploration of these resources; and

WHEREAS those have been exhausted and such companies and corporations can and do pull out of this Province leaving behind economically depressed areas;

BE IT THEREFORE RESOLVED that this House cause to be established a Select Committee on Resource Management, and that the said select committee (1) be empowered to advise the House of Assembly of the advisability and feasibility of the Province becoming a partner of full development of all non-renewable resources, (2) establish a non-renewable resource fund to be funded by the industrial exploiters. One of the chief purposes of such a fund would be to provide financial assistance to the area when non-renewable resources have been exhausted and to help attract alternate industries.

MR. NEARY:

A quorum, Mr. Speaker.

MR. SPEAKER (McNicholas):

Call in the members.

Quorum

MR. SPEAKER:

Order, please! There is a quorum present.

The hon. member for Eagle River.

MR. HISCOCK:

Mr. Speaker, the resolution stated:

The establishment of a non-renewable resource fund to be funded by the industrial exploiters, one of the chief purposes of such a fund would be to provide financial relief to areas where non-renewable resources have been exhausted and to help attract alternate industries; and

BE IT FURTHER RESOLVED that the Committee have power to sit in and out of session and to send for papers and other documents and generally exercise the power which may be conferred upon the commissioners under the Public Enquiries Act, Chapter 314 of the Revised Statutes of Newfoundland (1970); and

BE IT FURTHER RESOLVED that the Committee is authorized to sit from place to place throughout Newfoundland and Labrador.

That Committee, Mr. Speaker, was struck. That Committee went around this Province. We have not heard from it to this day. I stand to be corrected on some of this, but if a non-renewable resource fund had been established by the industrial exploiters - if that was passed then Wabush mines, Baie Verte and the others would have them - possibly the retroactive part of this bill could be paid for out of these funds. But the end result, Mr.

Speaker, was not. At the time the member got a lot of publicity from it, but, as I said, nothing ever came of it. We still see, according to the Premier, exploitation. The Leader of the Opposition (Mr. Barry) has pointed out, we in this Province are now being told by the Premier and by the new Prime Minister to toe the line and to go pro private investment and get rid of this anti-business attitude. A new wave of anti-unionism is sweeping across the country, and I think, Mr. Speaker, this is what the Province is appealing to. This appeals to the core group in this Province, which is urban and fairly higher paid than most people in this Province, which looks upon unions as an evil and basically blames unions for economic conditions in this Province. And this is what the government hopes to appeal to. As the Minister of Justice said, if there was an election tomorrow and the Liberals and the NDP and the Conservatives went out and tried to sell the message of who was protecting which job and whether you wanted to stand up for the principle of retroactive pay, then the end result would be obviously the majority of the people would end up going for making the best of a bad situation. But I would say, Mr. Speaker, that this government has a responsibility to the people of this Province whom it governs and that is if they bring in bad legislation in this Province then the government is the one who should foot the bill, not taking money that is supposed to go to the workers and the employees of this Province. We do not have the right to turn around and take something away once it is given by law. We can change The Income Tax Act, if we so desire, retroactively, we can change the

sales tax and we can go on and on, if you start opening the floodgates as we see now in Bill 37 and Bill 35. This is becoming a new attitude on the part of government.

I remind the Minister of Labour (Mr. Dinn) of something that occurred when we brought in a piece of legislation extending Workers' Compensation to fishermen, which I believe was May 28. A fisherman in my district got caught up in a gurdy and was paralyzed, a man who was never on welfare one day in his life. I asked the Minister of Labour if it were possible to make that retroactive to cover this constituent. We went to the Ombudsman, we went to the Minister of Justice (Mr. Ottenheimer), and, of course, to the Minister of Labour, who said, we cannot do that because if we do that for that person, there are a couple of people beyond that. So as much as the person was and is suffering, the decision was we cannot make anything retroactive.

When we were trying to help a person who has contributed to the economy of this Province all his life, and now he is in a wheelchair, is paralyzed, and had to go basically on Workers' Compensation and on welfare and lose his dignity, when I asked if that person could be tied into that on the weekend it happened, the answer was no. But retroactive legislation it available to the large corporations in this Province, and I do not believe they even asked for it. Certainly Kruger has not. With regards to the fish plants, they are out of the question all together because we own them and we back them up. I believe if we as a Province can

waste \$80 million on a Day of Mourning with all our debts, and the money we owe, then I think we should bite the bullet ourselves, pay this \$27 million and learn from our mistakes instead of passing their consequences on to other people. But no the government will not do that, they will pass it on to the general population of our Province.

It is a wonder the Minister of Energy (Mr. Marshall) does not say to Newfoundland Light and Power, 'The \$1.5 million that you owe consumers in this Province, do not give that back to the consumers. We want that because of our debt.' It is surprising he has not come up with that suggestion.

Mr. Speaker, to return to the topic at hand, a piece of retroactive legislation is an extremely dangerous thing. The Minister of Justice (Mr. Ottenheimer) gets up and says that we are playing Russian roulette with the people of this Province. We are not playing Russian roulette with the people of this Province. The Minister of Justice and the Premier are holding a gun on the workers of this Province and saying, 'You accept this legislation or nothing.' That is basically what it is, Mr. Speaker. They brought in a piece of poor legislation back in 1978, discovered the mistake in 1981, and now in 1984 we are bringing in a piece of legislation to change it. And as much as the general population probably do not understand this, and as much as the Opposition, NDP and Liberals, will have to bear the brunt and probably be painted as not standing up for the workers because we are against retroactive legislation principles, Mr. Speaker, we will just have to take

our chances on that.

But this government, as I said, Mr. Speaker, is one of the anti-union governments in this country. We saw what they did to strikers at the College of Trades, who I believe were out for nine months. We saw what they did with the nurses. We saw what they did with the teachers. And we know what they are doing to the policemen, whose contract expired long ago.

Mr. Speaker, it is not good enough to hang your hat on the premise that we are in debt in this Province and therefore we cannot afford to pay our workers. If that is what we are hanging our hat on, then I say this government is not only financially bankrupt but bankrupt of ideas as well and has no right to be sitting across from us in this hon. House. They should call an election and get some fresh ideas. I think we need a change of environment which would welcome foreign investment as long as it follows the environmental rules, as long as it follows the laws of the land. But no company has the right, no matter how powerful, no matter how many jobs it provides, no company has the right to come to this House of Assembly and say either you change this law or else we will not come in. Mr. Speaker, if Kruger does not take over the mill, another company will. Because this government is perceived by the people of this Province as not being able to provide new jobs, they are now painting themselves as the saviours and protectors of existing jobs, Mr. Speaker. They are saying to the people, 'Continue to support us because if you do not support us then the economic situation could be a lot worse

than it is.'

Mr. Speaker, I believe that is also the theme of Bill 37 and their propaganda about making the best of a bad situation. What situation? Who got the Province into this? Who got the people into this? And why did it take so long to bring this into the House and why was it brought in at this time? Why was it not done before? They say this party and the NDP are playing Russian roulette with the people of this Province. Mr. Speaker, it is about time for the people of our Province to wake up and realize in the thirteen years of Conservative Administrations we have seen the closure of one industry after the other. We have seen one industry and companies being alienated. We see the Premier is not having anything to do with the leaders of our unions. The government now acts by divine right. I think the perfect example of trying to act by divine right is to ignore the laws of the land altogether. As the member for the Strait of Belle Isle (Mr. Roberts) said, you would have to search through the records of this House for the past 150 years to find other pieces of legislation that have been made retroactive. Who, again, is this money being saved for, Mr. Speaker? They are saving the money for the businesses which the present Minister of Culture, Recreation and Youth (Mr. Rideout) used to call industrial exploiters. The Premier wanted the Chairman of Bowater and the Chairman of IOC to come here to explain what they were doing to this Province. Now, Mr. Speaker, because of the economic situation they are reopening the mine in St. Lawrence, telling our people that if they want jobs they have to suffer the consequences and die a

slow death. The same thing applies with regard to the dust problem in Baie Verte.

MR. DINN:

Oh, good God. Do not be so stupid.

MR. HISCOCK:

Mr. Speaker, there have been no changes in legislation to toughen up Occupational Health and Safety regulations. We are not coming down hard on those companies even though Wabush Mines now has record profits. After this legislation is brought in and those companies save money, we are not telling those companies to put that money back into research or put it back into improving industrial safety. We are not saying that to them, This only amounts to more dollars, more dividends for the shareholders of the companies, Mr. Speaker.

With regard to Baie Verte, we own Baie Verte outright through guaranteed loans, so the only companies affected here are Wabush Mines and Kruger. And even the Minister of Forest Resources and Lands (Mr. Simms) would agree that Kruger has never asked that this legislation be brought in for its benefit, even though the government is telling the people of Corner Brook and the West Coast that the Liberals and the NDP, are trying to close down the Corner Brook mill and put their jobs in jeopardy government is trying to save their jobs by Bill 37, and government asks them, 'Now which one do you prefer?' There is no such thing as telling the people this legislation had to be brought because it was bad legislation in the first place. I remember when the Minister of Consumer Affairs and Communications (Mrs Newhook) was Minister of Municipal Affairs, she brought in a piece of

legislation which was supposed to be the most comprehensive piece of legislation the Department of Municipal Affairs ever brought into the House of Assembly, either this House of Assembly or the former one in the Colonial Building. The next year that legislation had to be brought back and revised. I remember when the matrimonial legislation was brought in it was supposed to be a milestone, a real champion for women in this Province, but the next year they had to bring in new legislation to revise that. If we go through most of the bills here we find out a these bills are revised and revised and revised. Mr. Speaker, are they being made retroactive? No, they are not being made retroactive, Mr. Speaker. And the reason why is because it goes contrary to the spirit of what this House and all parliaments are here for and that is to bring in laws to protect people. So, Mr. Speaker, I believe very, very strongly that the amendment we have put forward is a sensible amendment. It was unfortunate to see so learned a man as the Minister of Justice (Mr. Ottenheimer), who gave a very eloquent and powerful speech, get so carried away with it that he sat twice before he moved his motion. With regard to his speech, Mr. Speaker, it was unfortunate to hear the Minister of Justice, a former Speaker, a former President of the Commonwealth Parliamentary Association and a most learned man with regard to law get up and talk about Russian roulette.

Then the Minister of Education (Ms Verge), level one I believe, on the law itself ended up asking, 'What would you do?' As the member for the Strait of Belle Isle (Mr. Roberts) pointed out, bad as this law is it was going

before the courts this week and the courts were going to decide whether it would rule in favour of the employees or in favour of the company. Mr. Speaker, what did the government do? Did the government let the law take its course? If you get a bad piece of legislation, then you either let it go through the courts - which was happening in this case - or change it. Mr. Speaker, this government short-circuited the court. It did not short-circuit the court, though, when it came to the offshore but spent millions of dollars preparing a case, put it in the courts and lost. So, Mr. Speaker, I for one, as I said, and this side of the House, both parties, will be voting against this piece of legislation. We are not playing Russian roulette but doing what we should do as the Loyal Opposition, protecting the rights of the people of this Province and making sure that the rights of parliament will not be trampled no matter how many eloquent speeches the ministers and the Premier may get up and give, no matter how much propaganda they spread with radio and TV announcements. We will not neglect our duty. We will continue to stand and fight until this government withdraws this piece of legislation.

Thank you, Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER (Russell):

Is the House ready for the question on the amendment? All those in favour of the amendment 'Aye'.

SOME HON. MEMBERS:

Aye.

MR. SPEAKER:

Those against the amendment 'Nay'.

SOME HON. MEMBERS:

Nay.

MR. SPEAKER:

The amendment is defeated.

MR. BARRY:

Divide.

MR. SPEAKER:

Call in the members.

### DIVISION

MR. SPEAKER:

Order, please! The time for the division has elapsed. Those in favour of the amendment, please stand.

The hon. Leader of the Opposition (Mr. Barry), Mr. Callan, Mr. Neary, Mr. Tulk, Mr. Hodder, Mr. Hiscock, Mr. Warren, Mr. Fenwick.

MR. SPEAKER (Russell):

All those against the amendment, please stand.

The hon. Minister of Rural, Agricultural and Northern Development (Mr. Goudie), the Hon. Minister of Education (Ms Verge), the Hon. Minister of Career Development and Advanced Studies (Mr. Power), the Hon. Minister of Health (Dr. Twomey), the Hon. Minister of Justice (Mr Ottenheimer), the Hon. President of the Council (Mr. Marshall), Dr. McNicholas, the Hon. Minister of Culture, Recreation and Youth (Mr. Rideout), the Hon. Minister of Municipal Affairs (Mr. Doyle), the Hon. Minister of Labour (Mr. Dinn), the Hon. Minister of Forest Resources and Lands (Mr. Simms), the Hon. Minister of Public Works

and Services (Mr. Young), the Hon. Minister of Consumer Affairs and Communications (Mr. Newhook), the Hon. Minister of the Environment (Mr. Andrews), Mr. McLennon, Mr. Baird, Mr. Peach, Mr. Cross, Mr. Stewart, Mr. Alyward, Mrs Reid, Mr. Hearn, Mr. Patterson, Mr. Osmond, Mr. Greening, Mr. Reid, Mr. Brett.

MR. SPEAKER:

The vote is as follows, eight for the amendment and twenty-seven against the amendment. The amendment is defeated.

The hon. President of the Council.

MR. MARSHALL:

Mr. Speaker, we are now back on the main motion of the bill itself and this is pretty serious business. I have heard, I have seen and we have witnessed in this debate some pretty irresponsible actions and some pretty irresponsible statements. And I point to the hon. member for Eagle River (Mr. Hiscock), who was the last speaker, and I remember he made the statement that if Kruger does not take it there is another company that will.

MR. OTTENHEIMER:

The Liberal Party will take it over.

MR. MARSHALL:

Now that is the way the hon. gentlemen there opposite are operating. They are operating on that premise and that premise is completely and absolutely incorrect. The fact of the matter is that Corner Brook was destined to become a ghost town some two years ago, just like Bell Island. And this government enticed Bowater, who were reluctant, I might say, to do it, to put out an offering circular to the

industries throughout the world. It did that and as a result of that it got a certain number of bidders. And from those bidders, Mr. Speaker, let there be no doubt, there was only one bidder who was capable of taking over Corner Brook and give Corner Brook the future that everybody in this Province wishes to see Corner Brook have. There was only one company, Mr. Speaker, that was prepared to do the various things that were necessary with respect to Corner Brook.

MR. BARRY:

I would like to rise on a point of order, Mr. Speaker.

MR. SPEAKER (McNicholas):

The hon. Leader of the Opposition, on a point of order.

MR. BARRY:

I will not interrupt the minister because I am sure he is going to make a good speech. But I do believe that we have to bring to his attention the necessity for relevance. It has been made clear that we are debating Bill 37. The Government House Leader (Mr. Marshall) had a choice: He could call the Kruger Bill again, put that on the Order Paper, and as a matter of fact we will let him do that by leave so that we can go into Committee of the Whole and finish the Kruger Bill, finish the deal with respect to Kruger, have that passed, have it signed and sealed and then we can debate Bill 37.

But the debate on Bill 37, Mr. Speaker, has nothing to do with the Kruger. Bill 37, by the Premier's own admission in this House of Assembly, will not prevent the Kruger deal from going ahead. I ask that the minister be relevant and direct his remarks to

why the rights of workers of this Province should be taken away retroactively.

MR. MARSHALL:  
Mr. Speaker.

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

MR. MARSHALL:  
What I am saying is very relevant to this debate, because this bill happens to be an essential prerequisite to the entry of Kruger into Corner Brook itself. I join issue with the hon. gentleman, because what I am saying now is that unless this bill is passed, Mr. Speaker, we risk the same chilling experience that occurred when the unions originally did not believe that Kruger was going to withdraw from Corner Brook, but it did withdraw. We all remember that we all experienced the chill of their leaving Corner Brook at that time. Then we realized, Mr. Speaker, that there was only one alternative to Bowater in Corner Brook and that was Kruger. And what I am doing in speaking on this, the relevancy of it, Mr. Speaker, is I desire to impress upon this House that I do not want to see this happen again. And it would certainly be disastrous if it happened in this House after this House was privy to the knowledge which has been given to the members of this House, because the fact of the matter is that this Labour Standards Bill is not only necessary for the purpose of protecting the jobs of people in this Province and in various industrial activities, but it is also very essential to the immediate entry of Kruger into Corner Brook. So therein lies the relevancy, Mr. Speaker, if you want to rule on the point of order.

MR. SPEAKER (McNicholas):  
To that point of order, I must say that from the comments so far the hon. the President of the Council does appear to the Chair to be relevant.

The hon. President of the Council.

MR. MARSHALL:  
I suggest to the hon. gentlemen there opposite who say that somebody else will come in, we have a company here prepared to undertake the complete modernization of the four machines which are presently in operation within three years or less and there is \$200 million being pledged on modernization for that purpose. We have a company, Mr. Speaker, that is prepared to undertake, to use its best endeavours to minimize any shutdowns and will minimize any shutdowns during the modernization period. We have a company that is prepared to undertake to carry out a capital modernization programme of \$167 million, which will be \$200 million with government money. We have a company that is prepared to undertake to employ former employees of Corner Brook in carrying out the capital programme. We have a company that is prepared to comply with the policy of local preference. Yes, we have a company that is prepared to comply with a policy of local preference. Yes, Mr. Speaker, we have a company that is prepared to review the provisions of the Bowater Act to improve the provisions of the act with respect to forest management.

Now do any members of this House or any people in Newfoundland seriously wish to jeopardize the entry of that company into Corner Brook, as we will be doing if we delay the passage of this bill or

if this bill is not passed? The hon. gentlemen, you see, Mr. Speaker, want to construct their own scenario in this and they cannot be allowed to do it. They sit back and they contend that this is not essential to the entry of Kruger to Corner Brook. Well, the government which has participated in the negotiations has been instrumental in getting Kruger into Corner Brook, say that it is, and it is quite reasonable that it is. I will get to the point of retroactivity in a moment, because it is not really in all its senses a retroactive act, but the application of that act would mean that there would be an extra liability of \$6.7 million. Now does anybody seriously feel, on the one hand, a concern like Bowater would sell its endeavour not knowing whether its purchase price is going to be plus or minus \$6.7 million? On the other hand, Mr. Speaker, does anyone seriously feel that Kruger is going to purchase the mill not knowing whether the purchase price is going to be \$6.7 million more or less?

I think it is quite obvious. We are about, Mr. Speaker, here probably the most serious business that has ever engaged this House in its history. We have a situation where we are attempting to protect the industry in Corner Brook. We have worked very hard to do this. We are very glad that we have got Kruger in. Kruger is a good, strong company that has managed to survive downturns in the industry. We have got them into Corner Brook. And the one thing that I regret most about this debate, because the hon. gentlemen can accept the fact and they must know that this bill is going to go through, but the one thing that we object to and I

really, really find regrettable about this debate is because of, and with compliments of the hon. gentlemen there opposite Kruger comes into the West Coast of this Province somewhat under a cloud as a result of the antics and the playing of games and playing with the lives of people by the hon. gentlemen there opposite. And that is exactly the situation. We say purely and simply that this bill has to go through for the purpose of the entry of the Kruger into Corner Brook. It also has to go through not just for Kruger, Mr. Speaker; it also has to go through for the protection of jobs in the fishing industry and the Baie Verte mine and everywhere else. Because when you want to talk about retroactivity, Mr. Speaker, let us look at retroactivity. In 1973 what was the situation? Employers were required under an act that was then there of The Notice Of Termination Act to give an employee notice of termination equal to the employees paid period, and that was usually one or two weeks. Then in 1973 that act, The Notice of Termination Act, was replaced by the Termination of Employment Act, and this required longer periods of notice where a large number of employees were to be laid off "permanently", and that was to word used, not temporarily but permanently, and the length of the notice period varied with the number affected. Now that particular act defined a temporary layoff as a layoff of not more than thirteen weeks in any period of twenty consecutive weeks, and termination of employment was defined as a layoff for a period of longer than a temporary layoff. So that is the retroactivity, Mr. Speaker, that is what we are putting back into

the act, what was understood at that particular time, and what was understood in 1979. Otherwise you get the ludicrous situation where employers in this Province, or industries starting up in this Province who want to lay off for two weeks, have to pay large amounts of money in lieu of notice and the economy just cannot stand it and the industry cannot stand it. And that just does not apply to Kruger, Mr. Speaker, it applies to the fishing industry and it applies to Baie Verte mines and it applies to everywhere.

Now, Mr. Speaker, the union in Corner Brook, I understand, and the Minister of Labour (Mr. Dinn) has confirmed this, that the union in Corner Brook has spoken out in favour of this measure, that they understand it. I believe, and it has been confirmed from the statements made by the member for the Strait of Belle Isle (Mr. Roberts) and the member for Eagle River (Mr. Hiscock), as well as others I am sure, that there has been a certain amount of deserved pressure put on the Liberal Opposition for their obstruction of this act. I do not know whether the hon. gentlemen understand what they are doing when they are playing their little games. Do you realize that you are jeopardizing the jobs in the Corner Brook mill and the future of Corner Brook and the West Coast? That is precisely and actually what you are doing, and we saw it in their faces today, Mr. Speaker, they did not believe us so we debated the Kruger Bill out in second reading and all afternoon, as hon. members will recall, very nervously they were asking us, "Are you going to put it in the Committee? Are you going to put it in the Committee?" - that is the Kruger Bill -

because the thing is if we put it into Committee it would have proven their point and surely we would have put it into Committee if that were the only thing necessary for Kruger. And you could see their faces at adjournment today when they saw the seriousness of the situation. Now do you all on the other side realize the enormity of what you are about? And what they are about, Mr. Speaker, is ruining the future of Corner Brook, turning Corner Brook into a possible ghost town, making the pulp and paper industry, which is the hub of the West Coast and Corner Brook, completely and absolutely inoperative, ruining the future of people not only in Corner Brook but of all towns on the West Coast. That is what they are about.

Do the hon. gentlemen for one moment think that this government wants to bring in what they style retroactive legislation? It does not happen to be retroactive legislation, just confirmatory of intent.

I ask the hon. gentlemen there opposite to just consider why would a government bring in legislation of this nature if it did not feel it was necessary for the economic well-being and the future of a very integral part of this Province. The mill unions in Corner Brook recognize it, everybody realizes it, yet you hear such irresponsible statements from the Opposition that if Kruger does not take it there is another one that will take it. Did you ever hear such an airy-fairy, irresponsible statement?

So, Mr. Speaker, I just want to draw to the attention of the hon. gentlemen there opposite that when

they are playing their political games, they are playing with the lives of the people of Corner Brook and all Newfoundlanders know it. The Government of this Province engaged in negotiations with Kruger and have told this House that this is essential for the Kruger takeover.

MR. HISCOCK:  
Not true.

MR. MARSHALL:  
Not true? What possibly does the hon. gentleman know? When he was up and speaking in this debate all we heard were banalities and irrelevancies. The fact of the matter is, Mr. Speaker, that this is an irresponsible action on the part of the hon. gentlemen there opposite.

Now, Mr. Speaker, this is the people's House, and this House is here to serve the people of Newfoundland. We feel that we are serving the people of Newfoundland, so we are not disposed in this House, Mr. Speaker, to permit the hon. gentlemen to pay their little political games at the expense of the workers in Corner Brook. They can exercise their democratic right within the rules, but we are not going to endure delaying and obstruction tactics because the people of Corner Brook deserve better. So, therefore, Mr. Speaker, I move, pursuant to Standing Order 40, seconded by the hon. the Minister of Forest Resources and Lands (Mr. Simms), that this question be now put. And I so move.

SOME HON. MEMBERS:  
Shame! Shame!

MR. SPEAKER (Aylward):  
Order, please!

SOME HON. MEMBERS:  
Closure! Closure!

MR. MARSHALL:  
The hon. gentlemen do not know the difference. It is not closure.

MR. BARRY:  
It is closure by another name.

MR. MARSHALL:  
The hon. gentleman there opposite know that we have sat here for two or three days and we have heard immature people on the other side prolonging debate out of their own political opportunism. After all, if you have a Leader of the Opposition (Mr. Barry) who does not care what his own constituents say when they elect him by a majority as a Progressive Conservative, and for his own sense of opportunism goes over to the other side, so how can we have any faith in what he is going to do, or the Opposition, since it is led by such an opportunist?

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

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

MR. BARRY:  
Now, Mr. Speaker, what we have before this House right now is the sneakiest, most devious, most underhanded attempt to invoke closure that has ever been experienced, not just in the history of this House, Mr. Speaker, but I would submit in the history of any democratic parliament.

Mr. Speaker, I draw your attention to Order 50, which is not the Standing Order under which the minister rose. Standing Order 50, Mr. Speaker, is the normal closure

motion and Standing Order 50 says, "Immediately before the order of the day for resuming an adjourned debate is called, or if the House be in Committee of the Whole, or of Supply, or of Ways and Means, any Minister of the Crown, who, standing in his place, shall have given notice at a previous sitting of his intention to do so, may move that the debate shall not be further adjourned, or that further consideration of any resolution or resolutions, clause or clauses, section or sections, preambles or preambles, title or titles, shall be the first business of the Committee, and shall not further be postponed; and in either case such questions shall be decided without debate or amendment; and if the same shall be resolved in the affirmative," Mr. Speaker, "no member shall thereafter speak more than once, or longer than twenty minutes in any such adjourned debate."

So in the most dramatic, Mr. Speaker, in the most serious step that a government can take to cut off Opposition debate, there is a provision that there be time for debate given to the Opposition after that motion. And we now have the Government House Leader (Mr. Marshall) pretending to this House, Mr. Speaker, that he is able to cut off debate on a motion when there has been only one member from the Opposition, myself, who has spoken on the main motion. We have the Government House Leader pretending that under Standing Order 40 he is entitled to get up and put the previous question and thereby close off any further debate from this side of the House. Mr. Speaker, if this motion is upheld then the House of Assembly is a complete farce. Why, Mr. Speaker, is that provision in Standing Order 50

there? Why is it there, Mr. Speaker?

MR. SIMMS:

Read Standing Order 40.

MR. TULK:

Read Beauchesne. You are wrong.

MR. BARRY:

Which is the one he referred to, yes. Yes, that is the one, Mr. Speaker. And if the Government House Leader (Mr. Marshall) is able to get up and close off debate under Standing Order 40 only when one member of the Opposition has spoken on a main motion, what is the need for Standing Order 50?

MR. TULK:

That is right.

MR. BARRY:

What is the need for a closure motion? And, Mr. Speaker, that Standing Order 50 in all its seriousness provides the Opposition an opportunity after the motion has been made to have further debate. Are we then to assume that a minister can stand up in this House at any point in time and close off debate when only one member of the Opposition has spoken?

There has been one member of this Opposition, Mr. Speaker, myself, who has spoken on the main motion. The other members have spoken on the amendment which was just voted on. Mr. Speaker, this is a serious matter which goes to the privileges of this House and to the members on this side of the House.

MR. SIMMS:

It does not.

MR. NEARY:

You are absolutely wrong. You were sitting in the Chair when I moved the previous question one time and you ruled me out of order.

MR. SIMMS:

That was different.

MR. NEARY:

Yes, you were sitting in the Chair then.

MR. BARRY:

Mr. Speaker, Your Honour should carefully check the precedents of this House, the precedents of the House of Commons and the precedents of every other parliamentary democracy, but he will not find, Mr. Speaker, that a government is permitted to close off debate without even invoking closure and giving the Opposition the protection that is afforded even by those rules, minimal though that protection be. And, Mr. Speaker, let us not forget that closure, in the times that it has been invoked - and I would say you could count them on the fingers of one hand that it has been invoked either in this Assembly or in the Parliament of Canada - it has been, Mr. Speaker, after days and weeks of debate. Now these are serious points on a serious matter, and I am almost finished but, Mr. Speaker, it should be noted that in terms of the length of time that debate has proceeded on Bill 37, all told, we are -

MR. NEARY:

Four days.

MR. BARRY:

Yes, I would say it is close to four days, I am not sure if it is quite four days, but Your Honour can check that. But, Your Honour, it has not been weeks, it has not caused extensive tying up of the

business of the House. And remember, Bill 37 was not called for debate until after the Livestock Act and after the Pressure Boilers Act and after the Act To Incorporate Certified General Accountants and after the Act To Incorporate Psychologists, Mr. Speaker. That shows the urgency of government in bringing on Bill 37. This is a game, it is a cruel trick that is being perpetrated on the people of Corner Brook to create anxiety and try to score a few political points. Mr. Speaker, we ask that Your Honour carefully research the validity of that motion because, if closure can be invoked in an underhanded, devious and surreptitious fashion under Order 40, what is the point of having closure as a Standing Order under Standing Order 50? What is the point of it? It is out of order, Mr. Speaker.

MR. MARSHALL:

Mr. Speaker, to that point of order.

MR. SPEAKER (Aylward):

The hon. the President of the Council, to that point of order.

MR. MARSHALL:

The hon. gentleman obviously is not conversant with the rules.

MR. DINN:

That is right.

MR. MARSHALL:

He refers to Standing Order 50, which is closure. This is Standing Order 40, and I want this understood because I do not want to see it reported tomorrow that this is closure.

MR. NEARY:

You are closing off debate but you do not want to call it closure.

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

MR. MARSHALL:  
This is the previous question that under the rules of this House is entirely in order to be proposed by any member.

MR. DINN:  
That is right.

MR. MARSHALL:  
And, if it is resolved in the affirmative, the question is put; if it is not, that is something else. The hon. gentleman waxed eloquently about giving the Opposition protection. Mr. Speaker, I make this motion because I am more concerned with the protection of the people of Corner Brook, the people of the West Coast of this Province.

SOME HON. MEMBERS:  
Hear, hear!

MR. MARSHALL:  
We have told the Opposition about the necessity of passing this motion in order to meet the closure. We have explained it to them. The debate has gone on for four days now really on the whole question. Every member of the Opposition has spoken. And I want to say that this is not closure. This is not closure, Mr. Speaker, but we are faced with the most serious consequences that will flow from the lack of passage of this act on a timely basis. We make this motion purely and simply to protect the interests of the people of Corner Brook. It is under Standing Order 40, not Standing Order 50, Mr. Speaker.

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

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

To that point of order, the hon. the member for LaPoile.

MR. NEARY:  
I want to point out to Your Honour that on at least one, if not two occasions previously, I moved the previous question. I did. I moved it.

MR. OTTENHEIMER:  
It was Fred Rowe, was it not?

MR. NEARY:  
No, I moved the previous question on one or two occasions and so did Fred Rowe, and it was always ruled out of order, Mr. Speaker, because it interferes with and interrupts the regular proceedings of the House. And, Mr. Speaker, if we allow this precedent to be put on the record, it could mean that any time hon. gentlemen there opposite wanted to move that the original question be put, move the previous question, they could shut off debate any time they want to. And it was the former Speaker who was advising the Government House Leader earlier this evening, who has given the Government House Leader (Mr. Marshall) wrong advice, and his picture should be unchanged, it should be dethroned, it should be taken down, because that is wrong advice, Mr. Speaker. I know Your Honour is going to rise the House and research this matter very carefully, and Your Honour will discover that in this House you cannot move the previous question for the purpose of closure, to shut off debate. It has never happened before, it has not been allowed to happen before. I believe the hon. gentleman was occupying the Chair when I moved the previous question on one

occasion, and he ruled me out of order. And now, all of a sudden, the hon. gentleman is advising the Government House Leader to do what we were not allowed to do.

MR. SIMMS

It was probably ruled out for a different reason.

MR. NEARY:

No, it was not for a different reason, it is just not permitted, Mr. Speaker.

That is the only contribution I want to make to this debate.

MR. OTTENHEIMER:

Mr. Speaker, to that point of order.

MR. SPEAKER (Aylward):

Order, please! To that point of order, the hon. the Minister of Justice.

MR. OTTENHEIMER:

Mr. Speaker, and I know I am up against heavy stuff because we just saw a meeting between the N.D.P. member (Mr. Fenwick) and the Leader of the Opposition (Mr. Barry) - the N.D.P. - Liberal coalition, so I know it is heavy stuff. Number one, obviously Standing Order No. 40 is there, I do not need to read it, and it is a Standing Order of the House. It is one of the rules of the House.

MR. WARREN:

That has nothing to do with it.

MR. OTTENHEIMER:

I am not sure what the hon. gentleman was saying but I am sure he will cough it up later on.

I would point out also that in Beauchesne, it is very straightforward on page 157, 'The previous question is moved when the original question is under

debate' - the original question now is under debate because the amendment has been disposed of - 'in order to force a direct vote on it, thereby preventing' this, that and the other thing. But it says the previous question is moved when the original question is under debate, and, obviously, it is totally within the rules.

MR. SPEAKER (Aylward):

Order, please!

To that point of order. I am sure you will bear with me if I take a couple of minutes to research this.

### Recess

MR. SPEAKER:

Order, please!

First of all, to the point of order raised by the hon. the Leader of the Opposition (Mr. Barry), and generally to the question of the motion moved by the President of the Council (Mr. Marshall), after researching our index for Hansard, I find no reference to Standing Order 40. Under these circumstances I would rule that Standing Order 40 is in order. But, to clear up some of the confusion or some of the comments that were made by the Leader of the Opposition - maybe this is a misunderstanding, or maybe I just heard him wrong - we continue with debate on this debatable motion under Standing Order 49. According to Standing Order 40 there are no amendments.

MR. NEARY:

How much time do we have?

MR. SPEAKER (Aylward):

Order, please!

Each member speaking has thirty minutes, except for the Leader of the Opposition, who has one hour.

MR. MARSHALL:  
Mr. Speaker.

SOME HON. MEMBERS:  
Hear, hear!

MR. MARSHALL:  
Thank you, Mr. Speaker.

MR. NEARY:  
We thought the Hitler era was over.

MR. SPEAKER:  
Order, please!

MR. MARSHALL:  
I shall not take, Mr. Speaker, too much more time, except to explain once again the reason for placing this motion. The reason for placing this motion is to protect the interests of the people of Corner Brook and the people of the West Coast of this Province.

SOME HON. MEMBERS:  
Hear, hear!

MR. MARSHALL:  
We have been faced here in this House for the last four days with the debate on this bill that has been brought before this House, with an exhibition of immaturity. I exempt the hon. the member for Menihek (Mr. Fenwick) from it because he has his own ideas on the thing, which I disagree with, but they are validly held ideas. I am talking about the official Opposition now. We have been faced with an example of immaturity by a group of opportunists who have been prepared to place the future of the people of Corner Brook at ransom for what they perceive to be their own political advantage. As a government, Mr. Speaker, we

cannot allow this. I repeat once again, we have Kruger into Corner Brook. Two years ago Corner Brook was in jeopardy of becoming a ghost town and at the present time we have a company that is going to take over the operation in Corner Brook that is going to modernize the plant. We have an opportunity of getting No. 7 machine working again. We have an opportunity for a long time future for Corner Brook. The hon. gentlemen there opposite, particularly the Leader of the Opposition (Mr. Barry), who I am quite sure from time to time with all of his undoubted ability has acted from time to time for large corporate clients and must realize the significance of December month when income tax advantages that can be obtained by a company by taking over another company before the end of the year.

Mr. Speaker, as the Minister of Justice (Mr. Ottenheimer) put it today, we cannot afford to play Russian roulette with the lives of the people of the West Coast of this Province or indeed all Newfoundlanders. So let there be no mistake about this, that what we have done is we have not curtailed debate.

SOME HON. MEMBERS:  
Closure!

MR. BARRY:  
Be honest!

MR. SPEAKER (Aylward):  
Order, please!

MR. MARSHALL:  
We have brought a bill before this House, Mr. Speaker, to which an amendment was introduced, all members of the Opposition spoke on it, not just the amendment but the bill. They want to propose another amendment and have all

members speak on it.

SOME HON. MEMBERS:

No, no!

MR. SPEAKER:

Order, please!

MR. MARSHALL:

Their avowed intention, Mr. Speaker, is to delay and that delay, Mr. Speaker, is dangerous to the people of Corner Brook. This government is here to govern and it is not going to allow this to happen.

Now as I say, what has happened is we have seen an example of immaturity by a group of political opportunists on the other side. Who ever heard the likes of that statement made today in this House that if Kruger does not take it there will be somebody else there? Imagine making such a statement. The official Opposition statement is we will let Kruger go away and if Kruger does not go in somebody else will go there.

We have told them, in all seriousness, that this bill is necessary. And I want to say once again, too, that this bill is not just necessary for Kruger because I do not want Kruger coming in to Corner Brook under a cloud. It is going to take the efforts of everybody in this Province - management, unions, federal government, provincial government, municipal government, people on the West Coast, businesses on the West Coast, workers on the West Coast - to make this a success. Because we were on the brink of disaster in Corner Brook and we pulled it back from the brink of disaster. But the hon. gentlemen or nobody in this Province should be under any illusion that the

task is not going to be hard, that the people of this Province, the people of Corner Brook particularly, have to bend to that task. I am sure they are going to be equal to it. They are entitled to expect leadership in this and they are going to get leadership and, Mr. Speaker, we are not going to allow to be threatened by hon. gentlemen there opposite with their immaturity, their political opportunism, their lack of care for the people of the West Coast, Corner Brook in particular, this project and this takeover by Kruger.

SOME HON. MEMBERS:

Hear, hear!

MR. MARSHALL:

Because, believe you me, Mr. Speaker, it would be threatened. And let them not say for one moment that this is closure. And bear in mind, Mr. Speaker, let me say this, that we would not hesitate, if it became necessary, to bring in closure under Standing Order 50 if it were for the protection of the people of this Province.

SOME HON. MEMBERS:

Hear, hear!

MR. MARSHALL:

The provision is there in the Standing Orders and they were put there by people who are our predecessors in office. It is ingrained in the Standing Orders which were adopted from the British parliamentary practice going back over centuries. And I say that it was put there specifically for the purpose of protecting the people in the people's House from the irresponsible actions of an opportunistic, immature and irresponsible Opposition such as

we see from the actions of members opposite.

So, Mr. Speaker, they can cry and they can bawl, but if it is necessary for the people of this Province at any given time - and we can judge it at any given time, and then the people of the Province can judge us to bring in closure or to adopt any measure for their protection, we will not shrink from doing it. The only thing we will shrink from, Mr. Speaker, is allowing the 'slinks' on the other side, for their own political purposes, to attempt to bombard and to destroy a takeover of the Corner Brook mill.

Now, I want to say very seriously to the Leader of the Opposition (Mr. Barry) - who, by the way, was elected over here, as I said, as a P.C.; he did not care at the time about what his own constituents said, that they elected him as a P.C., because it did not suit his convenience; now it does not suit his convenience or his party's convenience to support it, so I discount it - but I say to the Leader of the Opposition and gentlemen there opposite that we are talking about very serious matters. This is not a Grade V classroom, this is a very, very serious measure, this bill before the House, and it is being brought in here for the protection of all the people of this Province. We were elected to protect them and we will do so.

SOME HON. MEMBERS:  
Oh, oh!

MR. SPEAKER (Aylward):  
Order, please!

MR. MARSHALL:  
So, Mr. Speaker, for one moment let nobody in this House be

deluded. The fact of the matter is it was this government that negotiated with Kruger it is this government that knows the consequences of this action and it is this government that has taken this step to protect the people of this Province.

SOME HON. MEMBERS:  
Hear, hear!

MR. MARSHALL:  
Now, we are sitting after 11:00 p.m. The fact of the matter is, Mr. Speaker, all the gentlemen there opposite can get up, and I would like everybody to listen to what they say and how relevant they are when they address the question, and they can speak, the Leader of the Opposition (Mr. Barry) for an hour, the other members there opposite for half an hour, and then we will exercise our democratic right after each member of the Opposition has spoken twice on the bill, to get up and vote as to whether one is for it or against it. That is exactly what we will do.

SOME HON. MEMBERS:  
Hear, hear!

MR. MARSHALL:  
We have seen an exercise in democracy and tonight, Mr. Speaker, I think we can look back and thank our forefathers for putting in measures such as this, which, you will note, the Opposition, who are supposed to be parliamentarians, did not even know what it was all about, and were up arguing this is closure under Standing Order 50 when it happens to be Standing Order 40.

MR. OTTENHEIMER:  
The NDP had to explain it to them.

MR. MARSHALL:

And the new member in the House, the hon. the member for Menihek (Mr. Fenwick), who has been in here for no more than two weeks, had to go down and explain to the official Opposition what it was all about..

SOME HON. MEMBERS:

Hear, hear!

MR. MARSHALL:

So, Mr. Speaker, as I say, tonight we are the beneficiaries of what our forefathers have given us to protect us against the irresponsible, immature, reckless, uncaring, opportunistic Opposition that we have there before us. I am delighted and very proud that I was able to institute this, because now hon. gentlemen there opposite can speak twice to it, then we will have a vote on the thing and we will carry the bill for the protection of the people of the West Coast and for all Newfoundlanders.

Thank you very much.

SOME HON. MEMBERS:

Hear, hear!

MR. BARRY:

Mr. Speaker.

MR. SPEAKER (Aylward):

The hon. the Leader of the Opposition.

MR. BARRY:

Mr. Speaker, remember, the member for St. John's East, the Government House Leader, the minister responsible for part of the energy department of Government (Mr. Marshall) has at times reached a low point in the course of debate in this House, but in terms of lack of honesty with respect -

SOME HON. MEMBERS:

Oh, oh!

MR. BARRY:

Let me finish! - lack of honesty with respect to the effect of the motion which he has put before this House, to say that it does not curtail debate is misleading. Now, if the member did not intend to deliberately mislead, he should clarify it, but it is misleading to say that the debate is not curtailed.

MR. MARSHALL:

Mr. Speaker, on a point of order.

MR. SPEAKER (McNicholas):

Order, please! Order, please!

On a point of order, the hon. the President of the Council.

MR. MARSHALL:

I understand, Mr. Speaker, that the hon. gentleman is smarting because of his lack of knowledge of the rules and because of the situation, but I would suggest to the hon. gentleman, when he talks about a member misleading or he talks about a member being dishonest which, in effect, is what the hon. gentleman did, the hon. gentleman is using words that are unparliamentary, that require, Mr. Speaker, to be withdrawn, and I would suggest that the hon. gentleman withdraw those accusations.

MR. BARRY:

To that point of order, Mr. Speaker.

MR. SPEAKER:

The hon. the Leader of the Opposition, to that point of order.

MR. BARRY:

Mr. Speaker, I refer Your Honour to the matters which, since 1958,

it has been ruled parliamentary to use. One of those expressions, Mr. Speaker, is 'dishonest', and that is on page 111 of Beauchesne. Mr. Speaker, I withdraw nothing. The motion put by the Government House Leader (Mr. Marshall) prevents amendments to the main motion, and if he wishes to get up before this House and say that that does not curtail debate under any definition of the term that is dishonest.

SOME HON. MEMBERS:

Hear, hear!

MR. OTTENHEIMER:

To that point of order, Mr. Speaker.

MR. SPEAKER (Dr. McNicholas):

The hon. Minister of Justice to that point of order.

MR. OTTENHEIMER:

Mr. Speaker, the hon. Leader of the Opposition (Mr. Barry) has referred to Beauchesne, page 111, which shows one entry for dishonest as being parliamentary, I would refer Your Honour and the hon. gentleman there opposite to another page.

MR. SIMMS:

Page 106.

MR. OTTENHEIMER:

Exactly page 106, "Dishonest". And there, Mr. Speaker, you will see ten attributions of dishonesty which are shown

MR. BARRY:

I only used it once.

MR. OTTENHEIMER:

Well, the hon. gentleman only used it once but he cannot wait to use it ten times. He cannot wait to use it ten times because he thrives on it. The fact is, Mr.

Speaker, that Your Honour will notice that there was one ruling and the date I mentioned, I forget it now, I think it was 1959. One will see that on page 106, 'Dishonest' has been ruled unparliamentary in 1959, 1960, 1961, 1962, 1964, 1968, 1960. It would appear to me that they are later and they are more numerous. So I think on any mathematical calculation 'dishonest' is obviously unparliamentary. But we should not in this House have to come to mathematics. There should be enough sense of decency that hon. members do not call one another dishonest.

SOME HON. MEMBERS:

Hear, hear!

MR. BARRY:

Mr. Speaker, to that point of order.

MR. SPEAKER (McNicholas):

The hon. Leader of the Opposition to that point of order.

MR. BARRY:

Mr. Speaker, I am surprised that a former Speaker of this House and another one sitting behind the Government House Leader (Mr. Marshall) attempting to mislead Your Honour -

SOME HON. MEMBERS:

Oh, oh!

MR. BARRY:

- with the implication, Mr. Speaker, that it is the number of times that a word has been accepted or rejected in debate as determining whether or not it is parliamentary. Neither is it the latest, Mr. Speaker. It is the context in which the language is used, Mr. Speaker. It is the context in which it is used in debate, Mr. Speaker.

SOME HON. MEMBERS:  
Withdraw! Withdraw!

MR. BARRY:  
And I rest my case on that point.

SOME HON. MEMBERS:  
Oh, oh!

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

To that point of order, I do not know the context in which 'dishonest' was used in these various references here nor in the one in February. But it does appear to the Chair that the term 'dishonest' might be better withdrawn.

MR. BARRY:  
Your Honour, of course it would be better to check the references, but if that is your ruling we do not want Your Honour to take the time to check the context in which it was used. So I will withdraw the term 'dishonest', and I will say, Mr. Speaker, that it is an attempt by the Government House Leader (Mr. Marshall) to mislead the House.

MR. OTTENHEIMER:  
Yes, he is just a damn liar.

MR. TULK:  
He cannot use that.

MR. BARRY:  
It is an attempt, Mr. Speaker, by the Government House Leader (Mr. Marshall) to continue the deception, to continue the cynical deception which the Premier and the Government House Leader have embarked upon ever since they got their you-know-what caught in the wringer when it became apparent what they were trying to do, Mr. Speaker, with the rights of the workers of this Province.

Now, Mr. Speaker, they have realized that there is no justification for what they are trying to do with this legislation. And they realize that the only way they would have any possible excuse or pretense for bringing legislation such as this to the floor of this House is if they can piggyback it on some other important bill.

SOME HON. MEMBERS:  
Hear, hear!

MR. BARRY:  
And they are using a trick and a pretense. And they are trying to tie it in with the Kruger Bill, Mr. Speaker, because it is so repugnant, it is so abhorrent to the basic principles of parliamentary democracy, it is so contrary to everything, Mr. Speaker, that our ancestors fought for in letting us have a House of Assembly, where we are suppose to be able to get up and debate. And for the Government House Leader (Mr. Marshall) to continue that deception by getting up and saying that the motion under Standing Order 40 does not curtail debate, which is what he said, as Your Honour knows and as all members know, that will prevent further amendments of the main motion and debate thereon.

Now, Mr. Speaker, if that is not a curtailment of debate would somebody tell me what it is? It is misleading, Mr. Speaker, and a deception, a cruel, cynical deception for the Government House Leader to come to this House and pretend that with a motion such as he has brought debate has not been curtailed. Your Honour, your predecessor in the Chair this evening said that he could find nothing in Beauchesne with respect to this motion. I would submit to

Your Honour it is because such a shameful use of this motion has never before been contemplated. We have sunk to new lows in this House of Assembly. The Government House Leader (Mr. Marshall) has brought this House to a new low. He has brought, Mr. Speaker, the process of parliamentary debate to a new low by attempting to cut off debate, Mr. Speaker, after one member on this side of the House had spoken to the main motion. He stands up in his place and sanctimoniously pretends that that is not an interference with the rights of the members of this House of Assembly.

Now, Mr. Speaker, if the press is doing their job the message will get out, loud and clear, that we have had this attempt at deception of the people of this Province. Mr. Speaker, you do not mind a little bit of propaganda once in a while, you do not mind them trying to sneak a few taxpayers' dollars, although we will criticize it every time we see it, but, Mr. Speaker, it is accepted that when a government gets into trouble, when they get desperate, they will try and use the taxpayers' dollars to spew out their propaganda, to try and confuse the issue, to try and cover up what they are doing.

But, Mr. Speaker, it is bad enough that they are engaging in a propaganda war outside the House of Assembly while debate is going on within - and I would say that is an historical first in this Province; that is bad enough, that is shameful enough, that is despicable enough, Mr. Speaker - but what cannot be condoned and what will not be condoned by members on this side, and, I will submit, what will not be condoned by the people of this Province, is the way in which the Premier and

the Government House Leader (Mr. Marshall) are playing upon the anxiety, the very real concerns and anxieties of the people of Corner Brook who are waiting to see what will happen with respect to the Kruger deal. Mr. Speaker, that is the cruelest thing that I have seen, and I have seen them do some bad things, but that was the cruelest thing that I have seen members opposite do, to use the concerns of their fellow Newfoundlanders, men and women in Corner Brook, who-

MR. DINN:

False concerns.

MR. BARRY:

False concerns, the minister says. That is not a concern of the minister that the men and women of Corner Brook have, since Bowater announced it closure, been concerned and worried as to whether they will have their jobs by the end of this year.

The Minister of Labour and Manpower (Mr. Dinn) is not concerned that the people of Corner Brook have anxieties as to whether their jobs will remain when this year is over. Now, Mr. Speaker, we have that from his own mouth, it is recorded in Hansard, and we will be shipping this entire debate out to the people of Corner Brook, Mr. Speaker. And the little thirty second ads that have been fluttering across the airwaves, Mr. Speaker, they are not going to stand up in the real light of day when the people of this Province see the real debate that went on here and the real reasons that we have government opposite playing the games with people's lives that they are engaged in right now.

Mr. Speaker, we have the Premier

standing up in this House and admitting that Bill 37 is not necessary in order for the Kruger deal to go through. Now he said that. We take him at his word. He said that. But, Mr. Speaker, because they have sunk so low in the polls that they have to get some new initiatives started, they have decided, Mr. Speaker, to try and start on the West Coast and try and malign the Opposition by pretending, Mr. Speaker, that our speaking out against retroactive legislation in some way is going to delay the Kruger deal.

MR. TOBIN:

I can tell you about another group saying that and it is not from Corner Brook either.

MR. BARRY:

Well, maybe the member will inform us. Maybe he will stand on his feet, maybe he will have the courage to get up and let the people of this Province know where he stands on taking away the rights of the fish plant workers in Burin-Placentia West. Let the member have the intestinal fortitude to stand on his feet instead of squawking from somebody else's chair across this House.

MR. SPEAKER (Aylward):

Order, please!

MR. BARRY:

The member can keep quiet, go over and sit down in the corner where he belongs, and stand up at the right time in this debate, because the member will never see the inside of a Cabinet room, Mr. Speaker, until he learns how to debate in this House, until he learns enough to get up in the course of debate and let people know where he stands on legislation like this. And we will wait, Mr. Speaker, to hear

from the member for Burin - Placentia West (Mr. Tobin) and where he stands on protecting the rights of the fish plant workers to have what they are entitled to under the existing labour standards legislation. Let us see where he stands, let us hear from him. Now, Mr. Speaker, we have a cynical trick, playing upon the anxieties of the people of Corner Brook, for no other reason than that members opposite realize that there is no justification, Mr. Speaker, for retroactive legislation. Now, Mr. Speaker, we have the telex from the workers of Baie Verte. We had the impression left, by members opposite, by the minister, that workers were not concerned and were prepared to have this legislation go through retroactively. Mr. Speaker, we have the statements of Mr. Kelly of the Paper Workers Union, who did the negotiating for the workers at Corner Brook, who said that Kruger, Mr. Speaker, raised this point during the course of collective bargaining, asked the workers to waive their rights under labour standards legislation, and they refused to do that.

MR. DINN:

Who?

MR. BARRY:

The workers of Corner Brook refused to waive their rights under the existing labour standards legislation. In the course of collective bargaining they refused.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER (Aylward):

Order, please!

MR. BARRY:

Now, Mr. Speaker, we have to assume that when Kruger did not press that point that Kruger received some other concession, in the course of negotiations they received another concession from the unions in return for giving up that demand. And now we see government, without the request of Kruger, turning around to take away rights of the workers which the company was not able to negotiate away in the course of collective bargaining. Mr. Speaker, that precedent in itself would justify us standing up in this House and opposing this bill by every legitimate means at our disposal as long as we could. That in itself, the concept of government going behind the backs of the workers after they have concluded a collective agreement, going behind their backs, Mr. Speaker, and negotiating their rights down from where they were when they walked away from the bargaining table, that process is repugnant. It is despicable for a government to stand up and ask this House of Assembly to do the dirty work, to put something through that they were not able to get in the course of collective bargaining. Now, Mr. Speaker, we are told that the company has not asked for this and, in fact, in the agreements tabled in this House there is no such provision that before the deal can go through there must be an amendment to the labour standards legislation. It is not there, it is not in the agreements, Mr. Speaker. So what do we have? A voluntary, gratuitous offering. They have not bent over far enough, Mr. Speaker, when they caved in on their forest management practices, forest management practices which the minister of level two education, the Minister of Career Development

(Mr. Power) had fought so long for and fought so well for. The first sign of trouble in the forest industry and the forest management practices are out the window. And we have in that Kruger Bill, Mr. Speaker, and this is the one serious weakness in that bill and we will discuss it more when we get to Committee of the Whole in three or four days time when we go through it clause by clause, Mr. Speaker, the fact that in that bill we have a shameful clause that reinforces that 1938 legislation and government agrees that that 1938 Bowater legislation, with the antiquated forest management practices contained therein, that that is still to be the law of this Province. Surely, Mr. Speaker, if there was anybody over there at all negotiating they could have done better than that. What were they thinking of? They have, Mr. Speaker, a general statement in the bill, and I will read it out to Your Honour so we will all know what we are talking about here, in clause 17(1) of the agreement, Mr. Speaker, 'Government acknowledges that the Bowater Newfoundland Act of 1938' - imagine that great, progressive period of 1938 - that legislation "shall remain in full force and effect." And then we have two more clauses, "Kruger agrees to cause Bowater Newfoundland Limited to complete negotiations with government over the next two years to remove provisions of the act which have fallen out of use or are redundant, spent or unnecessary for the proper operation of the Corner Brook mill." Of course, that is in the opinion of Kruger they are redundant, unnecessary and so forth. And then another clause, "Because both parties agree that modern forestry practices are essential to the

viability of the forest products industry, Kruger will cause Bowater Newfoundland Limited to study jointly with government ways to improve the provisions of the act respecting forest management." Now, there is a real tough bit of negotiating, that was some negotiating, Mr. Speaker, that managed to extract that great clause out of Kruger, "that Kruger shall cause Bowater Newfoundland Limited to study jointly with government ways to improve the provisions of the act respecting forest management." Now, Mr. Speaker, what has the government been doing since they first brought in the changes to the forest management practices of this Province? How much more study has to be done? Do we not have a Royal Commission report? What is the date of this thing? We had a task force back in 1973, I think. The 1973 federal task force on forestry suggested, Mr. Speaker, certain management practices. Now what was the purpose of having this task force in 1973 on forest management practices if the government is going to cave in the first time it has to negotiate with a company with respect to improvements in the forest management practices carried out by a company which is operating in the Province under antiquated legislation? Mr. Speaker, in 1938 the approach to the forests of this Province was an approach which dealt with forest exploitation rather than forest management. In 1938 we had none of the progressive concepts that we have been trying to develop in this Province over the last decade or so. And, Mr. Speaker, for the government opposite to stand up in this House and hold up this agreement as being the greatest thing since sliced bread when we have that

clause which indicates that they have caved in completely with respect to the management of the forests of this Province, Mr. Speaker, that is not a very good show on the part of members opposite. That is a great weakness.

MR. TULK:  
Have a quorum call.

MR. BARRY:  
Mr. Speaker, I am getting a little hoarse so I will take a little break while we get a quorum call. If members opposite are here to listen to debate they should come in the House and listen.

MR. SPEAKER(Aylward):  
Call in the members.

#### Quorum

MR. SPEAKER:  
Order, please! The three minutes have passed and there is a quorum present.

The hon. the Leader of the Opposition.

MR. BARRY:  
Mr. Speaker, the utter audacity of members opposite is almost enough to take your breath away, not completely fortunately, when they get up here and they talk about this bill being an exception for them. They get up here and say they would only engage in this type of retroactive legislation if it were necessary in order to protect the jobs at Corner Brook. And we had the Premier in fact talking outside this House, and I think inside the House as well if I recall correctly, about how terrible it was to have to engage in retroactive legislation and how

unusual it was and how only in extreme cases would he do it. Mr. Speaker, the brass of the members when that same government has another bill on the Order Paper, Bill 35, section 3, subsection (3), which not only, Mr. Speaker, talks about retroactive legislation, it is going to try and give Cabinet the authority to make regulations to affect student loans, student allowances retroactively. They are going to ask this House of Assembly, they are not satisfied with bringing in a bill to change a specific right with respect to the Labour Standards Act -

AN HON. MEMBER:  
That is not there.

MR. BARRY:  
This is Bill 35. It has been tabled in this session of the House and the section is there which says that regulations may be made with retroactive effect. Now, Mr. Speaker, what is going on over there. Is anybody reading these bills? What is the big number of jobs that is going to be protected by this bill?

MR. DINN:  
You will hear that when the bill comes in.

MR. BARRY:  
I see, we are going to hear about all the jobs that the Student Allowances Act is going to save. Now, Mr. Speaker, that bill that would permit the government, in Cabinet, in secret, behind closed doors -

SOME HON. MEMBERS:  
Oh, oh!

MR. BARRY:  
Mr. Speaker, could I have a little quite, please?

MR. SPEAKER:  
Order, please!

MR. BARRY:  
That would permit Cabinet, behind closed doors, in secret, to bring in regulations, Mr. Speaker -

SOME HON. MEMBERS:  
Oh, oh!

MR. SPEAKER (Aylward):  
Order, please!

The hon. Leader of the Opposition.

MR. BARRY:  
Mr. Speaker, it is going to be a long night. Now we can either do it civilly or we can do it in another fashion and, frankly, it does not matter to me very much which way members opposite would like to have it.

MR. TOBIN:  
Is that a threat?

MR. BARRY:  
You can take it whatever way you want, but we are going to have our say on this bill and you are not going to prevent it.

SOME HON. MEMBERS:  
Oh, oh!

MR. SPEAKER (Aylward):  
Order, please!

MR. BARRY:  
Mr. Speaker, this bill 35 would permit Cabinet retroactively, in secret, behind closed doors, to modify payments to students, payments which could be withheld, suspended, cancelled, or forfeited, so that if there were regulations prescribing that certain student allowances would be paid in the course of the year, and if students went to university on the assumption that they were

going to get that allowance, this bill, Mr. Speaker, would permit Cabinet halfway through the year not just to change the allowance for the rest of the year by regulation, to reduce the allowance that the student would have been entitled to receive at the beginning of the year, Mr. Speaker, but retroactively they could change regulations authorizing payments by the minister to educational institutions defining what shall be considered as fees and charges. Basically they can change anything relating to student allowances retroactively.

Now this is the second such bill but I have not gone through them with a fine-toothed comb to find out how many other repugnant pieces of legislation they are trying to shove through this House. On whose back are they going to try and ram through the Student Allowances Act? Once the Kruger Bill has gone through, where is the pretence going to be for getting that bill passed? Mr. Speaker, we have to draw the line right here with respect to retroactive legislation. Members opposite know that and that is why they are so sheepish and downcast and so unwilling to get in debate and why they are all sitting there like sheep, quietly and meekly, because they know they do not have a word in their mouth in order to justify what they are trying to do to the people of Newfoundland with this bill.

Mr. Speaker, we have to point out loud and clear what this government is trying to do to the rights of Newfoundlanders and it is just the tip of the iceberg as we can see from Bill 35. Even before this one is passed they are assuming that it is going to be

all right so that they have it in Bill 35, the Student Aid Act. Mr. Speaker, what is to prevent them from putting it in every act? It shows the mind set of that government, Mr. Speaker, the arrogance with which they are approaching this House and the people of this Province now.

Now, Mr. Speaker, in addition to the bogey man of the Kruger deal not going through, in addition to that cynical trick on the people of Corner Brook to pretend that the Kruger deal will not go through, they are using another bogey man and they are addressing this one to all the taxpayers of the Province, and what they are saying, Mr. Speaker, is that there is such a large amount of money that would be payable possibly that they have to act retroactively. Now, first of all there is no indication there is going to be anywhere near the amount of money that they are speaking of, and it will all depend upon whether workers make the claims that they might be entitled to, and whether the court gives the same interpretation in a month's time to the act as the Labour Standards Tribunal, and all of these are very big ifs. But, Mr. Speaker, members opposite, the government has been aware of this interpretation of the act since 1981 when the first claim was made by Wabush Mines before the Labour Standards Tribunal. Since 1981 the Premier and the Minister of Labour and Manpower (Mr. Dinn) has had the opportunity of amending this act without retroactive effect. It could have been amended in 1981, Mr. Speaker, and all of the temporary layoffs that occurred since 1981 could have been dealt with if they had put forth the legislation, the amendment that they are trying to

do now.

MR. DINN:

You would have approved it then?

MR. BARRY:

It would not have been retroactive, would it? Maybe we will have some time and explain to the Minister of Labour and Manpower just what this retroactive business is all about. Retroactive looks back.

MR. DINN:

You do not have to explain anything to me. You will take up your marbles and go home soon.

MR. BARRY:

Retroactive is the same as retrospective, it looks back. If you had passed it in 1981, then 1982 is ahead of 1981, you are looking ahead.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER (Aylward):

Order, please!

MR. BARRY:

And 1983 is ahead of 1981, as it 1984, and all of the temporary layoffs, Mr. Speaker -

MR. BARRETT:

It might mean the preservation of jobs.

MR. BARRY:

And I know we are going to have to spell it out in baby talk from now on for the Minister of Manpower and Labour (Mr. Dinn), but from 1982, 1983 and 1984, all of those layoffs would have been ahead of the amendment in 1981, you see, and it would not have been retroactive.

MR. DINN:

You never did a day's work in your life.

MR. BARRY:

What nonsense the minister goes on with, Mr. Speaker. If the minister had done his job and amended the legislation when he became aware of the problem in 1981, there would be no talk of \$27 million.

MR. DINN:

You have done nothing useful in your life, boy. Pick up your marbles and go home.

MR. BARRY:

Let us track back a little bit now, Mr. Speaker. The last great performance the minister had I think to match this was when he was going to put through a regional plan for municipalities. We all remember that one.

MR. DINN:

Where were you?

MR. BARRY:

We remember how the minister managed to carry that one through with great glory before the House.

MR. DINN:

That is right.

MR. BARRY:

He ended up skulking away from the House with his tail between his legs.

MR. DINN:

I did not get thrown out of Burin-Placentia Bay like you did, as you are going to get thrown out of Mount Scio.

MR. BARRY:

Mr. Speaker, the Minister of Manpower and Labour is shouting across the House because it stings, Mr. Speaker.

MR. TULK:  
He is upset.

MR. SPEAKER (Russell):  
Order, please!

MR. BARRY:  
The truth stings. It is not hard to know, Mr. Speaker, when you are getting close to the truth in this House, when you see members opposite starting to squirm like the Minister of Manpower and Labour because he knows that if he had made the amendment in 1981 there would have been no need of retroactive legislation. And the Premier knows. The Premier gets up in the House and says it is really, really hard for him to bring in this legislation. Is the Premier aware that it is also in Bill 35, subsection (3), that he is going to bring in retroactive legislation with respect to student aid as well?

MR. TOBIN:  
Do you know you got elected on that Premier's coattails?

SOME HON. MEMBERS:  
Hear, hear!

MR. BARRY:  
Well, I am glad to get the philosophy with which the member for Burin-Placentia West (Mr. Tobin) went into politics. I am glad to find out why he ran.

MR. SPEAKER:  
Order, please!

MR. BARRY:  
Mr. Speaker, since 1981 there have been representations made to the Minister of Labour and Manpower (Mr. Dinn) by the Newfoundland and Labrador Employers Labour Council, by other interested parties, pointing out to the minister - and we will let the minister stand

up and deny this if this is not the case - that the act should be amended to deal with the very point that is before the House and if it had been done then there would be no need for this retroactive legislation.

Mr. Speaker, this Telex from the workers of Baie Verte has one point here that should be looked at very carefully. Even, Mr. Speaker, if we assume that there are large liabilities out there, or large potential liabilities for companies of this Province, and that is a very big if, Mr. Speaker, and one that I am not prepared to assume, but even if we were to assume that, let us ask what would be the democratic way, what would be the proper way for a government to go about dealing with that problem? Listen to what the workers of Baie Verte say. 'I suggest that if this legislation has to be amended that discussions and consultation be carried on with the other party, the workers affected.'

Now, Mr. Speaker, is that such a horrible concept? Is that such a terrible thing for this government to be expected to do, that in addition to speaking to the employers of this Province, and we will have to wait and hear which employers they have spoken with in addition to Kruger, is it such a terrible thing to expect that this government might consult with the workers from whose pockets this money will come?

MR. DINN:  
Somebody said that about Bill 59, too.

MR. NEARY:  
Every labour leader in Newfoundland is demanding the Minister of Labour and Manpower's

(Mr. Dinn) resignation.

MR. BARRY:

Mr. Speaker, if it became necessary, and it has not been shown by members on this side of the House that retroactive legislation is necessary, surely it would never become necessary without this basic first step of calling in the workers to be affected and discussing the matter with them? There is such a thing, Mr. Speaker, even under the constitution, as notions of natural or fundamental justice. One of the basic concepts, Mr. Speaker, of these principles of parliamentary democracy and basic fundamental justice is that no person should have rights taken away from him without first having an opportunity to be heard.

Now is this asking too much in this instance? Would it be asking too much for the government of this Province to call in the representatives of the workers at Baie Verte or Corner Brook or Wabush or Fishery Products and lay it out on the table? If that is in fact the case, lay out the facts and figures, lay out what the liability of the companies might be and have the companies lay out their ability to pay. Because, Mr. Speaker, I have had the opportunity, involuntarily, of viewing this advertisement, this waste of the taxpayers' dollars that the Premier has seen fit to carry in all of the newspapers of this Province. Now, Mr. Speaker, this ad is misleading to the people of Newfoundland and Labrador. And I will point out how it is misleading.

Well, the Premier refers to Wabush Mines, Baie Verte Asbestos Mines, the many fish processing companies and Bowater. He talks about the

recent recession having left most of the companies mentioned either bankrupt or near bankrupt. Now, I am glad that the Premier has information, maybe we will be able to get it in the course of this debate or in the Committee of the Whole stage, with respect to the earnings of Wabush Mines over the last year. Maybe the Premier will be able to give us that information.

But the Premier's ad goes on to say that 'The retroactive wage settlement, in the case of Bowater, could prevent the sale of the mill.' Now, Mr. Speaker, that is directly contrary to what the Premier has gotten up in this House and said. Mr. Speaker, the Premier has gotten up in this House and said that this amendment is not necessary for the Kruger deal. And in the ad which he is putting out as part of the propaganda which is spewed forth over this weekend, we have, Mr. Speaker, the Premier misleading the people of this Province by saying in the case of Bowater it could prevent the sale of the mill.

PREMIER PECKFORD:

It could.

MR. BARRY:

It could?

PREMIER PECKFORD:

And when I said that, that is what I meant.

MR. BARRY:

You have yet to explain how it could prevent the sale of the mill. Where Kruger has not insisted on it in a collective agreement, where Kruger has not set it out in the agreement with government, where spokesmen of Kruger have said that they are not following this Bill 37 very

closely, are not aware of the content of this Bill, are not too concerned about the content of Bill 37, the Premier is saying that it still could prevent the sale of the mill.

PREMIER PECKFORD:

Yes. I just came from a meeting on it.

MR. BARRY:

Mr. Speaker, we will be interested in hearing about all of the meetings that the Premier has had with Kruger on this matter. I hope he will get up in this House and tell us something more than the nonsense that we have been hearing over the past several days in this House. The lack of logic, Mr. Speaker, The explanation is not there as to why this Bill 37 must go through for Kruger any more than for any other company before the Kruger deal is signed.

All I have heard the Premier say is that if \$6.7 million is paid out that this will make it more difficult for Kruger. Now, Mr. Speaker, that is very likely the case, it will make it more difficult for Kruger, because it will have less money to deal with. And, Mr. Speaker, the workers of Corner Brook will know that. And the Premier should consult with them and find out what it is that they mean when they say that they are not interested in pursuing their claim with respect to the Labour Standards Act. And if the workers of Corner Brook are prepared to forego that claim, then where is the risk to the Kruger transaction?

Mr. Speaker, the most difficult thing that I have to come back to is that we have the workers of Corner Brook saying that Kruger

anticipated this, brought it up in the course of collective bargaining, the workers would not make the concession and Kruger dropped it. Now is the Premier taking it upon himself to follow along behind the employers of this Province and to impose upon the workers items which the companies, the employers drop in the course of collective bargaining because it will make it easier for employers? Is that the approach that the Premier is going to take from now on?

Mr. Speaker, of course, the Premier was not in the House when I mentioned the one aspect of the Kruger deal that deserved a lot more debate than obviously it is going to be able to get. We will go along with the Kruger deal, we will support the passing of the legislation to approve the agreement, if that is the best the Premier could do, but, Mr. Speaker, I have to say to the Premier that the clause with respect to the forest management practices of Kruger, Clause 17 says that the 1938 Act shall remain in full force, in effect is a very sad comedown from the proud words that we heard in this House on other occasions when members opposite were proclaiming the new forest management practices of this government. And the weak and general Clauses 17 (2) and (3) which talk about Kruger and government negotiating to remove provisions which are redundant, which Kruger will have to agree with, or that they will both study jointly ways to improve the provisions of the 1938 Act, that is a far, far comedown from the proud words that we had where we heard discussion as to how important it was for the people of our Province to have modern day forest management practices

brought in.

Now, Mr. Speaker, there are foresters in this Province who believe that Bowater has had control over too large amounts of timber land. And there are foresters who believe that, in fact, the spruce budworm infestation may be due in large part to the fact that they held such a large portion of timber rights that they were not able to adequately cut and the trees became overmatured, rotted and became a good nesting ground and a good recipient for the spruce budworm, moths, presumably when they walked across the Gulf of St. Lawrence.

MR. NEARY:

A good breeding ground.

MR. BARRY:

A good breeding ground, that is the phrase I was looking for, Mr. Speaker.

In addition, Mr. Speaker, the Forest Taxation and Management Act which was brought in, which has not been able to apply to Bowater because of the 1938 Act, would see, Mr. Speaker, much money being paid if the Bowater land could be treated as unmanaged land and if, when Bowater decide to stop production, presumably they also stopped cutting, it would then become unmanaged land, there would be a sizeable tax payable, I think in the area of \$5,625,000 a year by my calculation while that timberland stayed unutilized. Now, Mr. Speaker, I mention this not because one would contemplate that one would desire this to happen but to mention that if there is any sizeable amount of money being paid to Bowater for their timber rights then that is money which may be paid

unnecessarily. We have not seen the agreement, Mr. Speaker, that exists between Bowater and Kruger. We have had references to the fact that that agreement between Bowater and Kruger contemplates that there should be certain liabilities of Bowater assumed by Kruger, but we have not seen that agreement. Are we going to see it, I wonder? Are they going to show us that agreement? And, Mr. Speaker, we have not seen what amount of money Kruger is paying to Bowater and how much of their payment represents payment for the timber rights held by Bowater. But the fact of the matter is that, as Mr. Baird has pointed out in recent letters to the editor in The Evening Telegram, there is a provision in the 1938 Bowater Act which requires the company to live up to the terms of the agreement which involves continuing to operate the Bowater mill and, when the company ceases operation of the Bowater mill, then it would lose the rights that were held under the 1938 Act. So one has to ask what is the value of these timber rights once the decision has been made by Bowater that it is no longer going to operate. If the 1938 Act were treated as void by government, Mr. Speaker, then government is in a position to negotiate from scratch. What would happen is the Forest Land Taxation And Management Act could apply and then it would be a matter of whether the government would cave in to the company when the company tried to negotiate itself out from under the new legislation which would then be applicable. But instead of that, Mr. Speaker, we have seen the government cave in to the demands of Kruger and we saw the great philosophy with respect to new forest management practices wafted

out the window like the spruce budworm moth. And we saw all pretence, Mr. Speaker, of modern forest management practices being applied to these lands following that spruce budworm moth out the window. We have seen, Mr. Speaker, this government show again a lack of ability to negotiate on principles that they state. They state their principles and the principles stated are often ones that we can support on this side of the House. Mr. Speaker, regrettably time after time we see that we have a government of words rather than of action and we see an abandonment of principles and we see no action to follow up on the brave, bold words which they use when they are here in the House of Assembly. This is another sad case where all the bold rhetoric with respect to the implementation of modern day forest management practices has gone out the window. As soon as we have the first crisis with respect to an industry, the principles are dropped and they cave in immediately to the demands of the person negotiating on the other side. On my calculations, Mr. Speaker, and they are done quickly and roughly, but in the case of Bowater the difference between the taxation from managed and unmanaged lands would be significant. I think the annual tax for their holdings under the management designation, if they are treated as managed lands, is approximately \$550,000, whereas if the lands are declared unmanaged the annual tax would be, as I said, in excess of \$5,625,000, which is the rough calculation that I made. So you are talking about an additional \$5 million in tax per year being paid while that land were left in an unmanaged state and naturally the effect

would be that no company would continue to pay \$5 million a year forever. The lands would revert back to the Province and the Province could put them to better use. And that fact had to be kept in mind in the course of the negotiations when arriving at a value to be placed upon the lands which Bowater are conveying to Kruger. The Minister of Forestry (Mr. Simms) has gone out to check those figures and maybe the Forestry Minister can get up and confirm whether these figures are in the ball park or not in the course of the debate. I am sure he is going to enter into the debate since it is a matter of such crucial importance to his ministry. But, Mr. Speaker, I only have a few more minutes, regrettably, but I am sure I can go on by leave for a while longer.

Mr. Speaker, the Minister of Justice (Mr. Ottenheimer) referred to the Opposition as playing Russian roulette with the workers of Corner Brook. Well, Mr. Speaker, the government is playing Russian roulette with the rights of all people of this Province and they are playing it with bullets in all six chambers of the gun. There is a bullet in each of the six chambers, Mr. Speaker, because this retroactive legislation, the passing of legislation such as this will not affect just the union members in this Province, will not just affect members of the trade union movement. If we permit such legislation to go through unchallenged, the rights of all Newfoundlanders are threatened, the rights of all of us are at risk. And I must say I will be very interested to hear the Premier, and I hope he will speak on this, and let us know whether the fact that it is contained in

this other legislation as well, this Bill 35, is this an indication that we have a new approach by government? Is this a new characteristic of this administration, that in every bill there is going to be a little retroactive clause? Is this going to be the new flourish that we are going to have when this government brings forth legislation, that they will either have legislation that is retroactive or, what is even worse, I suppose, legislation like this Bill 35? Bill 35 is worse in principle but maybe not in application. But in principle the notion of giving power to the Lieutenant-Governor in Council, giving power to Cabinet in secret, behind closed doors, to bring in retroactive regulations, Mr. Speaker, is an arrogant and outrageous attempt by government to abuse this House of Assembly. It shows contempt for the people of this Province and, Mr. Speaker, we will not forgo our opportunity to see that this bill is fully debated, properly debated, debated at length, and the Government House Leader (Mr. Marshall), by his moving the previous question has curtailed debate. We can no longer -

MR. DINN:

You can only go for another four and a half hours.

MR. BARRY:

I think we can a little longer than four and a half hours, Mr. Speaker. I think that when we get into Committee of the Whole we will be able to go for a little while. I was happy to see, Mr. Speaker, the ruling that was made with respect to the relevance of the Kruger Bill to Bill 37 because, of course, on Committee of the Whole we will be able to look more closely at the Kruger

Bill as part of our analysis of the clauses of Bill 37. We have a ruling now that the two bills are inextricably intertwined, 37 is relevant to Kruger and Kruger is relevant to 37, inextricably. They are inextricably intertwined, Mr. Speaker, by the logic of members opposite. And it is fortunate that they are because, as members are aware, there is a rule of relevance in Committee of the Whole stage and the clauses of this bill are very short, very simple and to the point. They apply the KISS principle - keep it simple, stupid - and this bill is a very good example of the KISS principle. But it is the last clause, Mr. Speaker. They should have given the kiss-off to the last clause, the clause which says that the act shall come into effect as of 1978.

Have members opposite had the opportunity to do any research to establish when another piece of legislation such as this was brought into the House of Assembly or to any Legislature of Canada? As I say, the only one that I can remember is the one back in 1935 in Ontario and that was thrown out by the court. I do not recall any such legislation, apart from Finance Bills where a Finance Minister will get up and in a budget speech or in a speech say that as of today the law will be changed even though the Act has not yet gone through. But that is fair: People are put on notice, he informs them, and even though the legislation is then made retroactive to that point in time, everybody has been warned, everybody has been put on notice. But I will be very interested in hearing members opposite indicate how many different legislatures, how many Western parliamentary democracies have had this type of

legislation?

The Minister of Justice (Mr. Ottenheimer) travelled all over this world when he was Speaker, and, in fact, since he has been Minister of Justice, he has had the opportunity he has had the honour of chairing the Commonwealth Parliamentary Association. He went right to the top of that parliamentary organization. He was next to the Queen, I guess, in that situation, next to HM herself. Mr. Speaker, he had the opportunity to converse with parliamentaries in every country under the British Commonwealth system, and I would like to hear the Minister of Justice indicate whether there was any -

MR. SIMMS:

He was there for three years.

MR. BARRY:

He was there for three years. I think he travelled to Africa on a number of occasions. He visited Sri Lanka, the Tamils missed him. Mr. Speaker, he would be, I am sure, a very good target for the Tamil movement of Sri Lanka, but that was before the Tamils really got underway over there. But he visited Sri Lanka, he was in Africa and in Venezuela.

MR. OTTENHEIMER:

It is not in the Commonwealth.

MR. BARRY:

I know it is not in the Commonwealth, but did they not sneak down there for a parliamentary conference on one occasion? Did we get involved with the Organization of American States at one point in time and NATO?

SOME HON. MEMBERS:

No.

MR. BARRY:

No.

The Eastern Block countries?

I wonder if the East Block has ever had occasion to bring in legislation such as this? As a matter of fact I will have to check that in the next couple of days of debate.

MR. SPEAKER (Russell):

Order, please!

The time for the hon. Leader of the Opposition has expired.

MR. BARRY:

Already? I did not get any warning. Where is my five minute warning, Mr. Speaker?

MR. BARRETT:

Sit down, sit down! Do not be so foolish!

MR. SPEAKER:

Order, please!

The time has expired.

MR. BARRY:

Mr. Speaker, we have reached new lows now when they will not even give the five minute warning.

PREMIER PECKFORD:

Mr. Speaker.

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, I just want to say a few words on this Bill 37 and the Kruger situation and a few other things. I notice since I came in the House that the Leader of the Opposition (Mr. Barry) has made a few very, very inaccurate

statements and I cannot let them go by unchallenged. Perhaps the most important one, if you take away all of the rhetoric and verbosity of it all, was the question of the Forest Management and Taxation Bill and how it was pre-empted by the 1938 Bowater Act. That is simply not true. That is not true.

Furthermore, and it should be recorded, that is a very important piece of legislation. Since that legislation came in in 1974, both Bowater and Abitibi-Price have had to change their own wood practices, and for each block of forest land they were going to harvest that year they had to submit to the department their plans for that block and ensure that it was cut in a proper and efficient manner and in accordance with modern forest management practice. And they have since that time been adhering to every single new recommendation. We did not necessarily agree with all the plans that come in. Often we told them that they had to change their practices and do this on this block and do something else on another block. So the whole system of forest management in this Province since 1974 is completely different from Bowater, as it is for Abitibi-Price. Since 1938 to 1974 it was done a certain way, since 1974 to 1984 it is done a completely different way. The taxation does apply to them and if they do not follow the plans, then we can tax them and make it so onerous on them that therefore they are going to have to relinquish some of their land.

MR. SIMMS:

They also had to remove 40 per cent of spruce budworm damaged wood.

PREMIER PECKFORD:

And besides which, they have had to remove, as the Minister of Forest Resources and Lands (Mr. Simms) is saying, each year on a given block at least 40 per cent of the spruce budworm damaged timber, and that has been a requirement by the government which they have had to live up to and they have. And we have been able to salvage, therefore, and make valuable a lot of the wood that if it was not cut that year and became more damaged it would be less valuable and therefore you would not get the benefit from it in producing newsprint. So it is completely wrong and erroneous for the Leader of the Opposition (Mr. Barry) to try to get up in this hon. House at this hour of the morning and contend, thinking that nobody was going to suddenly take him up on it, that there is no difference now than there was in 1938. There is a big difference because a brand new bill was brought in 1974 which changed the whole forest management practices in this Province. And it is applicable and taxation will be charged against those companies if they are not living up to it. As a matter of fact, I know of one case with Abitibi-Price, which many, many years ago had better forest management practices historically than had Bowater up until ten or fifteen years ago, where they mismanaged a block of land and where ordered back in on it by the government of the Province and had to rectify and make right certain things that they had done on that particular block of land.

So we are not talking about the 1938 Act, we are not talking about it at all. Besides, we do have a legal contract with the Kruger people which says we are going to

review over the next two years the Bowater Act and try to amend it where it is obsolete and out of date. We will see what we are going to be able to do with that Bowater Act with Kruger. It is a legal contract that we have and they have to live up to the terms and conditions of that legal contract. And one of them is that we are going to renegotiate a lot of that 1938 Act in any case, Mr. Speaker. So, you know, the Leader of the Opposition (Mr. Barry) really does not know what he is talking about.

Now let me address the whole question of Kruger and Bill 37. Let us make it straight for the Leader of the Opposition since obviously he does not know. I, Mr. Speaker, am not known as an individual who goes around trying to pretend one thing when it really is another, and I try to tell it as it is. And in this particular case we were able, Mr. Speaker, to reach an understanding with Kruger, as I have said publicly now for the last seven or eight days, that we would do all in our power as a government to ensure that additional financial commitments were not placed on Kruger when they came into the Province. Now one of the additional commitments that was likely is not covered in the contract, is not in the deal. Whether Kruger will sign the deal without Bill 37 still remains to be seen, is still highly uncertain. It is not certain whether they will. You see, my problem is, Mr. Speaker, that I have been too honest with the Opposition and therefore they tend to try to split hairs with what I say. That is the problem. It is not a condition or it is not part of the deal that we signed with Kruger; I have taken them at their

word and they have taken me and the government at our word, and we have said that we will not place upon Kruger any additional burdens, financial or otherwise, that are not written down, to ensure that they get off to a good head start on making the pulp and paper operation in Corner Brook a success. Now that is what we have said. Now we have learned during this whole set of negotiations with Kruger that there is an outstanding bill of about \$6.7 million that Kruger will be liable for when they sign the deal with ourselves and the one they have signed with Bowater, because the agreement between Bowater and Kruger is such that Kruger inherits these liabilities. They inherit these liabilities.

We are not dealing with a normal situation. The Leader of the Opposition (Mr. Barry) gets up and you would not know but you were starting from square one. The Leader of the Opposition was Minister of Mines and Energy when I ran for the leadership of the party that he was then a part of, and he knew we were going to try to renegotiate the Long Harbour power agreement. The Leader of the Opposition, who was then Minister of Energy, had to report back to P and P, something he would not do when we got to the offshore problem because he wanted to be the king maker and make sure that I did not get any credit for it or anybody else in the administration of the day. He was the gentleman who was the Minister of Energy and helped to negotiate with the rest of Cabinet, especially P and P, a renegotiated power contract with Long Harbour. Did we get everything we wanted in Long Harbour, Mr. Speaker? No, we did not get everything we wanted in Long Harbour. We still have

the lowest power rates in Long Harbour in the Province. It is graduated, it goes from 2 or 3 mils per kilowatt hour up to 5, up to 6 and up to 7 mils and so on. We gain \$120 million or \$140 million, over the bit and piece, to 1990 or 1992. But if we were to start from scratch, as the Leader of the Opposition is talking about, with Bowater, therefore the Long Harbour deal should never have been signed because we should have gone to the true market price in 1980 or whenever we signed that deal.

MR. BARRY:

You do not like the ERCO deal now?

PREMIER PECKFORD:

I am just saying that if we take the Leader of the Opposition's argument on Bowater, and apply it to Long Harbour, then we should never have signed the Long Harbour deal. And that is the problem the Leader of the Opposition has.

MR. BARRY:

I thought I did a half decent job on that.

PREMIER PECKFORD:

You did do a half decent job, but now the same rule applies with Bowater, we are not starting from scratch. If we were starting from scratch on Long Harbour, then they would go to the PUB and get their rates the same as Abitibi-Price does on Stephenville where we started from scratch, and therefore Abitibi-Price in Stephenville plays PUB rates, commercial industrial rates, but Long Harbour still does not. So if you use the argument that the Leader of the Opposition (Mr. Barry) is talking about, then he did a terrible job on Long Harbour. Mr. Speaker, you cannot have it both ways here. And what

we have, Mr. Speaker, is a situation where a Prime Minister of Newfoundland back in the 1930s said he was going to put the hum on the Humber.

MR. NEARY:

And he did.

PREMIER PECKFORD:

Yes, he did, with the 1938 act, followed up by Mr. Smallwood who thought he was a great man, "Industrialize or perish," that was Squires' motto. And now we are faced in Corner Brook with the situation where we have a company which suddenly decides that it wants to leave the Province with this 1938 act and all the rest of it. Now if you take the Kruger deal and what we have been able to accomplish and compare it to the Long Harbour deal on power, then we have got a good deal. And the Leader of the Opposition cannot get away with standing up in his place two or three years ago proclaiming what a great job he did on negotiating with the rest of us in Cabinet, a better deal on power rates with ERCO even though they were not market rates, even though they were not what any new industry would pay, and then turn around today and say we are doing a bad job on Bowater when we renegotiated it. If anything, when you compare the two we have got a better deal on Bowater now than he had on Long Harbour on the power rates.

SOME HON. MEMBERS:

Hear, hear!

PREMIER PECKFORD:

And as it relates to power rates, Mr. Speaker, when the thing is all straightened away, if Kruger buys power from Newfoundland Hydro, they have to pay public utility rates, they have to pay the going

rate, not the old rate.

So we have to be careful here when we are talking about this deal. As I said, the situation is there is nothing in the agreement which says that this agreement falls if Bill 37 does not go through. But it is only sensible, as we indicated to all Kruger negotiators, that we were going to ensure - and we knew about the Wabush Mines/Labour Tribunal case - passage of Bill 37 not only for Kruger but for a whole bunch of other reasons which were just as important as Kruger, you see.

MR. BARRY:

Did he know all about it?

PREMIER PECKFORD:

Yes.

MR. BARRY:

Did he ask you to do it?

PREMIER PECKFORD:

He did not ask me to do it. They knew about it and we responded.

MR. BARRY:

Did he ask you to do it?

PREMIER PECKFORD:

I do not know if he asked us to do it. I do not know the chronological series of events, but they were concerned about the labour situation in the Province and the Labour Tribunal opinion that was given on the Wabush mines case, and they asked our negotiators what we were going to do about it and we indicated to them that we had already reviewed that legislation, that we were going to change it, that we would make sure that there would be no additional financial or other burden upon Kruger. In order to get the banks on side, to get the deal signed, we assured them that

there would be a bill coming before the House - we did not know if it was going to be this Fall or it was going to be this Spring - dealing with that whole question of temporary versus permanent layoff. You could say let it go through the courts, but the only problem with that, even though we have legal opinions which say we would have a darn good chance in court to prove that the Labour Tribunal was wrong in their ruling, is then you have a shadow hanging over everybody.

Now let us look at the other side of the coin, too. One side was Kruger and their concern about this whole question of temporary versus permanent layoff and the Wabush Mines/Labour Tribunal decision, which they expressed in no uncertain terms. Then we started to look around the Province to see what we were involved in and here we had one big bankrupt fish company. We had had several bankrupt fish companies - the Lakes, Fishery Products, North Atlantic Fisheries and so on - but the Federal Liberal Government came in and unilaterally said, 'We are going to have one company.' We tried to persuade them out of it over several months in meetings that I had in Toronto and Ottawa and here and everywhere else but we could not. And then we signed a restructuring agreement with them and got the best deal that I think was humanly possible to get in that circumstance. I do not know if the Opposition really know what they are talking about or why they are opposing it. Do they realize Fishery Products International is bankrupt? The federal government has put \$75 million into it, we have converted \$29 million or \$32 million from debt to equity in it, the Bank of Nova Scotia has put

in, in addition to all they are owed, another \$15 million or \$20 million in it last year, and now we have turned around and put another \$25 million or \$30 million, plus another \$9 million, plus another \$15 million -

MR. WARREN:

Where is it going?

PREMIER PECKFORD:

- into Fishery Products International.

MR. WARREN:

You are a second Joey.

MR. OTTENHEIMER:

He is your idol. Do not blaspheme. You were on your knees before him.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER (Aylward):

Order, please!

PREMIER PECKFORD:

So, Mr. Speaker, it is not only a question of Corner Brook, it is not just a question of the loggers of Lewisporte district, or Canada Bay, or the loggers of Exploits district, or the mill workers of Grand Falls and Windsor - Buchans districts or the loggers of Green Bay district or Baie Verte - White Bay or Bay of Islands or Humber Valley or Humber East or Humber West or of St. Barbe Coast, or of Port au Port and St. Georges district especially, all of those areas. It is not only a question of that, as important as that is, but it is also the question of Ramea, it is the question of Harbour Breton, it is the question of Gaultois, it is the question of Grand Bank or Fortune, these plants that are now a part of the new fish company, Fishery Products

International. That is number two.

Then, Mr. Speaker, number three, you have all of the independent fish companies. And we know that there is going to be millions of dollars that they are going to spend that they do not have. How do I know they do not have it? Because almost every last one of them has a guaranteed loan from this government to keep them in operation, they are seasonal plants.

It is like a lady said to me on Open Line there last week when she talked about Bill 37. She called and she said, "That is a funny thing, Brian, about Bill 37. If it was brought in in 1977 or 1978 and this is 1984, how come nobody has picked up on this before?" She said, "In other words, most of the unions, if not all of the unions, as well as the government and employers had all agreed in their own minds that terminate meant permanent and therefore we do not have a case on temporary. Otherwise, why did they not start when the bill was passed?" And it is was a real good point.

Now the temporary layoffs occurred in the various industries, and then one union decided to exercise its rights to appeal a piece of legislation which somebody had told them was ambiguous. And the Labour Tribunal ruled -

MR. BARRY:

Three years ago, in 1981.

PREMIER PECKFORD:

Three years ago, yes, but then it was not so crucial. All of the other things, including FPI, has come together since. A lot of these fish companies were not under guaranteed loan then and

Kruger was not around and Bowater was not leaving, even though they secretly were trying to sell the mill unknown to us. So it did not come to the fore with the same kind of magnitude, with the same kind of importance or significance as it has now. I mean, that is simple evolution of time. Hindsight is 100 per cent, foresight sometimes might get you to 50 per cent. Those are the realities of the situation.

So we are dealing from a bad deck to start with. We are dealing from a bad deck. I never created the deck, we inherited the deck. And in the same way as we negotiated Long Harbour power contract a little bit better, we have it a little bit better now with Kruger than we did with Bowater. It is not perfect. I would like to have it ten times better. But it is not there, Mr. Speaker, and there is nobody else on the sidewalk either, let me tell you. There is nobody else on the sidewalk besides Kruger. There is nobody else there. If there was we would not have signed the deal with them, we would not have been into the situation, we would have negotiated with these other people longer. But they did not have their bankers in place, they did not have their equity, they did not have their expertise, they did not have very much, Mr. Speaker. The only people, when the final bell tolled, even though they brought down this man and this person and brought down this banker and that banker and we went to meet with them, when the money was put on the table and the letters had to be signed there was only one company willing to deliver, willing to put in tens of millions of their own money out of their own pocket, get a bank

consortium -

MR. WARREN:  
Atlantis could have.

PREMIER PECKFORD:  
No, Atlantis could not do it.

SOME HON. MEMBERS:  
Do not be so silly.

PREMIER PECKFORD:  
Mr. Speaker, there was nothing that this Province wanted more - here we are with a Local Preference Act on the table of the House to pass - than to have had a group of Newfoundlanders show us on paper, get their banker in to say yes, we will put in this much money, for them to say they will put in this much money, we would ten times rather have Newfoundlanders take over Corner Brook than anybody else. But it was not in the cards, they could not bring us the banker, and the banker would not sign the note.

MR. WARREN:  
There was not enough money for the PC Party.

PREMIER PECKFORD:  
It had nothing to do with the PC Party.

SOME HON. MEMBERS:  
Oh, oh!

MR. OTTENHEIMER:  
You are an embarrassment now really to your constituents.

PREMIER PECKFORD:  
It has nothing to do with that. I do not know Kruger from Adam as far as that goes.

MR. WARREN:  
Tell the truth.

PREMIER PECKFORD:

Keep it halfway clean now, Garfield. Let us not get like that.

MR. SPEAKER (Aylward):

Order, please!

PREMIER PECKFORD:

So, Mr. Speaker, there it is. I do not know if Kruger will sign on Wednesday not knowing the political situation in the Province, not knowing whether this bill is going to be passed or not. Well, it will get passed one of these days, but I do not know if they will sign until it is passed. I honestly do not know. If I knew the answer to that question I would tell you right now.

MR. WARREN:

So why bring in Bill 37?

PREMIER PECKFORD:

But I know that we undertook to ensure this because they raised the issue of the Labour Tribunal decision. They were not sure how much it was going to cost them. They have found out in the last couple of months that it was going to be millions of dollars. We assured them, not as part of the negotiations for the agreement for the rest of it, that we would not burden this company coming in here with unnecessary, unnatural, if you will, financial or other burdens, as long as it was reasonable.

Now even if Kruger was not there, Mr. Speaker, we would still have to bring in Bill 37. Let us not get it all askew altogether, that is the point. But it is crucial now to revitalize something that is about to close down. But it is also crucial for the FPI situation. It is also crucial for Bay Bulls fish plant, it is

crucial for Witless Bay, it is crucial for a lot of the independents around. It is crucial for Ocean Harvesters, it is crucial for Janes in Hant's Harbour. It is crucial for the crab plants and the other plants around Conception Bay and Trinity Bay and White Bay and Notre Dame Bay and the Labrador Coast, it is crucial for all of them. We have got figures.

Mr. Speaker, it is like I told Mr. Parsons of the Federation of Labour. When he came to my office and sat down, we talked about the International Labour Organization coming in and a few other things. And he said, 'Now, what is the story on Bill 37?' I told him. I said, 'Look, the best numbers we got right now' - we are going to get new numbers and we are still working on them - 'it is going to be more than \$27 million.' \$27 million is the bottom of the barrel, it could go to \$50 million or \$60 million or \$70 million. By tomorrow morning or tomorrow afternoon we might have the new figure. I have some people working on it for three or four days contacting now these employers and seeing what the number is going to be, but it could be a lot more.

But when I told Mr. Parsons, I said to him, look, here is the sheets: Wabush Mines \$750,000; Baie Verte Mines, we all know where Baie Verte Mines is, it is just barely, marginally doing it. It is unbelievable when a dock strike of three or four weeks in India can mean a month or two closedown at Baie Verte or a final closedown. Then you know how serious it is. And I went through the numbers. He and the other two people who were with him went silent for a moment. Well, he

said, that cannot be true. Well, I said, those are my numbers. Now, I said, Mr. Parsons, if you want to come in tonight or tomorrow morning or whatever hour you want to come in, and if you can show the government that somehow we are making a mistake on this, and I said this is basic now, this is the minimum, this is basic minimum, if you can show us that we are somehow wrong on this I would like to have a dialogue with you, because we do not want to do it unless we think we are forced to do it. We are into a situation that we do not have any choice.

The next time I heard from Mr. Parsons was on the air when he had a press conference in which he attacked me and attacked the government about this whole Bill 37. Because Mr. Parsons and the Federation of Labour could not dispute those facts or did not want to dispute those facts, they dropped it. When the President of the NTA and the President of NAPE were in my office a couple of days before Mr. Parsons turned up, we talked about all of the other issues that were outstanding for NAPE, all the issues that were outstanding for the NTA, and I raised the issue of Bill 37. They did not raise it. I raised it. I said to them, look, besides all the other problems, FPI, all the fish companies in the Province -

MR. WARREN:

Kruger wants this.

PREMIER PECKFORD:

The hon. member over here will be the first to get up and criticize this government if we closed down a little fish plant or did not do something small in his district for him if he had a petition in his hand from his voters. But now

he can flippantly, at 12:30 in the morning, make these kind of comments.

MR. WARREN:

Kruger got you where they want you.

PREMIER PECKFORD:

No, all the industries in the Province got me on that score. Besides, the whole idea is wrong anyway. To give four months notice for an eight day layoff is not right and everybody knows it. I agree that retroactivity is not nice, it is abhorrent, but given the situation you have no choice. And when I brought it up the President of the NTA and the President of NAPE dismissed it because it was not a big concern to them. These are people who are all members of the Coalition for Equality, supposedly, and it was not a bit important to them at all. It was of no consequence to them because they had, in their small shops, more important fish to fry within their own organizations. Forget the Coalition for Equality, that is another matter now: I have to look after my own little garden, I have to look after my own little area. I indicated to them the \$27 million figure because we had already come up with that. So, Mr. Speaker, the situation is simply this: We have 20 per cent unemployment in this Province, we have 60,000 people whom we know about looking for work.

We have a bill before this hon. House which provides some clarification to a bill that was brought in combining a number of bills in 1977 that everybody in their right mind knows was intended to apply to permanent layoff, and we have almost the best legislation and notice period for permanent layoff. And when we

clarify it to put in temporary layoff, we provide the best notice in Canada for temporary layoff. And that word somehow is not getting out there, that we will have, when this bill goes through, the best notice period on temporary layoff in all of Canada, better than the NDPs' in Manitoba. There are now no Liberal governments in Canada so we cannot talk about that. But we have to protect where we are, we cannot allow more jobs to be lost. It is unreasonable to expect an entrepreneur to put up with the situation we have in Corner Brook. Corner Brook is not a modern mill, we are not talking about a normal situation. Not only are we talking about normal as it relates to the Bowater Act, but it is not a normal situation as it relates to what happened in Corner Brook over the past ten years. The mill is run down, the mill is obsolete. It has to have in the next five years - hopefully three - \$200 million put in it. I mean, this is unbelievable. We are doing a salvage operation on something which most economists looking at the components that go to make up Corner Brook would say, go away with you. The Harvard Business School would rule it out, anybody half worth their salt would rule it out. Do not go in there, this is crazy, you cannot make it work, that is what Bowater has said. And there is only one group around who have put a full plan on the table which makes sense and spends the money that is necessary. We have told everybody, the other four bidders, that it is no good for you to come to the table unless you put a capital modernization programme on the table and you have bankers on the side with letters confirming that they will loan you this much after you put in this much. There was

nobody else there who had that kind of commitment both from their own pockets and from the pockets of consortium of banks. Everybody else could not even get a letter, even based upon a more potent Pulp and Paper Modernization Agreement which would see at least \$33 million in grants going into it. And now, of course, we have it up to \$40 million. So the situation is that you are between a rock and a hard place, that is where you are. Nobody in this House, nobody reasonable and sensible looking at the situation would like to bring in a Bill 37 which has a retroactive element in it. Nobody wants to do that, but there is no choice given the circumstances of our fishery right now, which is bankrupt offshore with a lot of the inshore plants bankrupt for all intents and purposes. The only reason why they have not got the locks put on the doors is because we have a guaranteed loan outstanding to them which guarantees that we will pay the money at the bank if they go bankrupt. And you have a mining industry in the same kind of circumstance. There is no guarantee that Labrador City and Wabush are going to be around here in the next five years. As a matter of fact, if anybody had to put a bet on it, if you look at the iron ore markets the bet may go against them being here. Now are we going to make it harder for them to stay based upon a piece of legislation that everybody knows in their own hearts and souls was meant for permanent workers? So how can I allow the Opposition to try to use the concept of retroactivity to override what everybody understood in 1977 or 1978 to be true? Terminate means to end, to put an end to, that is what Webster says. And what do we do then, Mr. Speaker? If we were

so cruel as the Opposition are saying, if we were so cruel and so uncaring and so uncompassionate as the Opposition are saying why would we bring in in that bill notice periods on temporary layoffs, the best in Canada? Why would we do it, Mr. Speaker, if we are so cruel and so uncaring as the Opposition has tried to picture us? Why would we in this bill where we had to do that retroactivity, bring in this kind of legislation?

MR. FENWICK:

A point of order, Mr. Speaker.

MR. SPEAKER (Aylward):

The hon. member for Menihek on a point of order.

MR. FENWICK:

I would like to make a point of order that the Premier's time is up.

PREMIER PECKFORD:

To that point of order, Mr. Speaker. I take it that the officers and the Speaker in the Chair are quite capable of knowing when sixty minutes have expired and I do not think we need any help from the member for Menihek (Mr. Fenwick).

MR. FENWICK:

Mr. Speaker, to that point of order.

MR. SPEAKER:

The hon. member for Menihek.

MR. FENWICK:

Mr. Speaker, the Premier does not have sixty minutes, he only has thirty minutes.

PREMIER PECKFORD:

To that point of order, Mr. Speaker.

The hon. member for Menihek (Mr. Fenwick), I know, has not been in the House that long and I know the morning is late.

MR. SPEAKER:

To that point of order raised by the hon. member for Menihek. If he would refer to the Standing Orders, it is noted that the Premier and the Leader of the Opposition (Mr. Barry) have sixty minutes in any debate.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Page 17, 49(2) for the hon. member for Menihek. The problem with the member for Menihek, Mr. Speaker, was that just as he got up I happened to be making a point which hurts the member for Menihek and that is that we have a better notice period for temporary layoff than the NDP government of Manitoba. That is the reason, Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear!

PREMIER PECKFORD:

Mr. Speaker, we brought this bill in like I said last week, because we care for the workers of this Province and we know that with 20 per cent unemployment we do not want to take a risk, a high risk - it is not guaranteed, no - a high risk of losing more. I just had, about three or four weeks ago, a number of meetings with the IOC people who are into a new competition with iron ore people from Quebec because the Government of Quebec or someone in Quebec leased them a mill for one dollar a year so that they would not have

to pay any operating expenses, so that the pellets from Quebec could compete with pellets from IOC, for example. We are pretty certain from our Mines people and our Labour and Manpower people that unless the market turns around drastically in 1985 there is still going to have to be some downtime at Wabush Mines. That is our prediction. We know a little bit about what is going on, we are in tune with these people, we are talking to them almost every day. Does anybody realize, Mr. Speaker, that Grand Falls is not making money this year, that Stephenville is not making money this year even though they are still open? Abitibi-Price profits do not come from Newfoundland yet they still have two mills open. There is no money being made in Newfoundland this year in either Grand Falls or Stephenville, not one copper being made, they are going in the hole this year. That is the situation we are in. We have an offshore fishery that is bankrupt, we have two mills, in Grand Falls and Stephenville, which are losing money, and we got an obsolete mill in Corner Brook that was run in the last ten or fifteen years by colonials, by paternalistic people in Bowater.

MR. WARREN:

Tory times are hard times!

PREMIER PECKFORD:

Yes, sure, and we created it all. Sorry! You are talking back in the 1950s, nobody believes that any more.

That is where we are, Mr. Speaker.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER (Aylward):

Order, please!

PREMIER PECKFORD:

In Baie Verte, in order to make that situation work, we had to expropriate the property of Johns-Manville. We will have to pay, one of these days when the arbitration is in, for expropriating it. We do not get away with expropriation for nothing. It will have to be an arbitration ruling and compensation, that is what you will have to do. We have attracted a company from England to come in and reactivate the fluorspar mine and put a mill in St. Lawrence for the first time. I do not hear any members of the Opposition getting up and saying I got to give full credit to this government because it is the first time they will have a secondary processing for the fluorspar in St. Lawrence.

SOME HON. MEMBERS:

Hear, hear!

MR. OTTENHEIMER:

Maybe it should have been a co-op.

PREMIER PECKFORD:

Mr. Speaker, it is nice to talk these flowery things. The reality is there and the hon. the members of the Opposition have to realize, just as we do, it is reality, it is pragmatism, and you then have to cut the best deal you can get. When you look at the \$200 million and you look at the commitments that we have from Kruger right now on that place out there, that in anybodies' minds if you look at it we only have to put up a loan of up to \$11 million. If the whole thing goes bankrupt the bank needed some security, so we said we would pay them \$30 million but in return we would get a power plant whose replacement value is worth anywhere from \$200 to \$300 to \$400 million, so we are out

very little. That is a far cry from the deals that have been done - as the Opposition would try to accuse us of - by their party years ago. I do not hold them responsible for it, but do not start bringing up my party either years ago. I will be fair.

MR. BARRY:  
Is this new?

PREMIER PECKFORD:  
No, no, it is not. It is not new. I will be fair, Mr. Speaker. But when they start alleging -

MR. TULK:  
What about Churchill Falls?

PREMIER PECKFORD:  
Not on Churchill Falls I have not. As I said to the Only Living Father of Confederation, the price was never wrong, it was that he had no reopener in it, that is what was wrong.

SOME HON. MEMBERS:  
Oh, oh!

MR. SPEAKER (Aylward):  
Order, please!

PREMIER PECKFORD:  
The long and short of it, Mr. Speaker, is if the facts are on the table, the Opposition cannot win on this bill. They should cut their losses now and vote for this bill. They cannot win on it. We are out to save the fishery.

SOME HON. MEMBERS:  
Hear, hear!

MR. BARRY:  
Why do you need paid ads?

SOME HON. MEMBERS:  
Oh, oh!

MR. SPEAKER:  
Order, please!

PREMIER PECKFORD:  
Mr. Speaker, I must be hurting them. Why will they not hear me speak in silence?

Mr. Speaker, let me say to the Leader of the Opposition (Mr. Barry), who has not shown in the past all that great a political judgement, but now he has resurrected himself, he has had a renaissance in a new party, fine, let that be, and let us fight it out at the polls next time around. Let me say to that new Leader of the Opposition, do not fall into the trap of an Opposition mentality when all you know is to tear down, all you know is to negate, all you know is to forget about whether the fishery is going down the drain or whether the mine is going down the drain because he will get in the same mold as all those that came before him who have gone down to utter defeat at the polls because the people know better and there is a little wisdom in the crowd.

Let me say to the Leader of the Opposition, do not take the people for being completely stupid, altogether. They do know what is going on and they know on this one, the fishermen know, the loggers know and the miners know, that we are trying to protect what we now have and at least provide some kind of incentive to those who might come in afterwards to create more jobs. That is what we are trying to do, Mr. Speaker, and we will succeed and Bill 37 will go through, Mr. Speaker, to protect jobs in this Province, the Leader of the Opposition notwithstanding, the member for Menihek (Mr. Fenwick) notwithstanding, because we are

going to stand up for what we now have and we are going to keep it and then we will build on that into the future, Mr. Speaker.

SOME HON. MEMBERS:

Hear, Hear!

MR. NEARY:

Mr. Speaker.

MR. SPEAKER (Aylward):

The hon. the member for LaPoile.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER (Aylward):

Order, please!

MR. NEARY:

Mr. Speaker, first of all let me say that I am delighted that the Premier returned to the Legislature long enough to participate in this debate. It has been a very, very interesting debate so far, it has been a hard-hitting debate, it has been the kind of debate that we rarely see in this House, it has attracted interest the likes of which we have not seen in recent times from the media so it has been a very good debate.

Mr. Speaker, the debate was started off by the Leader of the Opposition (Mr. Barry), who in my opinion, Mr. Speaker, made one of the finest speeches that I have heard in this House for a long, long time. It was a magnificent speech, Mr. Speaker, and the Leader of the Opposition laid out the case and we have been building on his words ever since. Mr. Speaker, the debate has proceeded in an orderly fashion. Sometimes interruptions from members on various sides of the House brought out a little humour and I must say that the Minister of Justice (Mr.

Ottenheimer) today when he participated in the debate was rather humourous on times, Mr. Speaker. It is very seldom we see the hon. gentleman perform as he did in the hon. House today. Mr. Speaker, I thought the hon. gentleman was a little bit off when he accused the Opposition of playing Russian roulette, Mr. Speaker, because we happen to think that the government are dealing from the bottom of the deck and we saw an example of that tonight - this morning I should say - when the Premier participated in the debate. He contradicted himself two or three times and, Mr. Speaker, the question that I have to ask is as a result of an earlier statement that the Premier made and then contradicted himself on, when he told the Leader of the Opposition that Kruger did not raise the matter of the termination of employment and then about fifteen or twenty minutes later he said that Kruger did raise the matter of termination of employment. Now, Mr. Speaker, did Kruger or did Kruger not raise the matter?

MR. SIMMS:

They raised the matter of the Labour Relations Board.

MR. NEARY:

That is not what the Premier said. Let the Premier speak for himself.

Did Kruger or did Kruger not insist that this bill be brought into the House? Because from the information that the Premier gave the House a few moments ago, I am led to believe that this bill was in the making for some time, that this bill was under active consideration by the administration before Kruger was even heard of in this Province.

That is the impression the Premier left, Mr. Speaker. He practically told us whether Kruger came into Newfoundland or not that bill -

MR. BARRY:

Was going through.

MR. NEARY:

- that bill was going through anyway.

MR. BARRY:

It was drafted already.

MR. NEARY:

It was in the drafting stage. The instructions had been given to the Legislative draftsmen to get the bill ready. And what the administration is doing now is using Kruger as the excuse to ram this bill through the House. I got the distinct impression from listening to the hon. gentleman, and I listened to him very carefully, Mr. Speaker, that Kruger did not ask for this bill, they did not insist on this bill. And, Mr. Speaker, as we have been hearing in the last week about Bill 37, it is all ifs, ands and buts, 'maybe', 'they might', and that is what we heard again tonight.

MR. STEWART:

Are you willing to gamble on that?

MR. NEARY:

There is not one piece of concrete evidence, Mr. Speaker, to indicate that Kruger asked for Bill 37. And I think what is bothering the Premier, by the way, is that he does not have anything in writing. That seems to be tormenting him. There is nothing in the agreement. He has nothing in writing. What he is saying, Mr. Speaker, is that it came up somehow or other during the discussions. He is not sure, he

told us first of all, who brought it up. Then later on he told the Leader of the Opposition (Mr. Barry) that the matter was raised by Kruger, so we have a contradiction again tonight.

Now, Mr. Speaker, I also want to say this about something that the Premier said in connection with Fishery Products International. The hon. gentleman will be quoted tomorrow widely in this Province, he will be reported as having stated in this House that Fishery Products is bankrupt. Fishery Products is not bankrupt. They may be insolvent, Mr. Speaker, but they are not bankrupt.

Mr. Speaker, that kind of nonsense and that kind of a statement is going to hurt the fishery in this Province. I believe the Premier should try to straighten that out tonight because it is going to do an awful lot of damage, in my opinion.

MR. TULK:

He got carried away.

MR. NEARY:

I think he got carried away in the heat of debate. He also got carried way, Mr. Speaker, when he told this House that seasonal operations, where you have fish plants that are seasonal operations, that they can make a claim to the Labour Standards Tribunal on termination of employment. That is not so.

MR. SIMMS:

He did not say that.

MR. NEARY:

He did say that. He certainly did, Mr. Speaker. I think he was pointing down at the member for Menihek (Mr. Fenwick), and he said, "Look at all the fish

plants," and he mentioned some of them down in Bay Bulls somewhere, he mentioned a couple of areas of the Province where we have small fish plants, but the fact of the matter is that under the regulations seasonal operations do not count.

MR. SIMMS:  
He knew that.

MR. NEARY:  
He did not know it. He certainly did not.

MR. SIMMS:  
What he was saying was that if something happened to a fish plant down in your district what would you want us to do and all that sort of thing. That is what he was saying.

MR. NEARY:  
And Mr. Speaker, he also made another statement that was incorrect.

MR. CARTER:  
You are just twisting it.

MR. NEARY:  
No, I am not twisting it. It was the hon. gentleman who was twisting and turning. He also made another statement that was incorrect because I spoke to Mr. Kelly, who represents the paper makers, and I spoke to Dexter Fudge about this matter and let me say to the hon. gentleman the statement that he made tonight that the unions were in favour of this bill is not correct.

MR. SIMMS:  
They have no objection to it.

MR. NEARY:  
Mr. Speaker, let me point out for the benefit of the hon. gentleman who is not now in his seat - we

sat here and listened to what the hon. gentleman had to say, you would think he would have the courtesy to stay and hear what we have to say -

MR. TULK:  
We were hoping he would give us more information.

MR. NEARY:  
- here is what happened in Corner Brook. The Paper Makers Union in Corner Brook were well aware of the fact that they had rights under this legislation, but they did not pursue the matter, Mr. Speaker. In any of the layoffs or closedowns in Corner Brook, reductions that were caused because of market conditions when they had to reduce their inventory, they did not initiate an action against Bowater. They were very responsible and they knew this was something over which Bowater had no control, the market conditions, the cutting of inventory, so they did not take advantage of the act. The first time they moved to protect their workers, their members, was when Number 7 paper machine closed and then they were forced to move, and they had even right under this act to move. Up to that time there had not been an application made to the Labour Standards Tribunal by the Paper Makers Union in Corner Brook up to the closing of Number 7 paper machine. And when they did make an application, Mr. Speaker, a complaint to the Labour Standards Tribunal, it was in the process - the hon. Minister of Forest Resources and Lands (Mr. Simms) should listen to this - when they did make their complaint to the Labour Standards Tribunal when they closed Number 7 paper machine, it was in the process of the Labour Standards Tribunal conducting an investigation that

they discovered all kinds of other breaches of the regulations. Notices had been given, then withdrawn, and there was utter confusion resulting from the closing of Number 7 paper machine. They were giving people notices one day and the next week they were changing their mind. And the Labour Standards Tribunal, in the process of conducting the investigation, discovered all kinds of violations of the regulations.

And when the Premier says it is going to cost \$6 million or \$7 million, Mr. Speaker, that is more than he can say right now because nobody knows. These cases are still under investigation by the Labour Standards Tribunal and they may lead nowhere. Bowater have settled the claims directly resulting from the closing of Number 7 paper machine, but it is the other claims, it is the incidental claims that we are talking about here and nobody knows how much they are going to cost, if indeed they are going to cost anything. It was not the unions who instigated these investigations, it was the Labour Standards Tribunal themselves as a result of a complaint about the closing of Number 7 paper machine.

Now, Mr. Speaker, we were told in this House, and I participated in the debate when the original bill was introduced, we were told by the minister who introduced that bill, one Mr. Joe Rousseau who was minister at the time, we were told that there was prior consultation with labour and management before this bill was introduced in this hon. House. And I refer members to Tape 3649, June 2, 1977, "Mr. Rousseau: We have also done so on the Labour Relations Act, which is a bigger problem." That was

another act that was coming in. He says, 'I think it is fair to say that that is a facetious remark' - somebody had made a remark. 'I think it is more fair,' he says, 'to say that we have reached more consensus on this one than we certainly have on the Labour Relations Act, which I hope will be coming up later today or tomorrow. It is very difficult,' Mr. Rousseau said speaking for the administration, 'trying to get the views of both labour and management on these things. But by and large I hope,' he said, 'that this will be welcomed. It is an attempt to provide as much protection as is possible within the law.'

Then he goes on to say that it was done after getting a consensus from labour and management. Now, Mr. Speaker, once the act went through second reading and the minister was winding up the debate, somebody suggested that because of the magnitude and because of the changes that were being made, the reforms that were being brought in, that it would be a good idea to start an education programme to let employers and unions know what their rights were under this Act. And Mr. Rousseau, who had referred to this matter earlier, said, 'As I suggested, a booklet will be prepared and it will be distributed throughout the Province that will give people an indication, in layman's language, of just what their rights are.'

So, Mr. Speaker, the question is did the administration of the day carry out an education programme and send that booklet out to employers and employees groups around this Province? Did they contact the employers? I have a feeling that they did. And every employer in this Province and

every union in this Province were told about the implications of this bill and their rights were stated in layman's language, the rights that they had under this bill.

So every possible effort was made to let the employers and the employees know what their rights were. In addition to that, we had regulations drafted as a result of the bill passing through this House. And these regulations clearly spelled out, Mr. Speaker, again in layman's language, what industries could do and what they could not do. And that was referred to the other day by my colleague, the member for Menihek (Mr. Fenwick), Mr. Speaker. If the administration felt that there was a problem, they could have amended the regulation. But no, they did not do that. What they did was take the drastic step of bringing before this House the worst piece of labour legislation in our whole history.

Now, Mr. Speaker, the Premier, this morning when he was speaking, tried to divert attention from the bill itself. He talked about a crisis in this industry, a crisis in that industry and he threatened the Opposition. But, Mr. Speaker, we are not backing away, we are not going to be bullied, we are not going to be threatened by the hon. gentleman there opposite. We are not backing away from our position because we know we are right. There is no proof that Kruger wanted this legislation. There is no proof, apart from the cases that have been before the Labour Standards Tribunal, there is no indication that any other groups of employees in the Province are going to process complaints under this bill.

We heard about the one at St. Clare's Hospital and the one at Wabush. The Premier keeps referring to Fishery Products International. We have no evidence before us whether there is a complaint from the employees of Fishery Products International. We think what he is doing is setting up smokescreens. We regret to hear, Mr. Speaker, and it is unfortunate, that Abitibi-Price may not make any money this year. It is unfortunate what is happening in the fishing industry. It is unfortunate what is happening in the mining industry. It is tragic. It is unfortunate. But it has nothing to do with the principle of this bill that we are talking about.

MR. TULK:

It is unfortunate that the Premier came in this House and said it tonight, too.

MR. NEARY:

It is unfortunate. I tell you what I was surprised by, Mr. Speaker, was the fact that only a week ago, one week ago the Premier took to the airwaves and gave us an upbeat speech. He told us the people of Newfoundland and Labrador were fed up with doom and gloom and they wanted to hear something positive. Do you not remember? He rhymed off all the positive things that were going to happen: The trawlermen's strike was going to be settled, the telephone workers strike was going to be settled, Bowater was going to be taken over by Kruger, and he pointed out all of these things and painted a very glowing picture of the economy of Newfoundland. He said the people want to hear some good news for a change.

And what did he do tonight when he

is trying to bully this bill through the House? What did he do? He came in, Mr. Speaker, and he painted doom and gloom like I have never heard before in this hon. House.

MR. TULK:  
That is right.

MR. NEARY:  
He told us Abitibi-Price is not going to make any money, they are going to have downtime. Abitibi-Price, he says, is not making any money this year. Fishery Products, he told us, is bankrupt - which is not true - the fishery is in an incredible mess and so is the mining industry, Mr. Speaker, and this from the man who told us that we have to hold out hope, that people need hope.

Three or four years ago he outlined a five year plan to provide 40,000 jobs. Now last night and this morning he is telling us about the doom and gloom and the horrible state of the Newfoundland and Labrador economy. The reason he did it tonight is because it suits his argument, because he is trying to ram this bill through the House. He is trying to frighten us, he is trying to scare us, but we are not easily scared on this side of the House, Mr. Speaker. And the hon. gentleman is going to have to produce more solid arguments, better debate than he did tonight when he got rather passionate and emotional and waved his arms, like the old 'Brian' again. I think probably what he was doing it for, more than anything else, was to fire up the troops because they know the criticism they are getting over Bill 37.

It is the first time in the history of this Province that we

have had a bill of this nature where you retroactivity involved.

MR. TULK:  
The principle is wrong.

MR. NEARY:  
The principle is wrong, Mr. Speaker, and, as I said in an earlier debate today, it flies in the face of natural justice.

Now just in case hon. gentlemen their opposite do not know what is meant by natural justice, let me give them a very simple description of it. Here is what it is, Mr. Speaker. Natural justice is a simple concept that may be defined completely in simple terms. Natural justice is fair play, nothing more than fair play. So the question we have to ask ourselves in this debate, Mr. Speaker, is is this bill fair play?

MR. SIMMS:  
Yes.

MR. NEARY:  
The hon. gentleman says, yes. Fair play for whom? It is fair play for the employers.

MR. PATTERSON:  
For the workers.

MR. NEARY:  
Well, Mr. Speaker, we saw how the workers feel about it in the the telegram from the steelworkers at Baie Verte.

We saw how the workers feel about it in Wabush and Labrador City where four members of the Tory executive in the district of Menihek resigned in protest to this bill. Are they in favour of it? Four senior members of the Tory executive in Menihek resigned in protest, they could not stomach the principle of this bill, they

could not stomach what it stands for, Mr. Speaker.

Mr. Speaker, the other question that I want to raise is a very important question that hon. gentlemen have not addressed themselves to yet. When the government decided to make its move, why did it not have prior consultation with the parties involved? Why did they not consult? We hear so much boasting from the Premier about how he runs an open government, how he consults, Mr. Speaker, with the various groups, why did he not hold prior consultation before bringing in this wicked and evil piece of legislation? Because that is what it is, Mr. Speaker, a wicked and evil piece of legislation.

MR. CALLAN:

And here comes the evil and wicked author of it.

MR. TULK:

He is looking rather peaked. He can just drag his legs.

MR. NEARY:

Mr. Speaker, they are just able to get up out of their seats over there tonight. No wonder they have been looking so gloomy the last week or so. The Premier spends half his time over there now complaining about CBC television.

Mr. Speaker, we were hoping that we could convince some members there opposite to vote against the retroactivity clause in this legislation. We know there are members over there who are concerned, but, Mr. Speaker, much to my chagrin a goodly number of them do not even have the courage to get up and speak in the debate. Here we are going on now

for ten days debating a piece of legislation, so it must be a pretty important debate, yet only two or three so far have participated in the debate. Why? Do they not have a contribution to make? Or, Mr. Speaker, are they too ashamed? Do they agree that this bill flies in the face of natural justice, of fairplay? Or are they ashamed to get up and support the bill? The hon. Minister of Social Services (Mr. Hickey) is looking at me there.

MR. HICKEY:

I am waiting for you to sit down.

MR. NEARY:

Well, Mr. Speaker, I hope that I have motivated the hon. gentleman into getting up. I would like for every member on that side of the House, including the members who have not yet made their maiden speeches to get up. The member for Twillingate (Mrs Reid) I believe we heard from once in the House.

MR. CALLAN:

Twice, I think.

MR. NEARY:

Was it twice? Even though I know the hour is getting late, we would like every member to stand up one after the other, Mr. Speaker, and tell it as it is. Do not toe the party line, do not crawl and scrape to the hierarchy of the party. Let them have a free vote. I challenge the Premier to free up his members and let us have a free vote on this. It is that kind of an issue, Mr. Speaker, that is the kind of an issue it is.

MR. BAIRD:

You will have a free vote if you poke your nose out in Corner Brook.

MR. NEARY:

Is that supposed to be funny? What would you consider that remark to mean, Mr. Speaker? Would it be a threat? Is it supposed to be funny or is the hon. gentleman living in a dream world?

MR. CALLAN:

The top thing on his mind is the big party on Wednesday.

MR. NEARY:

Mr. Speaker, when hon. members vote or speak on this bill, let them address themselves to one question and one question only and that is, is this fair play? Or would it be better, Mr. Speaker, to let the courts decide? The employees and their representatives, who have acted very responsibly up to now, why not let them continue the way they were going? The cases that have gone before the Labour Standards Tribunal, some of them may end up in the court, so why not let the courts decide? Why bring this bill in before the courts decide? We have a case that is supposed to go before the Appeals Court on the sixteenth of this month. Why not let it go and let the courts decide? Mr. Speaker, there is more to this one than meets the eye.

MR. TULK:

Why not?

MR. NEARY:

Why not? That is a good question. Has the Premier committed himself -

AN HON. MEMBER:

To Kruger.

MR. NEARY:

No, not to Kruger. We know he has admitted he is not committed to Kruger. But, Mr. Speaker, has he

committed himself to the Iron Ore Company of Canada? Or has he committed himself to the Wabush Mining Company? Mr. Speaker, we know from the debate tonight that the bill has been on the go for some time. It was not the Kruger Company coming into Newfoundland that triggered it, it was not that. We heard tonight from the Premier's own lips that it was in the making for some time.

MR. MARSHALL:

You do not know the difference.

MR. NEARY:

I may not know the difference, Mr. Speaker, but I do know that when it comes to this administration making a decision whether or not they will come down on the side of the worker or the multinational, Mr. Speaker, they will come down on the side of the multinational every time and that is unfortunate. And, Mr. Speaker, tonight we saw something else happen in this House. We saw an historic event take place in this House tonight when we saw closure invoked by a different name, by another name. A rose by any other name smells just as sweet. The hon. gentleman invoked closure but he did not have the courage to do it under the proper Standing Order.

MR. CALLAN:

He does nothing directly. He is devious.

MR. NEARY:

I am not allowed to use anything unparliamentary, but the hon. gentleman did not have the courage to do it under the proper standing order, but what we have tonight, Mr. Speaker, is closure.

MR. SPEAKER (Aylward):

Order, please! The hon. member's time has elapsed.

MR. NEARY:

Thank you, Sir.

MR. TULK:

Mr. Speaker.

MR. SPEAKER:

The hon. member for Fogo.

MR. DAWE:

I suppose you are going to punish us all now?

MR. TULK:

I have no particular desire to punish the former Minister of Fisheries (Mr. Morgan). If he wants to leave he is free to do so. He can leave now or he can leave tomorrow morning at 9:00 o'clock, it is up to him.

MR. MORGAN:

We will not be here nine o'clock in the morning.

MR. TULK:

Well, alright, whenever he wants to leave. I do not want to punish him with the truth because that is something that would hurt. But, Mr. Speaker, we have just seen tonight, I think, an example of what this government is all about. When the Government House Leader (Mr. Marshall) learned that there were probably going to be other amendments on this bill to indeed see that the bill was given the full hearing and the full debate desired, he brought in what is essentially closure. He can call it what he likes, but closure essentially limits debate on any particular bill and that is what the Government House Leader put himself down to tonight. That is a new low. I believe when he was speaking in the debate on this motion on the previous question, he thanked our forefathers. Well, he should, because our forefathers would roll over in their graves

after seeing the kind of things that the Government House Leader has gone through tonight. As the member for LaPoile (Mr. Neary) pointed out to us, the Government House Leader (Mr. Marshall) did not have the courage, he was afraid he would get some bad press, some bad media, he was afraid that it would come out in this Province just exactly what he was doing and he did not have the courage to invoke closure under Standing Order No. 50. The Government House Leader did not have the courage of his convictions to stand and bring in this closure under Standing Order 50 so instead of that he uses another little trick, but that is what we have grown used to seeing from that side, another little trick to accomplish through the back door what he could not do through the front door under Standing Order 40.

Mr. Speaker, I wonder could we have a quorum in the House.

MR. SPEAKER (Aylward):  
Order, please!

Call in the members.

#### Quorum Call

MR. SPEAKER:

There is a quorum present.

The hon. the member for Fogo.

MR. TULK:

Mr. Speaker, as I was saying we have seen the Government House Leader (Mr. Marshall) this evening invoke closure. He choses not to call it that but that indeed is what it is all about. The government have tied the debate together on both those bills, as

the Leader of the Opposition (Mr. Barry) has said. They have said that one is needed in order to get the other, Bill 37 is supposed to be needed in order to get Bill 52.

MR. DINN:

You do not believe that, do you?

MR. TULK:

No, I most certainly do not believe it and I do not believe that the Minister of Labour and Manpower (Mr. Dinn) believes it. As a matter of fact, the Premier came into this House tonight and confessed that Bill 37 is not needed in order to get Bill 52. The Premier has told us he does not really know but he does not believe it is, he is not sure, so we do not know from one minute to the next just what the Premier is believing over there. It is needed to keep Kruger in Corner Brook says every member on that side. Some of them do not know the difference whether it is or not but I suspect that some of them do and I suspect the Minister of Labour knows that indeed it is not. Here we have the same old tactics being used. They will try to frighten the Opposition into going along with whatever they want done so that they can go their merry way and look like a great, great government. Well, Mr. Speaker, they have been challenged, we have challenged them and, as I said, they have used that tactic called closure to indeed see that they do eventually get their way - they hope. But there are a few more stages to this bill yet, it is not law yet. We know that after five or six other people have debated this motion tonight, we will be forced to put the main motion, there is no doubt about that. The Premier comes and says it is necessary to get jobs. As the member for

LaPoile (Mr. Neary) said, we saw one of the biggest and the worst pictures painted of this Province tonight that we have seen in a long, long time. I suspect that most people know it. I do not believe that the Premier had to come in here and tell us that his government has made a mess of running the affairs of this Province. I think most people knew it. If ever you heard a confession, if ever you heard a man who seemed to me to be looking for pity, looking for somebody to say it was not his fault, I think the Premier gave us a prime example of that tonight. Indeed he made some very irrational statements when he pointed out that Fishery Products is bankrupt. Now, we know in this Province that Fishery Products is having problems enough as it is. The member for Burin - Placentia West (Mr. Tobin) I am sure will agree that Fishery Products International are having problems enough and they do not need the First Minister of Newfoundland, the Premier, to walk into the House and to point out to the financial world that Fishery Products is bankrupt. They do not need that. If ever there was a statement that would help Fishery Products reach that stage, then the First Minister of Newfoundland, the Premier, has made the statement tonight.

MR. TOBIN:

The receiver is already in there.

MR. TULK:

I am sure, Mr. Speaker, that the member for Burin - Placentia West will not allow this debate to pass tonight -

MR. WARREN:

He is concerned.

MR. TULK:

I believe he is concerned as I believe all hon. members in this House are concerned.

But I am sure that the member for Burin - Placentia West (Mr. Tobin) will not allow this debate to pass without standing in his place and challenging the Premier to back up the statement that he has just made that Fishery Products International is bankrupt or otherwise issue an apology to this House and to Fishery Products International itself.

MR. TOBIN:

The receiver is still in there.

MR. NEARY:

The receiver is not still in there.

MR. TULK:

It is now out of the bag. The Premier has come in and told us and the member for Stephenville (Mr. Stagg) - who is not here; and I believe the member for Stephenville is getting so poisoned with this government that he refuses to come to the House - and the member for Grand Falls (Mr. Simms) and the people of Grand Falls, through some sort of fit that the Premier went into when he got carried away, that Abitibi-Price this year is going to face downtime, that Abitibi-Price is not making a cent, there are no profits being made by Abitibi-Price. It seems that the Premier tonight, in trying to justify and rationalize what he is trying to do with Bill 37, has told just about everybody that would be interested in financing anything in this Province, 'Do not come here because this is a wasteland, there is nothing left.'

MR. NEARY:

He has thrown caution to the wind.

MR. TULK:

I am sure, for example, that Boyd Way in Valleyfield with Beothuck Fish will be pleased to hear that the fishery in this Province is bankrupt, that the Premier has said that the fishery in this Province is bankrupt and not much can be done for him unless we take a few more bucks from the workers. So, Mr. Speaker, we have had a great demonstration of how this government handles its affairs. First of all we have had the Government House Leader (Mr. Marshall) come in and put closure in effect to limit debate so that the points that have to be made about this bill, which should be made over and over again will not be made. So there is limited debate.

I believe that the Premier is a very sincere fellow, but in trying to justify the actions that he has taken, in trying to say that we need Bill 37 and here is why we need it, he has made an error in judgement. I believe that the Premier believes that retroactivity is wrong in principle, because he is a decent fellow, but he has made a mistake, an error in judgement. He should have spotted that problem in 1981. The Minister of Labour (Mr. Dinn) cannot deny that in 1981 when this matter was first raised by workers in this Province -

MR. DINN:

Your leader said that the courts might still overturn it..

MR. TULK:

I will get to that.

The Minister of Labour cannot deny that they are now trying to take away rights that workers in this

Province have had for years. He cannot deny that he should have seen that mistake in 1981.

MR. ANDREWS:

You are making a silly speech. You do not know what you are saying now.

MR. TULK:

The member for Burgeo-Bay d'Espoir (Mr. Andrews) has the opportunity when I am finished to stand in his place, say his piece or go back to sleep, whatever he wants to do.

MR. ANDREWS:

I support this bill.

MR. TULK:

So he can stand up and tell us why he supports this bill. But what we have seen, Mr. Speaker, is mistake after mistake after mistake by this government, and in particular with this bill. And we have seen them now, finally, come into this House and say, "We are now going to ask the workers of this Province to pay for it. We are going to take away the rights of the workers of this Province that we gave them in 1978 and make them pay for it, and we are going to use the majority that was given to us by the people of this Province on April 6, 1982 to do it." In other words, "We will use them against themselves." And as I said before, the Minister of Labour (Mr. Dinn) must have known in 1981 when this matter was first raised by labour unions in this Province that this was there. Where was the legislation? It would almost make you believe, Mr. Speaker, when Kruger could not get from the unions what they wanted to get through the collective bargaining process and then dropped it, that the company went to the Premier and said, "Now, you will use your government, you will

use your large majority -

MR. NEARY:

That is not the way it was.

MR. TULK:

That is not the way it was?

MR. NEARY:

No, he told us tonight the way it was.

MR. TULK:

Yes, but he told us two different versions.

MR. NEARY:

That is right.

MR. TULK:

First of all he said he went to Kruger and then about ten minutes afterwards when the member for Torngat Mountains (Mr. Warren) stirred stirred him up, the Premier changed his story.

MR. DINN:

Leave the member for Torngat Mountains (Mr. Warren) alone.

MR. TULK:

The member for Torngat Mountains, by telling the Premier that he was acting in a certain manner, drove him into a fit. The Premier even told the Leader of the Opposition (Mr. Barry) before that that it did not take a temper tantrum, he would swing his arms, he was back to his old self. The image that his polls told him in October to try and create changed all at once, and this House became a very familiar place.

MR. NEARY:

He got back to normal.

MR. TULK:

We saw the old Brian back to normal. Mr. Speaker, I must say that it was a welcome thing to

see, but the Premier is out of practice. The Premier has to be out of practice. Because I said to somebody who was sitting here, I think it was the member for Eagle River (Mr. Hiscock), "He has to be tired."

MR. ANDREWS:

He should be tired, he works so hard.

MR. TULK:

But I believe he was out of practice because he made so many mistakes. You do not very often see the Premier, I will give him his due, make mistakes in his speeches.

MR. NEARY:

The polls made him a bit paranoid.

MR. TULK:

I think there are a lot of things that are coming together to make the Premier lose his cool because I have never seen the Premier come into this House and make such mistakes, make the different kinds of statements in one speech. Now, mind you, I have seen him making them from one speech to the next, but I have never seen him come into this House and make the mistakes in one speech that he made tonight.

MR. BARRY:

Fortress mentality.

MR. TULK:

As a matter of fact, he was looking across on this side of the House and confessing something. He was confessing.

MR. NEARY:

He looked like he was begging.

MR. TULK:

Half the time he was confessing. I have never before heard the

Premier of this Province say that CFLCo, the problem with the Upper Churchill was not the fault of the Liberal Party, but tonight he said that. He said about the problem with the Upper Churchill, 'I have never said that they did not get the best deal they could get at the time.'

MR. NEARY:

He said, 'As I told the Only Living Father.

MR. TULK:

That is right, except he said they should have had a reopener clause. But he said, 'I have never blamed it on you fellows.' Confession, confession. So for once the Premier of this Province in his pique -

MR. WARREN:

Who caused him to say that?

MR. TULK:

You did. You drove him around the bend. And, of course the coach was called in. What we have seen happen over there in the last little while is we have seen their spirits sag, they have gone down hill, and so the coach was called in at the late hour - I think it was about 12:15 - to give the boys a pep talk. They do not have a quarterback, he is the coach, and he was called in to give the boys a pep talk and and get them up.

MR. NEARY:

He should have taken them down to the auditorium and given them a lecture.

MR. TULK:

Well, the Premier has been know to give lectures. Tonight he was not giving a lecture, he was something like the Mad Hatter. But the Premier's pep talk seems to have worn off over there because there

is only one person over there now smiling and that is the member for Naskaupi (Mr. Goudie) and he has that kind of outlook on life that -

MR. NEARY:

The Minister of Education (Ms Verge) was looking at him with goo-goo eyes.

MR. TULK:

Well, she came in and bowed to him, I suppose as the saviour of Corner Brook.

MR. SPEAKER (Aylward):

The hon. Minister of the Environment, on a point of order.

MR. ANDREWS:

This is the second or third time today there has been sexist remarks made by members of the Opposition regarding the Minister of Education and I demand a retraction of those sexist comments.

MR. SPEAKER:

To that point of order, the hon. member for LaPoile.

MR. NEARY:

Mr. Speaker, we now have two Ministers of Education, so the first question the hon. gentleman has to ask himself is were we referring to the calves eyes or the goo-goo eyes of the member for Ferryland (Mr. Power) or the member for Humber East (Ms Verge)? Could the hon. gentleman distinguish which one it was we were referring to?

MR. ANDREWS:

To that point of order, Mr. Speaker.

MR. SPEAKER:

To that point of order, the hon. member for Burgeo-Bay d'Espoir.

MR. ANDREWS:

I find it very, very difficult at this hour of the night to respond to two members who do not even respect the rules of this House. I was told, when I joined this House of Assembly in November 1979, that we should dress properly in this House, that we have to wear a jacket and tie and a shirt. I see the member for LaPoile (Mr. Neary) district is now adjusting his tie, but he has had his tie down around his navel most of the night. I resent that and I think it is an insult to the Chair and an insult to the House.

MR. SPEAKER (Aylward):

Order, please! To that point of order, there is no point of order.

The hon. member for Fogo.

MR. TULK:

Mr. Speaker, as I was saying when the member for Burgeo-Bay d'Espoir (Mr. Andrews) got up and told us that we had to wear a shirt, tie and coat in this House -

MR. NEARY:

This hour in the morning we should be wearing pyjamas.

MR. TULK:

- and had to wear shoes and so on - he went on and on and on - as I was saying, the Premier and the boys on the other side,, and the ladies, the persons on the other side - you cannot make sexist remarks here - the persons on the other side came into this House about a week and a half ago and tried to intimidate the Opposition and intimidate Newfoundlanders into accepting a piece of legislation. I remember the Government House Leader (Mr. Marshall) and the Premier saying there will be no such thing as closure, that they were going to

debate us under the table, that we were going to leave the House -

MR. ANDREWS:

You and your sexist remarks.

MR. TULK:

Mr. Speaker, if I were to make a sexist remark about the member for Burgeo-Bay d'Espoir (Mr. Andrews) I would not know which remark to make. But in any case let me get back to what I was saying, and that is this, that the government with their persons, the government made up of all the persons over there, the member for Bonavista South (Mr. Morgan), the member for Fortune-Hermitage (Mr. Stewart), were going to come in and debate us under the table and we were going to scurry away. The Government House Leader has been coming in here for the past couple of days and saying, 'You just wait till we give you the facts and see how quick then you are going to back off the bill.' I will be quite frank with you, Mr. Speaker; when the Premier walked in here tonight looking as fresh as a daisy I said, I know -

SOME HON. MEMBERS:

Oh, oh!

MR. TULK:

Mr. Speaker, can we keep the member for Bonavista South quite even if we have to put him down in his own seat or in chains?

MR. MORGAN:

As you were saying.

MR. TULK:

As I was saying, I fully expected the Premier to walk in here tonight with a lot of information' pointing out to us that definitely, no doubt-

SOME HON. MEMBERS:

Oh, oh!

MR. TULK:

Mr. Speaker, can you keep him quiet over there?

MR. SPEAKER (Aylward):

Order, please!

MR. TULK:

I expected the Premier to walk in this House and say definitely here are the goods, here are the reasons why we have to have Bill 37 before we can have Bill 52. But, Mr. Speaker, what did we hear from the Premier? He got up and he said, 'I am not sure,' 'I think I am sure,' 'Kruger said,' 'Kruger approached me,' 'I approached Kruger,' and 'I still am not sure.' But then he added, 'If I do not get this' - in spite of all of the facts that he put out by saying, 'I am not sure,' in spite of all of the statements he made saying, 'I am not sure' - 'if I do not get this the Province is going to be bankrupt.' Now that is what we have been hearing for the past two or three days. There is absolutely nothing new in this.

Mr. Speaker, I wonder what the member for Grand Falls (Mr. Simms) is doing over here?

MR. SIMMS:

Getting sick of listening to you.

MR. NEARY:

Do you want to be House Leader over here?

MR. TULK:

That job is not open to him, I do not suppose, unless the Leader of the Opposition (Mr. Barry) wants to give it to him. But, Mr. Speaker, he makes me uncomfortable. I wonder if he would go back to his own side, because I do not believe we would

want him over here anyway. Would we want him over here?

MR. NEARY:

I think if they are going to put us into night sessions very often they should bring in the breathalizer.

MR. TULK:

Now, Mr. Speaker -

MR. MORGAN:

As I was saying -

MR. TULK:

The member for Bonavista South (Mr. Morgan) said nothing. The Premier had said the original bill is a bad piece of legislation and we do not disagree with that. We believe that the number of weeks' notice presently required, or at least supposed to be required, and we are not sure since the Minister of Labour (Mr. Dinn) is not sure, what will be the final interpretation that will be put upon the bill. We are not sure of that as the Minister of Labour is not sure of it. None of us is sure of that.

We are not sure that indeed this piece of legislation is going to cost any money. We heard the Minister of Labour (Mr. Dinn) going around spouting off for the past couple of weeks that it was going to cost \$27 million.

DR. COLLINS:

Is that all?

MR. NEARY:

It could cost five cents.

MR. ANDREWS:

What are the facts?

MR. TULK:

I am trying to give them to you and you will not listen. The

member you have down there for Burgeo-Bay d'Espoir (Mr. Andrews) is making an awful lot of racket again. I would make a sexist remark about him but I do not know which sex to make the remark about.

MR. NEARY:

You drove him out of here.

MR. TULK:

Well, that is good.

There is another fellow going back to where he belongs. All you have to do now is drop the rock -

MR. NEARY:

Crawling into his hole.

MR. TULK:

- and they all will be covered.

Mr. Speaker, we do not know what it will cost. The Minister of Labour (Mr. Dinn) has come into this House and said it is going to cost \$27 million. The Premier has come into this House and said it could cost \$50 million. The Minister of Justice (Mr. Ottenheimer) tonight -

MR. NEARY:

It could cost us nothing too.

MR. TULK:

- between his getting up and down, between his ups and downs, getting into his seat and getting out -

MR. STEWART:

You do not know the seriousness of it, that is the problem.

MR. TULK:

Well, have you put a dollar figure on it? Do you have your own dollar figure for this bill? Everybody on that side has a different figure. The Minister of Labour (Mr. Dinn) says \$27 million, the Premier says it could

cost \$50 million or \$60 million.

MR. NEARY:

He is after sending out for the figures now. He is having all the employers polled now.

MR. TULK:

Yes, he is having it all done now. The Minister of Justice (Mr. Ottenheimer), in his ups and his downs, we were not sure for a while tonight whether the minister was going to sit down or stand up, lie down, fly, or what he was going to do, but in his ups and his downs he said there was a figure of \$50 million.

MR. NEARY:

God love the member for Gander (Mrs. Newhook). Look, she is wide awake.

MR. TULK:

The member for Gander is wide awake and listening. She is probably the only person over there who is wide awake. The rest of them are falling asleep, Mr. Speaker.

MR. NEARY:

My God, I tell you, she has some energy. The member for Gander has some energy.

MR. MORGAN:

I am on the midnight shift.

MR. TULK:

For what you are going to do in this House you could be on any shift.

MR. MORGAN:

When is your colleague for the Strait of Belle Isle going to be back?

MR. TULK:

Oh, he will be back. Do not worry about it.

MR. NEARY:

Now you are after sending him home.

MR. TULK:

Mr. Speaker, nobody on that side of the House seems to be sure as to what this bill, if the amendment is not passed, is going to cost the Province or cost the employers of this Province. Nobody is sure, yet they waffle on. Can the member for Burgeo - Bay d'Espoir (Mr. Andrews) - no, I would not associate you with the member for Burgeo-Bay d'Espoir (Mr. Andrews). If I can apologize, I apologize.

Can the member for Fortune-Hermitage (Mr. Stewart) tell me what the cost is going to be to the fish plant in his area? Has he asked that Minister of Labour (Mr. Dinn) who uses the Newfie calculator -

MR. DINN:

That is an insult to Newfoundland.

MR. TULK:

No, no. I am just talking about the one in the joke book and you are in the joke book.

MR. SIMMS:

I have a little verse here for you.

MR. TULK:

I will ask the Minister of Forest Resources and Lands (Mr. Simms) to stand in his place and read his little verse, and also to tell this House -

SOME HON. MEMBERS:

Oh, oh!

MR. TULK:

Mr. Speaker, can we keep that crowd of Yahoos quiet, please?

MR. SPEAKER (Aylward):

Order, please!

MR. TULK:

The former Speaker of this House, the member for Grand Falls, (Mr. Simms), the Minister of Forest Resources and Lands has set a new record, he is the Wayne Gretzky of interruptions. He has broken the record of the member for Burin-Placentia West (Mr. Tobin), for some reason or other.

MR. WINDSOR:

He has not broken the record for boredom like you are doing.

MR. TULK:

If you stand up and speak, I will sit down and let you entertain US.

MR. NEARY:

Bring in the breathalizer.

MR. TULK:

But the member for Burin-Placentia West (Mr. Tobin) has recently become a very quiet fellow. As a matter of fact, he has been over there for some time sitting where he is right now because he is trying to keep the member for Grand Falls (Mr. Simms) quiet. I think he is trying to get in the Cabinet. Did you get to him? Did you talk to him?

MR. POWER:

I advised him on how to get in Cabinet.

MR. TULK:

Good. Because he is going to need every bit of advice he can get, as the member for Ferryland (Mr. Power) well knows. I would hope that when he gets in Cabinet he will not take a half job like the member for Ferryland. He will not take a job that really does not suit him. The Minister of Forest Resources and Lands (Mr. Simms) is much too competent a fellow for the Premier to poke around like he is poking him around. I believe

he is. The Minister of Forest Resources and Lands should not let the Premier keep him out of the leadership convention. He should not let him poke him away somewhere. No, Mr. Speaker, the Minister of Forest Resources and Lands is much too good for that.

Mr. Speaker, I want to refer to a statement that was made again this evening by the Minister of Justice (Mr. Ottenheimer). He said that the Opposition in the Province were playing Russian roulette with the people of Corner Brook. Well, I can tell you, in my opinion, what this bill is all about, what Bill 37 is all about, what is really happening is that we have the Premier, the House Leader (Mr. Marshall) and the government and so on the other side - if you want to talk about taking a gamble - we have got them over there playing black jack, a game where only the dealer wins. That is really what is happening on that side of the House. What they are doing is saying to the people of this Province, 'We deal the cards and you suffer.' Thank you, Mr. Speaker.

MR. FENWICK:

Mr. Speaker.

MR. SPEAKER (Aylward):

The hon. member for Menihek.

MR. FENWICK:

Mr. Speaker, I am not sure where to start on this. We have gone around and around it. This is going to be the first chance and the last chance I will have to talk on the substance of the bill.

One of the things that I find sort of disquieting -

MR. MORGAN:

Let us listen to the NDP.

MR. FENWICK:

- besides Jigger Jim.

SOME HON. MEMBERS:

Hear, hear!

MR. FENWICK:

That was not original, though, so I cannot really claim it.

What I find disquieting about the whole process is that a couple of days ago I had a chance to bring what I thought were some substantive criticisms to the arguments put forward to the bill, that it is just plugging a hole or interpreting it retrospectively and so on, and since then I have listened to a lot of arguments from the members opposite, the Premier and the House Leader (Mr. Marshall) and a few others, and it is quite apparent that they did not listen to these comments whatsoever. That tempts me to repeat some of them and I am going to try to summarize them a little bit just because I think there is a substantive issue here and because, as I look around this House, I am the only person willing to argue that the bill, the legislation the way it is now, is essentially acceptable and workable and fair both to employers and employee groups. Since I am the only person who is willing to argue that position, since the Liberals are primarily concerned with the retroactive nature of it and are not particularly averse to the changes that it proposes, I think it is perhaps important to address those points again, even at this late hour and even though I may be a bit repetitive over some of the points I made before.

The argument that has been put forward by the Minister of Labour (Mr. Dinn) and has been put

forward by the Premier is that all this particular piece of legislation is doing is putting back in a definition that slipped out, sort of fell out of the bottom of the bill, so to speak, back in 1977. Well I happen to know that in the drafting of this legislation a lot of detailed work was done between the employer groups and the employees and among the civil servants who were involved there.

MR. BARRY:

A point of order, Mr. Speaker.

MR. SPEAKER (McNicholas):

A point of order, the hon. the Leader of the Opposition.

MR. BARRY:

The member from Menihek (Mr. Fenwick) is making a good speech and I know when he gets into it we will hear some good debate but I believe that we are operating under an improper procedure here. There were two motions made that see us here right now at this point in time this evening: One was that the House sit past 11:00 p.m. and the other was that the previous question be put. Neither one of those motions, Mr. Speaker, from my recollection, had a seconder.

SOME HON. MEMBERS:

They did.

MR. BARRY:

Neither one of them, Mr. Speaker. Neither motion had a seconder, neither one of them, and definitely so in the case that we sit past 11:00 p.m. because the Minister of Justice (Mr. Ottenheimer) said, 'However, I will say that we not adjourn at 11:00 p.m.' and he sat down for the third time. So, Mr. Speaker, we have a serious problem here.

We have no proper motion that this House sit past 11:00 p.m., nor do we have a proper motion that the question be now put. Mr. Speaker, on that basis Your Honour has an obligation to leave the Chair and return again tomorrow afternoon at 3:00 p.m.

MR. SIMMS:

Mr. Speaker, to that point of order.

MR. SPEAKER (McNicholas):

To that point of order, the hon. the Minister of Forest Resources and Lands.

MR. SIMMS:

Mr. Speaker, I do not know what the tactics of the Opposition are at this point in time but they are obviously very strange ones. They must be ready to fall asleep. The fact of the matter is that if there is a breach of parliamentary procedure, any procedure within the Legislature, it should be pointed out at the time it occurs, not three hours later.

MR. BARRY:

That is only privilege.

MR. SIMMS:

No, it is not only privilege. It is a breach of parliamentary procedure.

MR. BARRY:

We had to make sure that that was the case.

MR. SIMMS:

What they are proposing is a bunch of hogwash as a matter of fact, Mr. Speaker. The fact of the matter is, Mr. Speaker, that there was a seconder to the motion because the Government House Leader (Mr. Marshall) turned around and said, 'Seconded by the Minister of Forest Resources and

Lands', and I seconded both motions, Mr. Speaker. So, what the hon. the Leader of the Opposition (Mr. Barry) is trying to pull right now I do not know but it is obviously nothing but a point a foolishness. Your Honour need not take the time to adjourn or anything of that nature. It is simply a delaying tactic on the part of the members opposite.

MR. NEARY:

Mr. Speaker.

MR. SPEAKER:

To that point of order, the hon. the member for LaPoile.

MR. NEARY:

Mr. Speaker, the hon. gentleman should not try to order or dictate to the Chair.

MR. SIMMS:

Nor should the Opposition.

MR. NEARY:

Your Honour should send for the tapes, Mr. Speaker, and check the tapes to see if there was a seconder. Mr. Speaker, we have two motions that were made without a seconder and the House is now debating a matter illegally. I would like to draw Your Honour's attention to page 150 of Beauchesne, Section 413. "If a motion finds no seconder, it is dropped immediately." Mr. Speaker, let me say this to the expert over there, the former Speaker. The fact of the matter is that if there is no seconder, and we submit that there is no seconder, whether it was done then or now or five hours from now the fact of the matter is there is no seconder for either one of these motions.

MR. SIMMS:

That is not so.

MR. TULK:

The motion should be thrown out.

MR. BARRY:

Check the tapes.

MR. NEARY:

That part of it, Mr. Speaker, is debatable. Your Honour has to check that.

MR. SIMMS:

It is not debatable. I was here, I seconded it.

MR. NEARY:

Neither one of the motions were seconded.

MR. SIMMS:

The minister turned around and said, 'Seconded by the Minister of Forest Resources and Lands.'

MR. BARRY:

The motion to sit past eleven, the motion moved by the Minister of Justice (Mr. Ottenheimer)?

MR. SIMMS:

I am talking about the other one at the moment.

MR. NEARY:

Mr. Speaker, I am prepared to bet the former Speaker, I am prepared to wager a bet that the Government House Leader (Mr. Marshall) did not have his motion seconded.

MR. BARRY:

And I want a part of that bet.

MR. MARSHALL:

Mr. Speaker.

MR. SPEAKER (McNicholas):

To that point of order, the hon. the President of the Council.

MR. MARSHALL:

Mr. Speaker, when I made the motion I turned to the hon. the

Minister of Forest Resources and Lands (Mr. Simms) and I said, 'Seconded by the hon. the Minister of Forest Resources and Lands.' The hon. the Minister of Forest Resources and Lands nodded and indicated he seconded the motion of the hon. the Minister of Justice (Mr. Ottenheimer) accordingly. The fact of the matter is, Mr. Speaker, a point of order or a point of privilege must be brought up at the earliest possible moment, not three or four hours later. Mr. Speaker, we might as well be going back into history and drawing issue with the hon. L.R. Curtis, when he last brought closure into this House, that it was not seconded. The fact of the matter is, Mr. Speaker, that the hon. gentlemen there opposite, I fear, are looking for a cause to walk out of the House with respect to the Speaker. The fact of the matter is the issue has been joined, it has been locked, we are sitting after 11:00 p.m., it is now 2:00 a.m. So for some reason or other there must be some justification for it. We have actually been sitting for this the period of time. The point of order has to be drawn up at the earliest possible time, if there was one, and in actual fact, Mr. Speaker, there were seconders anyway to both motions, they were regularly put. Mr. Speaker, what really has happened with the hon. the opportunist on the other side and his opportunistic colleagues is that the hon. gentlemen there opposite are sore because of the fact that they have not been aware of the normal parliamentary practice. Now we are debating a matter under normal parliamentary practice, under Standing Order 40, that has been fully and regularly put and we are fully and regularly sitting here, otherwise, Mr.

Speaker, it is a mirage. But it is not a mirage, Mr. Speaker, and the motion was regularly put and voted and agreed upon. The motion to sit past 11:00 p.m. was regularly put and voted upon and adopted by the House. So the seconders, Mr. Speaker, were all of the people who voted. The matter of the proposal which is yet before the Chair with respect to Standing Order 40 was proposed, seconded by the Minister of Forestry (Mr. Simms), so it is quite regular and quite normal.

MR. BARRY:

To that point of order, Mr. Speaker.

MR. SPEAKER (McNicholas):

To that point of order, the hon. Leader of the Opposition.

MR. BARRY:

There is one very easy way for Your Honour to settle this matter and that is to check the tapes to see whether there was any indication of a seconder. And I submit to Your Honour that any member sitting here, speaking honestly, has to say that there was no indication of any seconder for the motion to sit past eleven o'clock.

I am certain of that one. I am not as certain, but I believe the same situation prevailed with respect to the Government House Leader's (Mr. Marshall) motion.

SOME HON. MEMBERS:

Oh, oh.

MR. BARRY:

Mr. Speaker, I am not raising this as a point of order that has not basis. I did not hear that there was any seconder for the motion of the Minister of Justice (Mr. Ottenheimer). I recall

specifically how cavalierly and rather humorously, I thought, he said, 'However, I will put a motion to sit past eleven o'clock,' and bang, he sat down again, for the third time. Mr. Speaker, the only decent way to establish this is to check the tapes and establish the situation.

Mr. Speaker, I must say, I find it very strange to have a change of speakers when we have made a submission to one -

MR. SIMMS:

It does not matter. They all represent the Chair.

MR. OTTENHEIMER:

To that point of order, Mr. Speaker.

MR. SPEAKER (Aylward):

To that point of order, the Minister of Justice.

MR. OTTENHEIMER:

Mr. Speaker, very briefly, Beauchesne, page 79, Item 237, is very clear, "A point of order against procedure must be raised promptly," - not three or three and a half or four hours after, promptly, p-r-o-m-p-t-l-y, for the hon. member from wherever the hon. member is from - "must be raised promptly and before the question has passed to a stage at which the objection would be out of place." Now the motion was made about three and a half hours ago and voted upon by this House, so I would call to the hon. gentleman's attention again the meaning of promptly which I am sure the hon. gentleman is well aware of.

SOME HON. MEMBERS:

Oh, oh.

MR. SPEAKER (Aylward):

Order, please!

MR. OTTENHEIMER:

They are all bawling and squaking over there, so I will read it to them again, "A point of order against procedure must be raised promptly." What it is, Mr. Speaker, is they do not want to be staying up this late. It is after eleven o'clock, it is two o'clock and they do not like being up late and they want to procrastinate the work of the House because they all want to be home in bed. But the point is that the rules of this House are very clear that a matter has to be raised promptly. If the hon. gentlemen want to go to sleep, they can go home and go to sleep, but that does not mean that they are going to determine the rules of the House.

SOME HON. MEMBERS:

Oh, oh.

MR. SPEAKER:

Order, please!

To that point of order, I understand there were two points raised by the Leader of the Opposition (Mr. Barry), one point being that there is not a seconder for the motion to sit past eleven o'clock and the other being that there is not a seconder to the motion that this question be put.

I will take a brief recess and report back.

RECESS

MR. SPEAKER (Aylward):

Order, please!

On the first point raised by the hon. Leader of the Opposition (Mr. Barry) which would be the motion that we do not rise at eleven o'clock, there are several points

to that. First of all, the House did vote on the matter and settled it by vote. Another point is that on page 79, Standing Order 237, "A point of order against procedure must be raised promptly and before the question has passed to the stage at which the objection would be out of place." That pertains to that first question also.

The second question is that the Government House Leader (Mr. Marshall), when he moved his motion that this order be now put, did not have a seconder. In the minutes of the meeting, checking with the Clerk at the Table, that motion was seconded at the time by the hon. Minister of Forestry (Mr. Simms).

SOME HON. MEMBERS:

Hear, hear.

MR. SPEAKER:

So there is no point of order.

The hon. the member for Menihek.

MR. FENWICK:

Mr. Speaker, I will go back over the points that I was trying to make, trying to recapitulate from the previous time.

The points are essentially this: It has been alleged by the Minister of Labour (Mr. Dinn), by the Premier and by everybody else who has argued it on the Government side that there was a slip, that an error was made. The fact is if you read the 1977 legislation closely, it is coherent, it makes sense and it is quite consistent with the idea that there was no need for a definition for a part-time layoff or a temporary layoff. If you look at it closely you will see that there is a section allowing for regulations, Section 54. If

you look you will actually see regulations that were passed, regulations which defined clearly the kinds of situations that are now allegedly being taken care of here.

I make those substantive arguments because somehow they fell through the cracks before. In listening to the Premier giving his tirade there a little while before, it is obvious that he did not listen to any of those comments because if he had he would have realized that all those things are there. He alleges that there is a massive amount of money payable under this legislation yet he gives us absolutely no proof.

I really want to turn to the Premier's comments because I think they are the more appropriate ones to respond to. I would really like to concentrate on one sentence that he said in the debate because I think it is the key to what is going on here and what we are seeing going on from this particular government. I quote it here, "We would have a damn good chance in the courts to prove that the Labour Standards Tribunal was wrong." I will repeat that again, this is the Premier talking, "We would have a damn good chance in the courts to prove that the Labour Standards Tribunal was wrong." Now I repeat that twice because he is saying 'we', yet the fact of the matter was the Labour Standards Tribunal was arbitrating a case between a company and a union, not between the government and a union, not between the government and anybody else, but a company and a union and the employees that union represented. But what we have is the Premier, and I would suggest he was talking there from his real convictions because he certainly

seemed to be, saying, 'We would have a damn good chance in the courts to prove that the Labour Standards Tribunal was wrong.'

MR. BARRY:

The royal 'We'.

MR. FENWICK:

It is not the royal 'We', it is the 'we' that includes him and the corporations that he has obviously made a decision to back in this particular dispute, and that is the crux of what is going on here.

Now I can refer you to another couple of comments he made, but the one I find most interesting was towards the end of his tirade, when he was flying back and forth, looking at the buffalos under the clock there, looking at the Speaker, and back and forth again, I will quote him again, 'We have 60,000 people out of work, 20 per cent unemployment' - actually he was a bit more dramatic than that, as he was flying back and forth - and that I think is the key to what this legislation is all about.

What the Premier is saying to us is that this is a conscious decision on the part of his government to take a piece of legislation which was properly drafted, properly had safeguards in it if the Minister of Labour (Mr. Dinn) had done his job properly -

MR. SIMMS:

It was improperly interpreted.

MR. FENWICK:

It was properly interpreted. Because there is no place for that definition in there because it was never referred to in the act again, quite frankly, and when it is put in there it will never be referred to again and everybody

knows that. The fact of the matter is what the Premier is saying, and I think it is almost subconscious here, is that we have 60,000 people unemployed. I usually use that number, by the way, but the government usually uses 40,000. I am glad to see we now agree on the magnitude of unemployment. But what he is saying is that we are going to try and attract people here as employers by taking the Labour Standards Act that we have and making it much, much weaker. And this is the point that I am trying to get across because, while I disagree with the retroactivity, I also argue that that legislation is also sound in itself, especially if the regulations were put into effect.

What I call this is the Banana Republic of the North attitude that the Premier has. What he is saying, in almost all his attitudes and all his actions over the last couple of years, is if we can hold salaries down, if we can disable safety legislation, if we can make our standards much less for our employees and so on, then we hope somehow to get companies to come in here, set up shop, and employ people.

The fact of the matter is, it is a bankrupt idea from first to last. If we are going to go and start competing with Brazil where miners are making \$2 an hour, then we are going to have to tell our miners that they should live on \$2 an hour. And I would suggest to you that if you got them to agree to that, after they starved to death it would not have been very helpful anyway. The fact of the matter is that the approach that is being suggested by the government, that is being implemented by the government,

that is consistently being followed by the government is a Banana Republic kind of idea. And what we are doing is living in a Province where we are willing to look at the Iron Ore Company of Canada and say this is the company we will bow down to. It is not the United Fruit Company, but the fact of the matter is our relationship to them is the same. They say 'Jump!' and we say, 'How high?' They say 'Strip away workers rights,' and we say, 'How much do you want?' They say, 'Lower the wages down and make sure they have no benefits,' and we say, 'How much do you want to get out of the workers in Bowater?' - now Kruger's new mill. And that is consistently the attitude and the policy of the government opposite. Now I am not saying it is totally crazy, because in the back of everybody's minds, they say, 'Well, if we can keep wages down, maybe we can get a few businesses here, maybe we can do something like that.' I suggest it is folly. I suggest if they go and look at some Scandinavian models, they will see countries like Sweden, for example -

AN HON. MEMBER:

(Inaudible) frighten away investments.

MR. FENWICK:

Sweden has a 2 per cent unemployment rate, has the highest average salaries in the world by far, and has the greatest degree of equality in the world. And they did it by having a conscious policy of raising salaries and making them more equal, not by impoverishing their workers, yet that is exactly what we are looking at in this kind of legislation.

I go back to the Premier's words again. 'We would have a damn good chance in the courts to prove that the Labour Standards Tribunal was wrong.' He is very, very clearly identifying with these employer groups. He is saying that we are willing to go and take their side against the workers because that is what he means when he says, we. And that is the thing that is so insidious about this whole thing. I am not saying these people opposite or these members opposite are evil, I know you are not, but I honestly believe that you honestly believe that this is a good policy for this Province. I honestly believe you believe that. And I honestly know that you are totally wrong. What you are suggesting will not solve our problems, not even come close to solving them.

What is our problem with our labour? What is the problem in Corner Brook? Low labour productivity. Now if you say that to the uninitiated, what they will tell you is, oh, that is lazy workers who have been pampered too much and so on. Yet the Minister of Labour (Mr. Dinn) knows, and everybody else here knows who has studied it closely, low labour productivity is because of old machinery and ancient methods of production and so on. In other words, low labour productivity is not a question of the individual's worth and the individual's ability to work, it is the machinery that they have to work with.

In the case of Bowater, where you are working with fifty year old machines, it is very obvious that the reason the productivity is low is primarily because of old machinery.

MR. SIMMS:

And there may be too many people there, it might be overstaffed..

MR. FENWICK:

Sure, because they have the old machines and they require more people, generally speaking, to run them. But if there are too many there, and I do not take that as a reason on it all, it is because the management there was not able to run it efficiently. That would be the reason.

What I am trying to say to you is this: I oppose the changes because I believe this legislation is decent, it is the kind of legislation that safeguards the lives of a lot of our workers, and it can be lived with by corporations that can think far enough ahead to do it. We all know, because I went through the regulations for the members who were here before, that it exempts almost all of the cases we have.

I will give you a couple of examples, because there are some that really burned my buns here this afternoon when we had the Premier in here. Excuse the language, I do not know if that is parliamentary or not, but I do not give a damn any more. The fact is, he said, a month or two strike in India could close down the Baie Verte Asbestos mine. He actually used that example. Yet he knows in the legislation itself that in case of strikes that section 53 is not invoked. He deliberately said something that was not true. Now I am giving him the benefit of the doubt that he never read the legislation because that is the way he is talking, as though he never read it. But the fact of the matter is if there is a strike in India, there is a clause in there that says that in case of a strike it does not apply. Now why

did he not read it?

MR. MORGAN:

Do not give yourself a heart attack.

MR. FENWICK:

Well, if your Premier can yell, so can I.

Then let us get to the maze of numbers. Twenty-seven million dollars is the bottom of the barrel. And these are the numbers that I really love; \$27 million is the bottom of the barrel, he says, but it could be \$50 million or it could be \$60 million. Why did he stop there? Why not \$150 million? He has got just as much evidence for that as he has the \$27 million, which is frig-all. He does not have any evidence at all.

MR. MORGAN:

What language.

MR. FENWICK:

I checked, that is not unparliamentary.

MR. SIMMS:

Mr. Speaker, on a point of order.

MR. SPEAKER (McNicholas):

A point of order, the hon. Minister of Forest Resources and Lands.

MR. SIMMS:

Mr. Speaker, the hon. member now for the last few moments has been using language which if not unparliamentary is awfully, awfully close to being unparliamentary. And it certainly is language that has not been acceptable in this House. And I would suggest that Your Honour should direct the hon. member to use a little more caution in some of his terminology. I am

certainly sure that some of the words that he used, certainly the last word that he just used, is not something that we would like to hear in this House of Assembly.

SOME HON. MEMBERS:

Hear, hear!

MR. NEARY:

Mr. Speaker, to that point of order.

MR. SPEAKER (McNicholas):

To that point of order, the hon. member for LaPoile.

MR. NEARY:

Mr. Speaker, we were under the impression for some considerable time that the hon. gentleman was going to go for the top job, for leader of the party. But I am getting more convinced every day, listening and observing the hon. gentleman, that what he is really doing is looking for the Government House Leader's (Mr. Marshall) job. And, Mr. Speaker, that is why he is raising so many points of order, and points of this and points of that, trying to show us his knowledge of the rules of this House. And, Mr. Speaker, there is really no point of order. The hon. gentleman knew when he stood up that there was no point of order, Mr. Speaker.

MR. SIMMS:

Do you find that language acceptable?

MR. NEARY:

Well, whether I find it acceptable or not, the fact of the matter is that it is parliamentary. We have a Speaker.

MR. SIMMS:

How do you know it is parliamentary?

MR. NEARY:

How do I know it is parliamentary? The language may be distasteful for the hon. gentleman, but it is not unparliamentary. And the Speaker will rule and the hon. gentleman is not going to get the Government House Leader's (Mr. Marshall) job.

MR. SIMMS:

It should not be used in the House and you know that.

MR. TULK:

The Speaker determines that, not you.

MR. NEARY:

The Speaker will determine that, and the Standing Orders of the House. So, Mr. Speaker, there is no point of order.

MR. SPEAKER (McNicholas):

To that point of order, I must say the hon. member for Menihek (Mr. Fenwick) was skating very swiftly towards being out of order. He did make one comment that I was going to pull him up on, but I thought I would let it go, when he mentioned one word and said he did not give a damn if it was parliamentary or not. So I would ask him to be a little bit more careful in his comments.

The hon. member for Menihek.

MR. FENWICK:

Mr. Speaker, I apologize if I skated on thin ice there. The fact of the matter is I have been cut down to only a couple of minutes now in my comments and since they were the only substantive ones that were defending the particular legislation that we are trying to amend here, I was quite incensed with the fact that these procedural things have used up so

much time.

I want to make one or two more comments. The Premier has alleged in the comments he made here this evening or last night or whenever it was that these amendments were not important to the Newfoundland Association of Public Employees. Now I have not talked to the president of it but I do know one thing that the Newfoundland Association of Public Employees has just won an arbitration case for 100 of its members at St. Clare's based on that interpretation of the legislation and I would find it passing strange if the Newfoundland Association of Public Employees was not very much incensed by the fact that 100 of their members would be deprived of whatever rights they would have under it as a result. So while I cannot say I was in the meeting to do anything I certainly find it strange that he would say that.

Another comment I would like to make on it is he also mentioned that we would have the best notice period on temporary layoff in Canada. Quite frankly, Bill 37 provides no period of notice for temporary layoff, it is never referred to again. Quite frankly you could get to work at 8:00 a.m. and at 8:01 a.m. you could be told you got a temporary layoff of anywhere of up to thirteen weeks and that would be the end of you. So I do not know where he is reading this legislation. Now I understand from the Minister of Labour (Mr. Dinn) that somewhere along the line there is an intention maybe to move an amendment in the committee stage which I would like to see because I think that that is a hole in that particular Bill 37. Unfortunately with the

semi-closure tactics used by the government side it is very difficult to get into the kinds of amendments we wish to use to point out that there were these particular holes even in the adjustment to it.

Anyway I do not know what time I have got left, I have not a clue where the clock is but what I will say is this. I have listened to the Premier, I have listened to his radio commercials, I have seen his stuff in print here, I have seen the horrible abuse of the government purse by trying to convince us that this is good legislation. The fact is this is lousy legislation and the retroactivity is only one part of its objectionable nature. The fact is it is a very clear decision by this government to take a Banana Republic approach to developing our economy, to strip away benefits from workers, and to make sure that these companies are as comfortable as they can be. What is ironic about the whole thing is it is not going to work. The Iron Ore Company is not up in Labrador West digging out ore because it likes our particular legislation, it is because that is the ore deposit that they can most economically, at this point, develop. It is the same thing with the mills in our Province. These mills are here because the trees are here, because the labour force is here and they are capable of producing paper reasonably competitively. Admittedly the Bowater disaster is a disaster and hopefully we get out of that, but I thought we finished with Bill 52 so I will not refer to that. The fact is that the approach that the government is taking is a horrible one. We do not want to see development at the cost of all the benefits that are workers have

accrued and we would prefer to see something of an even-handed nature. We do not want the Premier standing up and saying 'we', meaning him and all the large corporation are hoping to be able to break these decisions in the courts later on. That really is the kind of perceptions that a lot of people in this Province now have of this provincial government and I think it is a fair perception of them. Because following on the heels of Bill 59 several years ago, it is very clear that there is a consistent attitude on the part of the government, well-meaning though it may be, to decide that we are going to become the new Banana Republic of the North, these corporations will be our United Fruit Company, they will be left to do whatever they want and that will be our approach.

MR. MORGAN:

Banana Republic! You are not talking in Ontario now, you are in Newfoundland.

MR. FENWICK:

Sorry, Jim. I realize that if it was not a salmon you would not recognize it, would you?

MR. MORGAN:

Banana Republic! That is socialist talk.

MR. FENWICK:

All I am saying to you is that intentioned or unintentioned, the fact is that this government is putting forward this impression.

MR. MORGAN:

How about Communism.

MR. FENWICK:

I would argue with you if you want to consistently do that and keep on doing that, you do so and I

will enjoy it, because what you are doing is alienating a huge number of people in this Province who are clearly seeing you take sides in disputes that you should not be taking sides in. If you want to keep on doing it, fine, but when it comes time for the next election we will just make sure that you get your just deserts as a result of it. The fact of the matter is -

MR. SIMMS:

In the telephone company strike you said we should take sides..

MR. FENWICK:

You are right. I agree. I mean if you want to take sides on the part of the companies, you can, if that is the part you feel comfortable with, go ahead, but do not forget the companies do not have a heck of a lot of votes. There is a heck of a lot more workers than there are companies. I would prefer you take the side of the workers of this Province rather than the multinational corporation.

Anyway, those are the major comments I wanted to make. I apologize for skating on thin parliamentary ice, it is the first time I have been on it - I have not been on skates lately - but I would like to say that it is unfortunate that the level of debate on this particular bill has been so poor. What we have had are diatribes, name calling by the Premier, most of the debate done outside the House of Assembly by means of this kind of flimsy advertising, and we have not had any debate on the substantive issue that it is a good piece of legislation and it is being gutted.

MR. OTTENHEIMER:

Everybody else has been

irrelevant, only the hon. member has been relevant.

MR. FENWICK:

I know. It is one of the problems of only being in the House for a month that you tend to be relevant.

MR. OTTENHEIMER:

Until the hon. gentleman spoke, nobody made any sense. Humility, where is thy virtue!

MR. FENWICK:

I was afraid I was going to escape this time without another lecture and I am glad that the hon. member opposite gave me another lecture.

All I am trying to say is that I have raised those objections, I have not heard anybody answer them, and it really is a bit annoying not to have anything other than the rhetoric of what has passed for debate on this because it is an important piece of legislation. There are a lot of workers in this Province who count on it and we really have not done them anything close to justice in terms of discussing the actual changes that are being made and that is really a shame.

MR. CALLAN:

Mr. Speaker.

MR. SPEAKER (Russell):

The hon. the member for Bellevue.

MR. CALLAN:

Mr. Speaker, I want to have a few more words on this Bill 37. I want to talk about some of the inconsistencies that we find in various speeches that we hear from the Premier from time to time.

MR. SIMMS:

Is this about the Bellevue by-election?

MR. CALLAN:

No, this is not about the Bellevue by-election. I could talk about the Bellevue by-election, the Markland Hospital and the Markland Road and the Come By Chance Hospital; all that is the Bellevue by-election and the general election. I do not want to talk about any of that.

Mr. Speaker, I want to say that I think the Premier is more to be pitied than blamed. I think that the Premier finds himself in the position where he was a fine gentleman and he had fine ideals and ideas up until 1972, as the hon. the Premier was a Liberal for most of his life up until 1972, when the Premier decided, 'Here is an opportune time for me to jump on the Tory bandwagon and I will get elected.' You see, what happens on the other side, Mr. Speaker, is they throw barbs across this way. The Government House Leader (Mr. Marshall) talks about our Leader of the Liberal Party (Mr. Barry) being elected as a Tory and all of that but, by the same token, Mr. Speaker, the member for Baie Verte - White Bay (Mr. Rideout) was elected a Liberal and, of course, he crossed the House without asking the people of his district, but for some reason over there they think it is different. The Premier, like the Government House Leader, speaks out of both sides of his mouth. I remember the other day, Mr. Speaker, the Premier, for the sake of expediency and to prove a point, was talking about the national debt of Canada - and he is throwing around figures here tonight that we do not know if it \$27 million, it could be \$50 or \$60 million - the other day when he was talking about the federal debt he said the federal debt of Canada is \$37 billion. Now if you

use the multiplier that we commonly use, twenty, and compare that with the United States, since the population of the United States is roughly twenty times that of Canada then he says -

MR. STEWART:

Ten is what he used.

MR. CALLAN:

Do you want to use ten?

MR. STEWART:

Yes.

MR. CALLAN:

Okay, we will use ten. The population of Canada is 25 million and ten times that is 250 million for the United States. And he said, 'Okay, using these figures' - and he bandies them around to his own pleasure and own expediency - he said, 'the debt of the United States in that event should be \$370 billion. But, he said, 'the national debt of the United States is only about \$150 billion or \$160 billion.' In actuality, of course, Mr. Speaker, the debt of the United States is closer to \$210 billion, that is one thing. But you see, Mr. Speaker, I mentioned earlier about the Premier dealing in half-truths and only telling half the story, like the time in the last general election when the Premier stood on a stage down in Old Perlican and he turned to the present member -

MR. MORGAN:

With me?

MR. CALLAN:

No, you were down there with Morrissey Johnson when you were not on the salmon rivers. But anyway, Mr. Speaker, the Premier, in the auditorium or gym or whatever you want to call it, in Old Perlican, turned to the Tory

candidate, the man who is now the member, and he said, 'Vote for this man here. This is the man we have to call on to get your roads plowed.' He ended it there. You see, Trinity - Bay de Verde had no member because Fred Rowe had resigned and there was no member for a while. But the Premier tried to convey the impression that all the while they did not have a member, it was Mr. Reid who was looking after their roads, but he forgot to mention that the same gentleman had been paid \$120,000 in taxpayer money to keep these roads free, Mr. Speaker. So the Premier deals in half-truths and half-statements, he only tells the part that he wants to tell. What I am saying is the Premier was giving us a bunch of figures here tonight which we cannot pay any attention to.

SOME HON. MEMBERS:  
Oh, oh.

MR. MORGAN:  
Why are you attacking the member for Trinity - Bay de Verde (Mr. Reid) when he is not here to defend himself?

MR. CALLAN:  
Mr. Speaker, I do not know what is wrong with those gentlemen. They have the right and privilege to stand and speak in this debate. The former Minister of Fisheries (Mr. Morgan), who was aspiring to be Premier but he will never get there by sitting behind the Premier, he has to do it another way, should be down in his own seat.

MR. NEARY:  
It is not our fault he is not in the House.

MR. CALLAN:  
No, and it is not my fault.

MR. MORGAN:  
He is not even here to defend himself.

MR. NEARY:  
Well, in that case we would never be able to mention him because he is very seldom here.

SOME HON. MEMBERS:  
Oh, oh.

MR. SPEAKER (Russell):  
Order, please!

MR. CALLAN:  
You see, Mr. Speaker, the former Minister of Fisheries (Mr. Morgan) is asking me a foolish question. Only two days ago we had the Premier stand in his place and talk about the fact that the member for the Strait of Belle Isle (Mr. Roberts) is never here. He was not there to defend himself. If the member for Trinity - Bay de Verde (Mr. Reid) is not here it is not my fault. But let me finish making the point that I started out to make, Mr. Speaker. Now the Premier stopped there. He said that the population of Canada is about one-tenth of that of the United States, our federal debt is \$37 billion, now that should be \$370 billion for the United States.

MR. SIMMS:  
Ten times as much.

MR. CALLAN:  
Exactly. The Premier used the multiplier of ten which is commonly used for population purposes and so on. But anyway let us take it to another logical conclusion. You see, Mr. Speaker, what we are on the verge of now, in another month or so, we will have attained the Triple-T years, the Thirteen Terrible Tory years. In January or February it will be

thirteen years since the Tory Party took power in this Province. What was the provincial debt in 1971/72? It was less than \$1 billion. What is it now? It is over \$4 billion. If you take the Premier's logic one step further, if all of the provinces in Canada were like this Province, what would be the national debt? The population of this Province is - what? - 500,000.

MR. SIMMS:

Six hundred thousand.

MR. CALLAN:

So, okay, the debt here is \$4 billion using round figures. What should it be using these population figures, what should it be in Canada? Instead of \$37 billion what should it be?

MR. MORGAN:

Are you conducting a quiz tonight, or what?

MR. CALLAN:

Yes, I am just trying to see how wide awake you are.

MR. SIMMS:

\$40 billion.

MR. CALLAN:

That is right. And what would be the debt of the United States, Mr. Speaker, using the same mathematics that the Premier was using? What would it be?

MR. SIMMS:

\$370 billion.

MR. CALLAN:

No, no.

MR. SIMMS:

\$270 billion.

MR. CALLAN:

No. Actually it would be closer

to \$1,600 billion. This is what the Premier was doing earlier tonight, Mr. Speaker, among other things, the Premier was banging around figures. Not that long ago I remember sitting in my place here, Mr. Speaker, listening to the Premier referring to the member for Menihek (Mr. Fenwick) and talking about how if the NDP had the power in this country and in this Province they would nationalize everything. Mr. Speaker, even switching from one province or from one country to another and comparing governments, comparing even Tory governments, you can see, Mr. Speaker, down in the United States President Reagan four years ago campaigned on reducing the deficit but instead of reducing it the deficit has increased and that is why the unemployment figures have gone down in the United States. But it is plain to everybody to see what is going to happen in this country. That is the thing that is wrong with Tory governments, you see, Mr. Speaker, they try to run governments the way you would run a business by getting everything in the black, reducing deficits and it cannot be done because there are too many social programmes that you must offer to the people. How can people, like the member for Bonavista South (Mr. Morgan), for example, expect to get all of the roads in his district paved and get all the water and sewer projects, all of these social programmes and still the Province not fall into debt? It has to happen. There is no return when you spend money on roads and water and sewer and so on. That is not money that is invested to bring back returns and that is why you cannot run a government like you would run an industry.

Who owns the coal mines, Mr. Speaker, in Great Britain, and what kind of a government do we have in Great Britain? Is it a Tory government?

MR. SIMMS:  
Liberal.

MR. CALLAN:  
No, it is not, it is Tory. Margaret Thatcher is a Tory. The iron lady is a Tory. Who owns the coal mines in Great Britain?

MR. SIMMS:  
The Liberals.

MR. CALLAN:  
No. The government owns them. They belong to the nation.

MR. BRETT:  
You are 100 years back. For goodness sake, wake up.

MR. CALLAN:  
I do not know what the member for Trinity North (Mr. Brett) is all upset about. Have I told any lies? Does not the Government of Great Britain -

MR. BRETT:  
You are talking of things 100 years back, that is all.

MR. CALLAN:  
I am talking about the present, I am talking about the strikes in the coal mines and who owns them. Who owns the coal mines in Great Britain?

MR. SIMMS:  
The government.

MR. CALLAN:  
That is right. So here we have exactly what the Premier was accusing the member for Menihek (Mr. Fenwick) of. We have a Tory government in Great Britain that

believes in nationalization and that is why they have not privatized the coal mines. They could have privatized them, could they not?

MR. SIMMS:  
The Tories in Great Britain did not nationalize the coal mines.

MR. CALLAN:  
I am saying they have been in power long enough to privatize them.

MR. DOYLE:  
Why do you not talk about Ghandi for a while?

MR. CALLAN:  
I just had a candy. Oh, you said Gandhi. Do you want to talk about the one who died or the one who is running for election on Christmas Day?

MR. SIMMS:  
Are they Tory or Liberal over there?

MR. CALLAN:  
I do not think they are either. The free world is in such a mess today, Mr. Speaker, because of all those Tory governments.

SOME HON. MEMBERS:  
Oh, oh!

MR. CALLAN:  
I think the member for LaPoile (Mr. Neary) was right, Mr. Speaker, I think we should bring in the breathalyzer. I will be satisfied to take my seat for awhile.

MR. MORGAN:  
They had better bring in some brains for the Opposition.

MR. NEARY:  
I think they are getting punchy

over there now.

MR. CALLAN:

So, Mr. Speaker, with these few remarks I might say-

MR. SIMMS:

You are not finished already?

MR. CALLAN:

Yes, I am. I am sick and tired of trying to maintain the attention of a group opposite who do not have the attention span to last long enough to listen to a few words.

MR. HODDER:

Mr. Speaker.

MR. SPEAKER (Russell):

The hon. member for Port au Port.

MR. HODDER:

I was just going to ask the Speaker if it is permissible to stand here and say nothing for half an hour. Mr. Speaker, I do not know what we have across there now, but certainly since the former Minister of Fisheries (Mr. Morgan) entered the chamber the decorum has gone down somewhat. But, Mr. Speaker, I knew that particular gentleman would be out of the Cabinet some day. We have been waiting for it for a long time and there he is. But, Mr. Speaker, when the former Minister of Fisheries sees me sitting on that side of the House he can then say that he really has something going.

SOME HON. MEMBERS:

Oh, oh!

MR. HODDER:

Mr. Speaker, could I have silence. I do take this bill seriously even though members opposite think it is funny and that it is a lot of fun. I have

seen hon. members over there tonight writing little poems and sending them across to us and doing all their silly little things. But since I have been listening to this debate, since earlier today, one thing that we have not seen from the government side is anybody who feels strong enough to stand and defend their policy. They use their little ads and their commercials to try and convince the general population of the way they think about this bill, yet they cannot stand on their feet in this House and defend themselves, so they sit there and just listen. And, Mr. Speaker, if the members opposite feel that they have an argument to support this particular bill, if they think retroactive legislation is the type of legislation we should have, then I think the members opposite should, instead of writing their little poems like the member for St. Mary's - The Capes (Mr. Hearn) has been doing all night and sending them across and making their silly asinine little comments, maybe they should stand and defend their beliefs and ideals as far as Bill 37 is concerned. Mr. Speaker, I think the one thing that has come across in this particular debate is that we have not seen one fact or figure, we have not seen any evidence whatsoever, neither from the Premier or anyone else, to support their stand, stood here tonight and recited a litany of the problems of this Province. I mean, the Premier admitted tonight in his speech that companies are bankrupt and unemployment is rampant. You would swear, listening to that speech, Mr. Speaker, that in a backhanded way he was admitting everything that we have been saying for the past five or six years, that the Premier has been waiting, waiting

and waiting for development of the offshore and has mistakenly put all his eggs in one basket. I often wonder, Mr. Speaker, if the offshore had not been discovered what this administration would be doing? Would they be trying to create industry and create jobs in this Province? Mr. Speaker, I look at other provinces. If we look at Nova Scotia, Prince Edward Island and New Brunswick, we see that new businesses are establishing themselves there, we see the high tech industries being established in all of those provinces, we see the economies buoyant in those provinces, and yet in Newfoundland we see closure after closure, problem after problem, bankruptcy after bankruptcy and then we hear the Premier here tonight talking about Bill 37 as if the passage of Bill 37 were going to change things in this Province. Mr. Speaker, whatever reason Bill 37 was brought before this House for we have not found it out. I have said this before and I will say it again, I do not believe for one moment that Kruger has anything to do with it, it was just politically expedient. When the minister himself brought that particular bill in, when he introduced that bill, as a matter of fact the Premier's earliest comments mentioned nothing about Kruger in relation to Bill 37. But, Mr. Speaker, it was too good an opportunity for the Premier. With the sort of trickster's mind that he has, when he saw the Kruger bill was just too good a chance to pass up he linked Bill 37 to it.

MR. NEARY:  
Slight of hand.

MR. HODDER:  
Slight of hand, yes. But the

people of this Province will not fall for it, Mr. Speaker, and they have not fallen for it. Those commercials and ads have just made the people of the Province turn against the government more than ever before. People resent having their own money spent to try and convince them of something that is not correct. The Minister of Forestry (Mr. Simms) knows that too because he was in Stephenville last night, Mr. Speaker, and it was quite evident in that gathering there that no one there thought that this type of retroactive bill was proper.

MR. NEARY:  
He really got it last night.

MR. HODDER:  
He got it with both barrels last night, Mr. Speaker. He was told that people do not like retroactive bills, they set a very, very bad precedent. But, Mr. Speaker, this bill sets a very, very, bad precedent. The bill is just another bill in a long series of bills of anti-labour legislation. But, Mr. Speaker, the retroactive effect of this particular bill is not only bad in itself but it does not augue well for the future. And I believe, Mr. Speaker, that once we allow ourselves to bring this type of legislation into the House of Assembly, once we condition people towards this type of legislation, I think it is very bad for democracy and it is typical of the one-man, confrontationalist style which this government has shown over the years that it has been in power.

Mr. Speaker, we have seen this government, when they were in confrontation before, use the same type of tactics. Mr. Speaker, I need hardly remind people in this

Province when the Premier went on television for a half hour back a couple of years ago during the constitutional debates and he pushed his hand down in the murk and brought up the church school issue. He knew that there are a number of denominations in this Province that hold the church school system dear to them. He also knew that one of the things that could always get Newfoundlanders riled up was if you mentioned the Labrador boundary because it has been a problem in our history going back to the Newfoundland boundary dispute. And, Mr. Speaker, when the Premier was attending the constitutional conferences in Ottawa he wanted the Newfoundland people behind him so he again found the obvious. At times it was the church/school issue and the Labrador boundary issue, and in this case it is Kruger. So it is a common tactic to find a bogeyman and then try to convince the people of the Province that he is right by linking a common fear. Of course, Mr. Speaker, the tactic of this government now and the tactic of the Premier is to find a bogeyman. Of course, it is when you look at that type of tactic, Mr. Speaker, that you realize that you have an unemployment problem in this Province of such massive proportions that people are very, very insecure in this Province, and I predict that we will see from now on unemployment being linked with every bill that comes into this House just as unemployment is linked with Bill 37. Mr. Speaker, my friend and colleague, the member for LaPoile (Mr. Neary) makes allegations about the major companies in this Province, and, Mr. Speaker, we must realize that this is the prime example of a case where a

government came straight down on the side of the companies against the workingman. Mr. Speaker, the day will come when we will know just why this bill came in and for what company it came in and what benefits the government received from it.

Mr. Speaker, I had hoped when the Premier stood earlier today that we would be enlightened as to why this bill was being brought in, that we would get some concrete facts, that we would get some figures. Mr. Speaker, we got no new information, we got none whatsoever, just a confession on behalf of the Premier that he had failed the Province badly, that the Province was in bad economic straits, that we had high unemployment, that we had failing industries, that we had a failing fishery, that we had a failing woods industry.

MR. MORGAN:

The only thing failing in this Province is the Liberal Party.

MR. HODDER:

Mr. Speaker, I suppose now the Liberal Party in all its strength and all its numbers can certainly be held accountable for what is going on in this Province. Perhaps some day, Mr. Speaker, this government will take a look at itself and perhaps practice some accountability. Mr. Speaker, we have already seen over the past years the government blaming every single thing that happened in this Province on Ottawa. Well, that changed very, very quickly, Mr. Speaker, with the change of the government and now we see the Premier standing up for cutbacks in Newfoundland. Mr. Speaker, the people of the Province will show this government what it thinks. I think they are already showing

this government what they think with the poll that was issued by Eascan Research.

MR. MORGAN:

We heard all that before.

MR. HODDER:

Oh, yes, the members are smarting over there now because of that poll by Eascan Research. I say, Mr. Speaker, that since the Wilson budget and since the Premier's great defence of the Wilson budget in this Province, I would love to see what would happen if the Premier were to call an election tomorrow. This particular bill is suppose to help the Premier on the West Coast and help the members for Humber East (Ms. Verge) and Humber West (Mr. Baird). Mr. Speaker, I would say that the Premier is lower in the polls on the West Coast than he is on the East, because they have seen the Premier intimidate their community leaders. The Mayor of the City of Corner Brook has been intimidated, he has been maligned, and the union leaders were maligned. The intimidation was practiced from beginning to end, even before the Corner Brook unions had a chance to decide, to negotiate or to do anything else, the Premier was on radio and television telling them and frightening them and raising public opinion, even before they had a chance to negotiate with Kruger. Mr. Speaker, these people will not forget. The Premier knows what response he got over there during the election. He came into Stephenville and I think he had about 150 people at the height of a federal election campaign and sixty of them were brought from St. George's to Stephenville. I think he had thirty in St. George's, thirty in Stephenville Crossing. Then, Mr. Speaker, we all know what

happened to him when he got in the other part of the Province.

MR. MORGAN:

We won them.

MR. BAIRD:

We will take Port au Port this time.

MR. HODDER:

Now, that would be an interesting contest, if the member for Humber West (Mr. Baird) would only come to Port au Port and run against me. I have always looked for a candidate like the hon. gentleman to run against me. I would be able to stay home, Mr. Speaker. I would not even get out of bed if the hon. member were to come and run against me.

MR. BAIRD:

It is not so often you get out of bed anyway.

MR. HODDER:

Well, Mr. Speaker, we have just seen the Government House Leader (Mr. Marshall) invoke limitations which are comparable to closure on this House. There are only eight of us over here, Mr. Speaker. Surely the government benches, in all their majesty, the whole forty-four of them, can at least sit and listen until we have had our say on those issues.

Mr. Speaker, when we realize the types of legislation that has already been brought before this House this year, the types of bills that were passed here, the housekeeping legislation that has been brought in, we have been sitting in this House now, Mr. Speaker, five weeks, and except for Private Members' Day we have been debating legislation on -

MR. BARRETT:

You were not here the first three weeks.

MR. HODDER:

I often wonder how the member got to be Parliamentary Assistant to the Premier. The Premier was off on that day I would say. The only contribution the member for St. John's West (Mr. Barrett) has ever made to this House is to throw little bits of garbage across the House and be partisan. And what surprises me, Mr. Speaker, he does not even make intelligent comments. The member for Harbour Grace (Mr. Young) makes far more intelligent comments than that member. I am surprised at the hon. member.

Mr. Speaker, I believe that the government will pay for its political manipulations. I think people are slowly and steadily seeing through this particular government. And if the Premier is down in the polls now I can tell him why he is down in the polls. There is a very simple reason why this government is down in the polls. I mean, I know it is very nice to have forty-four members and they all clap each other and pound their hands on their desk when the Premier makes a speech, but that gives a false sense of security. It does give a false sense of security and you should be very, very careful. If I were hon. gentlemen over there at this particular time, I would be very worried about my seat. You can all get together and practice what they call group think. They all get together, but if anybody on that particular side of the House steps out of line in any way then he is ostracized by the group.

MR. HICKEY:

The hon. gentleman should have stayed teaching school.

MR. HODDER:

Mr. Speaker, the Minister of Social Services (Mr. Hickey) opens his mouth, the man who runs an organization in this Province that has not been seen on the face of the earth since the days of Nazi Germany, the way the minister runs his department.

MR. HICKEY:

I am glad you approve.

MR. HODDER:

Mr. Speaker, if only an independent group could ever look at the way the minister holds a tight reins. The minister is there and every social worker and every person in the district offices across this Province are trembling. Mr. Speaker, if the economy were not so bad and there were more jobs around, he would not have a social worker because they would all leave him in droves because of the repressive tactics of the Minister of Social Services in this Province. Mr. Speaker, it is typical of the Minister of Social Services (Mr. Hickey) that he only raises social assistance payments at election time. I believe the last time that there was a raise in social assistance rates was at election time, and they get their little pink slip.

MR. TULK:

Blue.

MR. HODDER:

Blue, was it? Yes, it was blue the last time.

But, Mr. Speaker, there is no such thing as gearing it to the cost of living or gearing it to need, it just comes at election time. And that is typical of the way that that particular department is run.

Mr. Speaker, I believe that some

of the universities should do some research work on the Department of Social Services in this Province, in particular, Mr. Speaker, on the way that handicapped people are treated by the minister's department, people in wheelchairs, and widows. The minister sits there, but I will say one thing for him, he is very good at blindfolding the devil in the dark but the people know. He is also a very good manipulator as well.

MR. HICKEY:

The greatest handicap our people have is you fellows.

MR. HODDER:

Yes, we are the cause of it all, Mr. Speaker.

MR. HICKEY:

That is right. The Liberals kept them in the dark for twenty-three years and kept them in their homes and look what became of them!

MR. HODDER:

Yes, Mr. Speaker, and we have had a Conservative government now for twelve or thirteen years and the people have seen nothing but closures and doom and gloom since this particular government came. Can the hon. member tell me something good that has happened in the last while?

MR. SIMMS:

How about Bill 52?

MR. HODDER:

Bill 52? What about Bill 37?

Mr. Speaker, here we are in a province with massive unemployment.

MR. HICKEY:

And you are trying to create more.

MR. HODDER:

I would not mind seeing the hon.

gentleman unemployed, at least out of this House. That would certainly be a kindness to all the members of the House both on his side and our side as well.

Mr. Speaker, the government made a law back in 1978 and people have been acting on that law. Citizens of this Province have been acting in accordance with that law since 1978 and since 1978, Mr. Speaker, whenever a claim was made under this particular law it has been a legal claim. Now, Mr. Speaker, the government is going back and saying to these people, 'Now, the law under which you have been proceeding for all of those years is an incorrect law.' Now, Mr. Speaker, there is no amount of rhetoric, there is no amount of commercials, there is no amount of newspaper advertising that will ever take away that fact. Mr. Speaker, it is a threat to all Newfoundlanders. I believe I mentioned as an example last day that the Premier must have a very good working relationship with the Premier of British Columbia, another great Conservative Premier, who has been walking on the backs of labour and the poor people of this Province. Mr. Speaker, they watch each other very closely. One is trying to see who can bring in the more repressive legislation and cause the most problems. I often wonder, Mr. Speaker, if the Premier is not deliberately trying to keep the province down. There are people who say that. I do not believe it, I think he is a pretty good fellow but, Mr. Speaker, there are people who say that this is a deliberate tactic to keep people down, to keep labour down but at the same time to hold the carrot in front, the expectation of great things to come.

MR. HICKEY:

When you have nothing else to say, attack the Premier.

MR. HODDER:

Mr. Speaker, I do now know who would be a more prime target to attack than the Premier. After all, Mr. Speaker, he is the Premier of the Province and we are suffering the highest unemployment in Canada, we are suffering massive deficits on current account and on capital account.

MR. HICKEY:

He has forty-odd people supporting him.

MR. SIMMS:

Jim Hodder also spoke.

MR. HODDER:

I have no doubt what the Minister of Forest Resources and Lands (Mr. Simms) says is correct.

Mr. Speaker, it will be interesting to see, and I am sure that the bill be tested, whether this bill is ruled constitutional under the Charter of Rights, whether it can be held up to the light of day. Certainly it is not the type of legislation that we see very often in any jurisdiction in Canada. It is the first time I have ever seen this type of legislation. Mr. Speaker, the Premier when he spoke today talked about the fact that he did not like the idea that it was retroactive, but there are two such pieces on the Order Paper. This is the first of a great trend. Mr. Speaker, all I can say is that if the government is going to bring in this type of legislation, which this government has, they cannot go back to pre-1978 on this particular legislation. This was legislation brought in by this government in

consultation with business and labour, as we had pointed out to us by the member for LaPoile (Mr. Neary) here tonight, and this government -

MR. TULK:

That is what they said.

MR. HODDER:

That is what they said when they brought it in, right.

But, Mr. Speaker, I believe it is the government who must bear the brunt on this particular piece of legislation and, Mr. Speaker, I find it very strange that neither Kruger nor anyone else in this Province has spoken in favour of this legislation. I did see a comment by one of the very high officials of Kruger who said he did not know what Bill 37 was, and that was printed on the West Coast in The Western Star.

MR. BARRETT:

He did not.

MR. HODDER:

Yes, he did, Mr. Speaker. He was not familiar with Bill 37, that was an official of Kruger. That was before the issue got hot.

Mr. Speaker, we have not seen any of the companies that have been mentioned by the Premier, the Minister of Labour (Mr. Dinn) and members of opposite speak out in any way, shape or form. This bill appeared on the Order Paper unheralded, we had not heard of it before. I expect that the government hoped that it would slip through with very little debate.

MR. DINN:

Would it make any difference?

MR. HODDER:

Mr. Speaker, yes, it would make a great deal of difference. I would certainly like to see some evidence. I mean, most of the legislation that we debate here, someone has an opinion on it. We listened to the Premier today, we listened to the ministers opposite today, and I listened to the Government House Leader (Mr. Marshall) and there is not one fact or figure, not one name mentioned, nothing. Somewhere, Mr. Speaker, there is something being hidden. Anyhow, Mr. Speaker, my colleague, the hon. member for Torngat (Mr. Warren) is eager, willing and waiting to leap to his feet, to jump into the fray, so I will take my seat.

SOME HON. MEMBERS:  
Hear, hear!

MR. BAIRD:  
Mr. Speaker.

MR. SPEAKER (McNicholas):  
The hon. member for Humber West.

MR. BAIRD:  
Thank you, Mr. Speaker.

I see our strong Liberal Opposition is really showing their strength now. They are falling off quicker tonight than they fell in the last election.

MR. WARREN:  
A quorum, Mr. Speaker.

MR. SPEAKER:  
Call in the members.

#### Quorum

MR. SPEAKER:  
There is a quorum present.

Is it agreed that the hon. member

can continue?

SOME HON. MEMBERS:  
No, no.

MR. SPEAKER:  
Order, please!

There is a quorum present.

The hon. member for Humber West.

MR. BAIRD:  
Thank you, Mr. Speaker.

As you can see there are plenty here to have a quorum. There are just as many out in the back rooms and there are just as many more waiting to come in to replace you people. We will never have any problem with a quorum on this side of her. I think we will pick up two seats over there when we next go to the polls.

I really wonder if the Opposition are really serious when you consider the the anxiety that has been in Corner Brook these past two years. And the people out there I am damn sure will not forget the filibuster that has been going on. The Leader of the Opposition (Mr. Barry) said a week ago that they would intentionally have a filibuster according to the House rules wherever they could stretch them or apply them to their own advantage. Well, I for one do not go along with those tactics. If a lot of you people across the House now, who will not be there after the next election, realized the position that the workers in Corner Brook and there families are in, I do not think you would be playing politics so much.

SOME HON. MEMBERS:  
Hear, hear!

MR. BAIRD:

Talking about our polls, as the member for Port au Port (Mr. Hodder) did, anytime at all he wants to come to our area, particularly to Humber West, I invite him tonight or any other night to come on out and try his luck.

MR. BUTT:

He tried it before, did he not?

MR. BAIRD:

No, not the member for Port au Port.

MR. BUTT:

Right. It was the member for Menihek (Mr. Fenwick).

MR. BAIRD:

The member for Menihek, that is another lost cause.

MR. BUTT:

He has tried every district in the Province.

MR. BAIRD:

Port au Port, it should be noted, in the last provincial election was a former big Liberal stronghold. I think that you will find the last time, only two months ago, it was fifty/fifty. And the next time it will be about seventy/thirty the other way. So I would suggest that our friend from Port au Port take up his teaching duties again soon because he is going to be out later.

I am very pleased that we have Kruger. And we have the government to thank, particularly the efforts of the Premier who worked at it tirelessly day and night, that we have Kruger with the reputation they have for taking over old mills, modernizing them, turning them into success stories, that we have a company

such as that coming into Corner Brook.

The unions bargained hard, as did the company, as did the government. I am very, very pleased that Kruger is coming in here and it should not be the subject of a lot of abuse for political reasons by some members opposite. We have a new company coming into the Province and I think we should be darn glad that they are coming in with the reputation they have and the jobs they will provide.

So, Mr. Speaker, I have no hesitation at all in supporting Bill 37. Our union leaders in Corner Brook are very, very responsible leaders, as are the membership. I have been in conversation with quite a few of them this past few weeks. I can assure members opposite right now that they are not too pleased with you. That is why you do not hear too much from the boys. The Leader of the Opposition (Mr. Barry) was in Corner Brook right after the Kruger negotiations had been completed with government. There was a little small piece in the paper saying that he was out to see if they had a good deal or what he might be able to do for them. We have not heard too much from him then nor since. And I expect after the next election we will hear a darn sight less from him.

Bill 37, Mr. Speaker, in effect is a clarification because of some misinterpretations of the original legislation, because of the confusion between temporary and permanent layoffs. That is really what the bill is all about. Bill 37 is made retroactive to August 1978. Nobody likes anything retroactive in a bill; however, in

order to solve this problem and protect jobs and the companies, it is necessary.

The only retroactive provision in Bill 37 is to provide a definition of temporary layoff and permanent layoff. Bill 37 does not, I repeat, does not change the conditions of employment retroactively. And Bill 37 does not, I repeat again, does not reduce the notice period. In fact, it imposes a notice period for temporary layoffs where the Labour Standards Act as previously written fails to specify such notice. The present act calls for notices for permanent layoff but not for temporary layoff.

Now, Mr. Speaker, everybody realizes the reason the government is in power is because of the confidence the people, in fact, showed in it when they elected forty-four members because of the leadership of the government under Premier Brian Peckford. And the government is there with a majority to govern, unlike the Opposition members who just play their own individual, silly, cheap politics. This government takes their responsibility seriously, and I am very proud to be a member of it.

SOME HON. MEMBERS:  
Hear, hear!

MR. BAIRD:  
The people of Corner Brook will soon speak up, because I do not expect they are going to listen too much longer to this filibuster. If you only knew the apprehension out there and the mood of some of those people, I would defy any member opposite to go out around there in the next day or two and see where you stand. There have been enough

hogwash on the other side of the House, Mr. Speaker.

Bill 37 is certainly a clarification of what the law should be. Everybody is familiar with, or should be familiar with, the fact that we do have the best labour laws in the whole Dominion of Canada. Our laws here are second to none. I am fully supportive of Bill 37. I think members opposite should certainly reconsider their position and realize that the government has the power to do this. The House of Assembly is a debating forum. We will spend as much time as we have on this, but I can guarantee you right now that you are gambling with the future of an awful lot of people, thousands of people on the West Coast, and that is a darn big risk to take. If you guys are prepared to take that risk, I guess that is up to yourselves, but you will have your day of reckoning and I think then you will wish your cake dough.

Mr. Speaker, I have no hesitation in supporting Bill 37. Thank you.

SOME HON. MEMBERS:  
Hear, hear!

MR. WARREN:  
Mr. Speaker.

MR. SPEAKER (McNicholas):  
The hon. member for Torngat Mountains.

MR. WARREN:  
Mr. Speaker, I have no hesitation either in speaking on this bill. However, I believe that in all fairness to the people in Corner Brook, to the constituents of the hon. member for Humber West (Mr. Baird), that if this bill does go through in its present form many of the hon. member's constituents

will suffer. And, Mr. Speaker, the hon. member for Humber West said that this retroactive clause only applies to temporary and part-time employees. Now, Mr. Speaker, in the bill Clause 4 says, 'would provide that the bill come into force with retroactive effect to August 1, 1978.' It does not specify anything further than that. Today when the Premier was gallivanting somewhere throughout the Province I had the opportunity to look at the Evening Telegram and in fact I was ready to ask the Premier a question. Unfortunately, the Premier was not in his seat so I was forced to refer my question to the Minister of Labour (Mr. Dinn). I notice there is a picture of the Premier in the paper, I think it is on page 10 of yesterday's Evening Telegram. In fact the Premier looks fairly young in this picture, Mr. Speaker, so I think the picture must have been taken four or five years ago, before he got his receding hairline.

MR. BARRETT:

When was your last taken?

MR. WARREN:

My last picture was taken about 1952 probably. Mr. Speaker, one thing about me is I will not try to cover mine.

Mr. Speaker, it is amazing that the Premier has called upon all Newfoundlanders and Labradorians and urged 'all residents of our Province to show a personal concern for human rights generally and during the United Nations Decade, etc.' Now, Mr. Speaker, yesterday the Premier issued a proclamation in this Province calling upon all Newfoundlanders and Labradorians to show a personal concern for human rights. Now, I am sure, Mr.

Speaker, that the Premier did not realize - I believe this was done many months ago because as Premier of the Province you see his picture with the Boy Scouts on Apple Day and the Girl Guides on Girl Guide Cookie Day and so on, so this picture was arranged months and months in advance - so the Premier did not realize, in fact no hon. member on that side of the House, including the hon. lady from Gander (Mrs Newhook) who is almost falling asleep - I understand that she is really tired - no one realized that this was going to appear in the Evening Telegram on December 10, the very same day the Premier was going to say right the opposite of what this proclamation says. This proclamation asks all Newfoundlanders and Labradorians to have concern for human rights and at the same time the Premier brings Bill 37 into this hon. House, a bill which takes away the rights of the people in this Province. Now, Mr. Speaker, what a hypocritical maneuver by this Premier, the Premier of the day, trying to blindfold, trying to pull the wool over the eyes of Newfoundlanders and Labradorians.

MR. REID:

Do not talk so foolish.

MR. WARREN:

Okay, let us try another one, Mr. Speaker, if that one is foolish. If bulldozer Jim thinks that one is foolish, let us have another one, Mr. Speaker. Now since my boyhood days I have seen three JRS coming up through the history of Newfoundland. From 1949 to 1972 there was JRS, the man who brought Newfoundland into Confederation, the Only Living Father of Confederation, the man for whom the member for St. John's North (Mr. Carter) would not give

unanimous consent to have his farewell speech in this House of Assembly televised. And then, Mr. Speaker, from 1973 until 1981 there was the famous programme on CBC television called Dallas and there was a JR there. And, Mr. Speaker, that JR on the programme Dallas has the same trend of thought that JRS had, you know, 'I am boss, I will rule this country the way I want to rule it.' And JR on Dallas said, 'I own this oil company and I will rule this oil-field the way I want to rule it.' And, now, Mr. Speaker, we have a third JR, JR III, who is saying to the people of this Province, 'I will run this Province as I bloody well want to.' That is what this JR is saying now. Mr. Speaker, we have three JRs whom the people of Newfoundland and Labrador are used to and the three JRs are of the same opinion, that there is only one boss and that is that. So what do we have, Mr. Speaker? Mr. Speaker, I say the same thing about the JR from 1949 to 1972 as I say about the JR from 1979 to the present day. Because, Mr. Speaker, he is the same JR and the only thing that has changed are the features.

AN HON. MEMBER:

What a comment to make.

MR. WARREN:

Mr. Speaker, maybe there is something else to be changed and that is the member for St. John's East Extern (Mr. Hickey). The Premier has said time and time again that he will leave nothing uncovered. I agree, Mr. Speaker. Look at Bill 59, look at Bill 37.

AN HON. MEMBER:

I know you are going to tell us all about them.

MR. WARREN:

I must say that the hon. member has spoken more in the last five hours in this House than he has spoken in the last four year. He has spoken more in the last five hours shooting back and forth than he has spoken for the last five years. I have a funny feeling, Mr. Speaker, that that is one member who will not get a pension from this hon. House. He will not get a pension from this hon. House, Mr. Speaker, because the next time an election is called I can tell the hon. member that the man he defeated the last time around will be back to take his seat away from him. So, Mr. Speaker, he is here today and gone tomorrow.

AN HON. MEMBER:

Would you mind making a wager?

MR. WARREN:

No, Mr. Speaker, that is one thing you are never allowed to do, make bets in the hon. House, and I would not attempt to make a bet with the hon. member. Mr. Speaker, the hon. member for St. John's East Extern (Mr. Hickey) just came into the House an hour ago, I presume he must have been sleeping from nine until two since he just arrived, and, Mr. Speaker, I would venture to say that he is so upset with the Premier being determined to bring in this Bill 37 that he almost wants to vote against it. You know, if there were a free vote in this House tonight on this bill I could even name the hon. members who would vote against it. And, Mr. Speaker, one of the hon. members who would vote against this bill is the hon. member for Windsor-Buchans (Mr. McLennon).

MR. HICKEY:

Mr. Speaker, on a point of order.

MR. SPEAKER (Dr. McNicholas):

The hon. the Minister of Social Services.

MR. HICKEY:

I think we should give the hon. gentleman a rest because his brain is getting overheated. I also want to suggest to the hon. gentleman that he get his glasses changed because I have been here since before 10:00 o'clock. I did have a meeting, Your Honour, but I was here before 10:00 o'clock and I have been in this House a dozen times since. I really feel for the hon. gentleman because I am a bit disabled myself, I have a hearing problem. But come and chat with me and get your glasses changed.

MR. SPEAKER:

There is no point of order.

The hon. the member for Torngat Mountains.

MR. WARREN:

Mr. Speaker, the hon. member for St. John's East Extern (Mr. Hickey), you know, as soon as you touch - I do not know what you call it, but it must really be something -

AN HON. MEMBER:

A nerve.

MR. WARREN:

- a nerve, it must be a nerve that affects his brain, because as soon as you say anything about St. John's East Extern he is up on his feet.

Now, Mr. Speaker, the hon. member knows, as my hon. colleague from Port au Port (Mr. Hodder) said, that as Minister of Social Services (Mr. Hickey) he has done so much more damage in this Province to ordinary, average

Newfoundlanders and Labradorians who are unable to take care of themselves since he became minister, Mr. Speaker, that the minister should hang his head in shame.

Now, Mr. Speaker, another thing I would like to say and I find it very unusual, is that for the last four or five years all I heard from the hon. member for Trinity - Bay de Verde (Mr. Reid) were a few grunts here and there, but tonight he has grunted more than once or twice, he has grunted five or six times on occasion.

Mr. Speaker, I believe that the hon. member for Trinity - Bay de Verde should realize that he has to spend more time in the House instead of coming in in his pick-up truck and getting a load of freight and taking it back to Bay de Verde, Mr. Speaker. So the hon. member should realize that he should spend more time here and speak more often and speak on behalf of his constituents, which he has not done. Now, Mr. Speaker, it is unreal that you get members here tonight and they will not get up and speak because they have been told not to get up. They have been told not to say anything. They have been told not to say one word, Mr. Speaker.

MR. HICKEY:

A point of order, Mr. Speaker.

MR. SPEAKER (Aylward):

A point of order, the hon. the Minister of Social Services.

MR. HICKEY:

Mr. Speaker, I have not been told not to get up. That is why I am up now, to prove to the hon. gentleman I have not been told not to get up. And he should not be attacking my colleague who is an

entrepreneur. Like the hon. gentleman opposite who sells houses, my hon. friend does something else for a livelihood. Fair is fair.

MR. MORGAN:

He does not sell houses, he only tries to sell them..

SOME HON. MEMBERS:

Hear, hear!

MR. HICKEY:

Well, he tries to sell houses and that is an honourable profession.

MR. TULK:

To that point of order, Mr. Speaker.

MR. SPEAKER (Aylward):

To that point of order, the hon. member for Fogo.

MR. TULK:

Mr. Speaker, there is no point of order. The member for St. John's East Extern, the Minister of Social Services (Mr. Hickey), is just trying to interrupt my hon. friend who is making a wonderful speech, one of the better speeches we have heard in this House. And in regards to the hon. Minister of Social Services getting up, let me tell him that he makes more sense when he is sitting down.

MR. SPEAKER:

Order, please! To that point of order, there is definitely a difference of opinion between two hon. members.

The hon. the member for Torngat Mountains.

MR. WARREN:

In fact, Mr. Speaker, in about another fifteen or twenty minutes, having used up my thirty minutes,

I am hoping to see the Minister of Social Services get up and speak since he has jumped up on two occasions now on points of order. But after I finish I would like to hear him speak - if he has not already been told by the Premier or told by the Government House Leader (Mr. Marshall) or told by the Minister of Justice (Mr. Ottenheimer) that he cannot say anything. Why does he not get up and start debating this bill and tell us why we should vote for this bill, other than for the reason that the Premier gave, and that is if we do not vote for this bill the minister and his other colleagues will not have enough finances in the PC Party to run them through the next election? That is the reason, Mr. Speaker, because those big companies are going to finance the PC Party in the next election and that is why we have to vote for Bill 37, Mr. Speaker.

MR. STEWART:

Mr. Speaker.

MR. SPEAKER (Aylward):

Order, please! The hon. member for Fortune - Hermitage.

MR. STEWART:

Mr. Speaker, we have been here now for fifteen minutes listening to the member for Torngat Mountains (Mr. Warren) expressing concern about Bill 37. He is now fifteen minutes into the debate and he has not mentioned Bill 37 yet. I think, Mr. Speaker, that the member is definitely out of order and he should refer to Bill 37.

MR. SPEAKER:

To that point of order, I remind all hon. members that the rule of relevancy is hard to enforce, but I would remind the hon. member for Torngat Mountains that we are

discussing generally Bill 37.

The hon. member for Torngat Mountains.

MR. WARREN:

Mr. Speaker, in fact, what I was saying has everything to do with Bill 37. Now, Mr. Speaker, I would suggest to the hon. former Minister of Fisheries (Mr. Morgan) that he go up the river somewhere again and, in fact, Mr. Speaker, I can tell the hon. member some rivers to go to. Mr. Speaker, furthermore, the hon. member from Fortune - Hermitage (Mr. Stewart) just got up and interrupted me again, so I must be doing something right. The only time the hon. member got up tonight was on a point of order. So, Mr. Speaker, if I am not doing anything pertaining to Bill 37, at least I am getting to the member opposite.

MR. HICKEY:

I am going.

MR. WARREN:

You are going, are you not? I tell the hon. the Minister of Social Services (Mr. Hickey) to go and have another nap because we will be here when he gets back.

MR. ANDREWS:

And we will be here, too.

MR. MORGAN:

Get back on donations.

MR. WARREN:

Mr. Speaker, let us go back on donations if the former Minister of Fisheries (Mr. Morgan) wants to because, Mr. Speaker, this is the answer to the next election, Bill 37. Bill 37 will be the answer to the next election and it will be from Kruger, it will be from the Iron Ore Company of Canada, it

will be from the company that is running Baie Verte and all of those companies. This is why Bill 37 is here. And, Mr. Speaker, this is one of the reasons why we on this side are determined that the retroactive clause will be deleted from that bill. And we have many days left, Mr. Speaker. In fact, the hon. member for Trinity - Bay de Verde (Mr. Reid) can have the opportunity on Christmas Eve and Christmas Day to cook the turkey for everybody here because, Mr. Speaker, about the only things the hon. member can do are either drive his pick-up truck or cook turkeys. Because, Mr. Speaker, as for speaking in the House he has not done it so far.

MR. MCLENNON:

A point of order, Mr. Speaker.

MR. SPEAKER (Aylward):

A point of order, the hon. member for Windsor - Buchans.

MR. MCLENNON:

Mr. Speaker, I rise on the same point of order as was already brought up by my colleague from Fortune - Hermitage (Mr. Stewart).

SOME HON. MEMBERS:

Hear, hear.

MR. MCLENNON:

The hon. member from across the way in debating this bill is altogether wasting the time of the House. He is attacking myself here tonight as the member for Windsor - Buchans -

MR. WARREN:

No, I would not do that.

MR. MCLENNON:

- he is attacking the hon. member here from Trinity - Bay de Verde (Mr. Reid), making accusations that he is coming in in his

pick-up and he is carrying loads of stuff out and so on and so forth but the nicest one of all was that he said to me that I am gone the next time and that the person I defeated was going to come back and defeat me.

Mr. Speaker, I think the hon. member should relate to the bill that is in question here tonight, Bill 37, and not get on with all this floo-flaw, saying nothing all the time like all the hon. members across the House do continuously. I think it is about time to get down to some serious discussion. He has wasted fifteen minutes of our precious time and has said nothing. So I think he should now start to relate to Bill 37.

MR. TULK:

To that point of order, Mr. Speaker.

MR. SPEAKER (Aylward):

To that point of order, the hon. member for Fogo.

MR. TULK:

There is no point of order, obviously. Again what the member for Windsor - Buchans (Mr. McLennon) is trying to do is to interrupt my friend, who is, as I said, making a very important speech.

MR. MCLENNON:

What is he saying, do you know?

MR. TULK:

Of course I know. He is painting the attitude of hon. members, which is very relevant to this bill. Mr. Speaker, I have to congratulate, and the hon. members on the other side are congratulating my friend from Tornгат Mountains (Mr. Warren) because he has now succeeded in getting the third or fourth person

from that side on their feet who never before rose in this House. There is no point of order.

MR. OTTENHEIMER:

To that point of order, Mr. Speaker.

MR. SPEAKER:

To that point of order, the hon. the Minister of Justice.

MR. OTTENHEIMER:

Mr. Speaker, I must make a submission on this important point of order. The hon. gentleman reminds me of a former hon. gentleman from Bonavista by the name of Mr. Ross Barbour, who once got up and said, 'Mr. Fisherman, all the speakers in my district.' I think that the hon. gentleman now should confer with the hon. Mr. Ross Barbour to see what tack he should take now. I think at this particular point we should invite Mr. Ross Barbour back to inform the Opposition, because their leader is gone, their second leader is gone, their third leader is gone, the fourth leader is gone, Len Sterling is gone, Don Jamieson is in Ottawa, the whole dam works are gone, so I think it is time to call on Ross Barbour.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER (Aylward):

Order, please! Order, please!

To that point of order, I rule there is no point of order.

The hon. the member for Tornгат Mountains.

MR. WARREN:

Mr. Speaker, I thank you very much. At least now I have seen four hon. members who did not speak today get up, so I got a

feeling that before I finish, in my next seven or eight minutes that I got left, we will see the hon. the member for Twillingate (Mrs. Reid) get up. I have a feeling that she is going to get up before I am finished, Mr. Speaker. In fact, she has not spoken since the House of Assembly started about a month ago and I got a feeling that now she is going to get up and speak against this bill because I got a feeling that the fishermen down in Twillingate are so concerned about this bill, Bill 37, which the Premier is trying to get through, that it is going to hurt her chances of winning the next election in Twillingate.

MR. ANDREWS:

A point of order, Mr. Speaker.

MR. SPEAKER (Aylward):

On a point of order, the hon. the Minister of the Environment.

MR. ANDREWS:

Mr. Speaker, I am getting terribly bored. This is a very serious subject that we are debating here tonight. The member for Torngat Mountains (Mr. Warren) is talking nonsense, he is talking about a member who may or may not speak, he does not know if she is going to speak or not. Mr. Speaker, I would refer this back to you to make a judgement and ask the member for Torngat Mountains to speak to the issue at hand.

MR. SPEAKER:

Order, please!

To that point of order, I do remind the hon. the member for Torngat Mountains that the question is that this question be now put. In this debate we can usually refer to Bill 37 or the bill under discussion, so I would

inform the hon. member that I wish the hon. member would discuss generally Bill 37.

The hon. the member for Torngat Mountains.

MR. WARREN:

Thank you for your ruling, Mr. Speaker.

Mr. Speaker, I believe all during the evening we have been talking on Bill 37 although we have wandered here and there.

SOME HON. MEMBERS:

Oh, oh!

MR. WARREN:

Mr. Speaker, if there is a bill of such magnitude as Bill 37 I believe that every person on both sides of this hon. House should be guided by conscience and speak either for or against the bill. Now, Mr. Speaker, all we have heard tonight is the Minister of Justice (Mr. Ottenheimer), the Premier, the Minister of Energy (Mr. Marshall) and the member for Humber West (Mr. Baird). So far that is all on that side who have spoken on the bill tonight. Now, Mr. Speaker, four members out of a total of forty-three have spoken so far in this bill. Now, Mr. Speaker, over here so far all of our members have spoken.

Mr. Speaker, I notice the hon. the Minister of Justice felt so uneasy over there that he has decided to come over. I should advise all hon. members on that side that we cannot accept the hon. member until we have a caucus meeting tomorrow to decide whether it is in the best interest of our party or not.

MR. HICKEY:

A point of order, Mr. Speaker.

MR. SPEAKER (Aylward):

A point of order, the hon. the Minister of Social Services.

MR. HICKEY:

The hon. member is really caught up into what he is saying. I gave him a note but he did not read it. I do not mind that, but Your Honour just sent him a note telling him his time is up and he threw that one away too. I just wanted to tell you that your warranty has run out but the other piece of paper might be even more interesting.

MR. SPEAKER:

Order, please!

To that point of order, the hon. the member has about four minutes left.

The hon. the member for Torngat Mountains.

MR. WARREN:

Mr. Speaker, how fast time does fly.

Now, Mr. Speaker, let me get back to the bill.

SOME HON. MEMBERS:

Oh, oh!

MR. WARREN:

Now, Mr. Speaker, if they want me to be serious I will be serious, but if you do not be quiet I cannot be serious.

Now, Mr. Speaker, the hon. the member for Humber West (Mr. Baird) said there is a lot of anxiety in Corner Brook. Yes, there is a lot of anxiety in Corner Brook, there is a lot of anxiety in Labrador West, there is a lot of anxiety in St. John's, there is a lot of anxiety in Clarenville and there is a lot of anxiety, Mr. Speaker,

all over Newfoundland and Labrador and the anxiety centers around the J.R. that is ruling this Province today. That is where the anxiety centers, Mr. Speaker, around the Premier who is trying to ramrod anti-labour legislation through this House.

MR. MORGAN:

What did you say?

MR. WARREN:

Now, Mr. Speaker, I have to say once again that the member for Bonavista South (Mr. Morgan) should be fairly quiet, because I can give him as good as he can send.

When the hon. the Government House Leader (Mr. Marshall) came in today and moved that motion that was not seconded, the minister did one of the most damaging things that could ever have been done in the House of Assembly. Mr. Speaker, what he did was bring in closure.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER (Aylward):

Order, please! Order, please!

MR. WARREN:

It is amazing, Mr. Speaker, what kind of a speech I must be giving. I already got two Cabinet ministers moved over here and, Mr. Speaker, if you can arrange for a few more chairs and desks to move over here I am sure by the time I finish there will be more moving over. Mr. Speaker, I invite the hon. the Minister of Social Services (Mr. Hickey) over here, I invite the hon. the Minister of Justice (Mr. Ottenheimer) over here because they are so upset, Mr. Speaker.

The hon. the member from Windsor - Buchans (Mr. McLennon) has arrived. Who is the next person that will come over? You know, Mr. Speaker, the only conclusion I can come to in cluing up my remarks is that in order for those three hon. gentleman to speak they had to come over on this side because our leader will let them speak. Our leader will let them speak on this side but they are not allowed to speak on that side, so they are kindly welcome over here.

Now, Mr. Speaker, as I clue up my remarks -

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER (Aylward):

Order, please! Order, please!

MR. WARREN:

We lost him again.

As I conclude my remarks, Mr. Speaker, I must say, in all due respect to the Premier, in all due respect to the forty-two lambs that he is leading, in all due respect, Mr. Speaker, to the PC party of the Province, as Mr. Frank Moores said to our first J.R. in 1971, 'The time has come.' Now, Mr. Speaker, the Liberal party says to the third J.R., 'The time has come again.'

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

Order, please! Order, please!  
Order, please!

MR. HISCOCK:

Mr. Speaker.

MR. SPEAKER (Aylward)

The hon. member for Eagle River.

MR. HISCOCK:

Thank you, Mr. Speaker.

I must say that is a hard act to follow.

With regards to Bill 37, and it being four o'clock in the morning, when I finish speaking in the next half hour, then the House Leader (Mr. Marshall) will have to decide either to call in the Committee, postpone the House, or continuing on. The end result of this, of course, call it what you want, is closure. We know it is closure, Mr. Speaker, when each member on this side is forced to get up but no member on the government side gets up. Of course, that is one of the signs of closure. So the House Leader, Mr. Speaker, can call it what he wants, but the end result is we do have closure.

The other part is, as the member for Humber West (Mr. Baird) pointed out, there is a lot of anxiety in Corner Brook, and, as the member for Torngat (Mr. Warren) pointed out, there is a lot of anxiety all over the Province. I think I would like to concentrate on one part of the theme tonight, even though it is four o'clock, and that is basically what the Premier has said. I remember when I left the teaching profession and came back to Newfoundland to get involved in politics in 1979 there was supposed to be a new era in politics. I remember coming into the gallery here and sitting down watching the Premier read Leon Uris' book, Trinity, and I had a lot of hope and a lot of faith in the Premier. The Premier was giving us new hope and new direction. Some 40,000 jobs were going to be created, Come By Chance would reopen in ninety days, and you can go on and on,

and we were entering into a new era, one of hope, one of optimism.

I find it rather sad, not so much that we are debating Bill 37 which is sad in itself, that the Premier after five years has finally admitted defeat, that his party and himself could not develop the hopes and aspirations that he set out when he got the leadership on where he wanted to take this Province. After five years he has now admitted that instead of creating, Mr. Speaker, 40,000 jobs we now have 60,000 unemployed.

And with regard to those 60,000 unemployed, the question I would like to ask all members to reflect on is how much suffering is taking place as a result of this? What poverty do we have in our Province now? I say it is poverty untold compared to the 1930s. How many broken dreams do we have with the unemployed, with our young students? We now find out that the Department of Social Services, with a \$22 million job creation programme, has now turned into the Department of Development.

MR. MARSHALL:

On a point of order, Mr. Speaker.

MR. SPEAKER (Russell):

Order, please!

The hon. President of the Council, on a point of order.

MR. MARSHALL:

I appreciate the hour is late, but the fact of the matter is we are debating a motion of the previous question under Standing Order 40 with respect to Bill 37 and the hon. gentleman is entering into the realm of general debate with respect to general policy, the type of debate one would expect to hear in a Throne Speech or in a

Budget debate or what have you. Now there are certain rules of relevancy which apply. One of the rules of relevancy which applies to this particular motion before the House, that this question now be put - the question to be put is the question with respect to Bill 37 - relates to the bill with respect to the definition of permanent and temporary employment. I think the hon. gentleman is out of order.

MR. HISCOCK:

To that point of order, Mr. Speaker.

MR. SPEAKER:

The hon. member for Eagle River, to that point of order.

MR. HISCOCK:

Mr. Speaker, the Premier ended up talking about ERCO, about the forestry. The point I am trying to make with regard to 60,000 unemployed, is the Premier is saying, if we pass Bill 37, we will end up not having 60,000 unemployed but we will save that many more jobs. If we do not pass Bill 37, then the end result, of course, is going to be that many more unemployed. And in that context, if the President of the Council (Mr. Marshall) and House Leader had let me finish he would have found out that I would be bringing up that point.

MR. SPEAKER (Russell):

To that point of order, it is a little difficult to rule on the rule of relevancy. Certainly I would remind the hon. member for Eagle River (Mr. Hiscock) that we are on Bill 37, the motion at hand, and perhaps he can be a little more relevant than he appeared to be.

MR. HISCOCK:

Thank you, Mr. Speaker.

With regard to making Bill 37 retroactive going back to 1978, the question still remains why, number one, was this not brought up in 1981 when it was appealed by Wabush? As the member for Menihek (Mr. Fenwick) pointed out, this was a dispute between a union and a private company, not between the government and the union or the company.

The other question also that has to be asked is why is the government now trying to paint itself as the saviour of all of these jobs - not of creating new jobs but trying to preserve the existing jobs - when it has been in power since 1972? Since then the Newfoundland Provincial Task Force on Forestry has said it was evident that the Bowater Corporation was not upgrading their Corner Brook mill and that there was also a significant leakage of capital. Why is it that we have a government that continually goes from one crisis to another, whether it be moving people out of Western Labrador, or in regards to upgrading of the Corner Brook mill? The Premier in his address ended up saying that Abitibi-Price in Stephenville is not paying for itself and it is also in the hole in Grand Falls.

What preparation are we taking to head this off and to make sure it does not happen in other industries? Mr. Speaker, I feel that Bill 37 points out that this government has lost its *raison d'être*, its reason for existing. It no longer has any direction, and it moves from crisis to crisis, from one day to the next.

We have the Department of Labour in this Province and you would

expect the Minister of Labour (Mr. Dinn) to fight for the Department of Labour and fight for the labour unions in the Province. He does not necessarily have to disagree with Cabinet, he does not have to move out, but at least he should be perceived by the media and by the unions as being a champion of their cause, not always getting something, but at least being their champion. Of course, when they had the Cabinet shuffle, the one criticism that all the union leaders had was that leaving the present Minister of Labour in that portfolio was a sign to the labour unions that the government was continuing on its anti-union tack.

The other thing is, when does the present Department of Consumer Affairs come in with the idea of - and I agree with the member for Menihek (Mr. Fenwick) who raised this - stealing money from the workers who, under existing legislation, should be getting it. I believe the government which brought in this legislation should bite the bullet and pay it out of the Treasury.

MR. SIMMS:

Out of what?

MR. HISCOCK:

Out of what? That is a good question.

Mr. Speaker, we have a \$22 millionn make-work programme in the Department of Social Services designed to get people off welfare and on UIC so the federal authorities have to bear all the cost, we can borrow money for programmes, and, if the offshore is going to fuel such a boom, the least we can do is borrow the money owed these workers, under legislation passed by this House, and pay it to them. Mr. Speaker,

we are borrowing the money to pay for the Premier's apartment, borrowing the money to pay for his chauffeur, borrowing the money to pay our salaries, so why not borrow the money owed these workers? That is what I am saying, Mr. Speaker.

MR. MORGAN:

Do not be so stupid.

MR. HISCOCK:

It might be stupid but this is a stupid law. When that law was brought in it was based on a fine premise. Now that we find mistakes in it, we are putting it on the backs of our workers. And if we brought in bad legislation we should suffer the consequences, just as a company has to suffer a loss because of bad policy. Probably we should have some accountability and be able to end up suffering in some way. Maybe accountability would give the bureaucrats, the law clerks and the ministers of this Province some reason to pause instead of going on the way they are, bringing in legislation and finding out five or six years later the repercussions of it.

With regard to the part, Mr. Speaker, of saving any amount of money through Bill 37 that these companies would otherwise have to pay, there will not be any more new money being put in the economy. The money will go to the shareholders on the Mainland, in the States and other areas.

MR. HICKEY

Jobs will be saved.

MR. HISCOCK:

Jobs will be saved? I doubt that there will be one job saved as a result of this. This is what the government would like for us to

believe, Mr. Speaker, that jobs will be saved. This is what the cry is now. The cry is not of creating 40,000 jobs, the cry now is of saving 40,000. That is how much change of mentality has resulted with regard to the Premier in the past five years.

Mr. Speaker, I have always had great respect for the Premier and it is sad, in actual fact, to see his hopes, dreams and vision of Newfoundland wither away. He put everything into offshore oil, would not deal with Ottawa just because it was a Liberal Government, and our people end up having to suffer. You can blame it on the international economy, you can blame it on the recession, you can blame it on the Liberal Government, but the end result is that we have jurisdiction over education, over our mines, over our forestry, over a greater part of our other resources, and what did we do, Mr. Speaker? It was not whittled away from outside, the enemy was not from outside but from within. Now, as I said, the vision the hope that the Premier offered our people has been vanquished. Now we find before this House Bill 37, some of the most repressive legislation, as far as I am concerned, ever brought in before any parliamentary legislature in the Commonwealth. It is almost as bad as Bill 101 in Quebec and some of their anti-union legislation. Now, Mr. Speaker, we have this retroactive legislation, supposedly to save jobs. But as the Leader of the Opposition (Mr. Barry) pointed out, why have Bill 35 also retroactive? Are we going to get other bills coming in that are going to be retroactive?

Turning to Bill 37 with regard to the anxiety in Corner Brook, where

was the Minister of Forest Resources and Lands (Mr. Simms) with regard to the people of Corner Brook and the West Coast when he talked to the Minister of Forestry (Mr. Merithew) federally? Where was the Minister of Education (Ms Verge) when the Music Department was being set up here at Memorial? Why did she not champion that project to build up a great university on the West Coast? Where was she and the Minister of Forest Resources and Lands when they should have tried to convince Memorial to move its Forestry Department out there and build up Grenfell College to university status and have a School of Music, a School of Fine Arts and a School of Forestry and allow Memorial to be strong in Engineering, in Oceanography and in Medicine and other things? Mr. Speaker, as we have already said with regard to Corner Brook, Corner Brook is not even holding its own with Kruger coming in. The question I would like to ask which nobody has answered yet, the Premier, the union man or any of them -

MR. HICKEY

Do you want the people and the unions gone from Corner Brook?

MR. HISCOCK:

If the people are gone and the unions are gone, I take consolation in the fact that what I am saying is right. I suppose I follow after the Premier in that regard. May- be after four or five years a little bit that is rubbing off on me. The Premier also said, referring to Kruger going in and taking over Bowater, that Harvard Business School would not consider it a very good financial deal for any company to go in and take over such a dilapidated plant and company as

that. Yet he says that it is one of the finest deals that we got with any company. The question that I would like to ask is why is it that nobody wanted Bowater and why is it that Kruger has given us such a deal? that is beyond all amazement. Mr. Speaker, that is a question that I hope does not come home and haunt us like the Upper Churchill contract. I hope it also does not come up like Come By Chance, Mr. Speaker. Everybody on either side, no matter which party, wants the best for this Province.

Mr. Speaker, with regard to Bill 37, we all know it is retroactive, but what is all this about jobs being created? What jobs, Mr. Speaker? Sixty thousand people are unemployed in this Province. That is not counting, Mr. Speaker, the students who came out of Grade XII this year. The Minister of Labour (Mr. Dinn) can confirm that 73 per cent of the students who came out of Grade XII this year are unemployed. We also found out through this study that was done that 50 per cent of all our students in Newfoundland do not finish Grade XI or Grade XII and 25 per cent of those are pregnant. The end result is, Mr. Speaker, what has this government done to uplift rural Newfoundland? What has this government done to uplift the unemployed and the youth of this Province? Mr. Speaker, I for one do not agree with this idea of towny versus baymen, but I would say a little bit of it has to do with the mentality of the Cabinet Ministers who are not from rural areas of Newfoundland and let rural areas go by the wayside.

Mr. Speaker, with regard to technology, there is no reason why the high schools in our Province

cannot have computers, have TVs tied in with Memorial University's Extension Service and have other programmes done for it. There is no reason why they cannot plug into a central computer in other areas of the Province.

MR. MARSHALL:

A point of order, Mr. Speaker.

MR. SPEAKER (Russell):

Order, please!

The hon. the President of the Council on a point of order.

MR. MARSHALL:

What has computers, high schools and plugging into computers got to do with the principle of this bill and the motion before the House? If it is too late for the hon. gentleman to be relevant, I suggest the hon. gentleman be asked to take his seat.

MR. HISCOCK:

To that point of order, Mr. Speaker.

MR. SPEAKER (Russell):

The hon. the member for Eagle River to that point of order.

MR. HISCOCK:

With regard to the 50 per cent drop-out rate in our Province and with regard to 73 per cent unemployment among our Grade XIIs, the relevant point is if we educate our youth and give the youth of our Province the equality that they should have, we probably would elect better representatives in this Province and we would not have such sloppy legislation coming in and have to change it after five or six years. That is the point I was trying to make, Mr. Speaker.

MR. MARSHALL:

Well, you were not making it.

MR. SPEAKER (Russell):

Order, please!

To that point of order, I can only remind the hon. the member for Eagle River (Mr. Hiscock) that he appeared to be straying somewhat from the rule of relevancy in his remarks on this bill and I would ask him to be a little more relevant.

The hon. the member for Eagle River.

MR. HISCOCK:

Mr. Speaker, with regard to Bill 37 of being retroactive, that is something that is repugnant to the parliamentary system and we on this side will fight it at all costs.

The Premier said he had to play with the cards dealt him and try to make the best of the situation. I would say, Mr. Speaker, there were probably better ways of doing this. The question remains, why was it not done in 1981? Why was it left so long? That is a question that should be answered. What other pieces of legislation have this government brought and put on the books will come back to haunt us? What other pieces will come to light in the future? That is why I say that we as a Province should be paying this bill even though we have not got the money. We should pay it from the point of view of saying to the ministers, of saying to the bureaucrats and the law clerks and everybody that government has no accountability whatsoever, yet we expect, Mr. Speaker, businesses and we expect individual citizens of this Province to have accountability. Mr. Speaker, the first thing to be.

noted about this bill is its retroactivity, that it is on the backs of the workers and favours large companies. The Premier has always claimed to be the champion of the little man but he has lost that now, he is no longer the champion of the little man. He failed to create the 40,000 jobs he said he would and there are now 60,000 unemployed. He has now lost that vision and there is no hope for our people. The price he paid to get on side with the Prime Minister in Ottawa is his silence and now there is nobody to stand up and fight for Newfoundland or Labrador. The economy of Newfoundland and Labrador has been set adrift and it has nobody looking after it. Nobody is standing up for it and nobody is fighting for it.

The other thing that has to be remembered, Mr. Speaker, about Bill 37 is that closure was to push it through. Those two things are repugnant to the parliamentary system, making a bill retroactive and, invoking closure. I would say, Mr. Speaker, that is the beginning of a turn of events that will wake up the people of this Province. There is no sense in this present administration continuing to build up straw men to knock down and then claim to be the champion of the people. With all the unemployment and all the rot that set in in our Province the people wanted change, and they got it federally and they have to put up with it, but I say, Mr. Speaker, the people of the Province realize now that there is nobody to fight for them. This government operates on management by crisis from one day to the next and we do know which nightmare is going to appear tomorrow or the next day. And as a result, Mr. Speaker, I believe that this

government is beginning to lose its popularity among the people, and the people are beginning to ask questions and it is about time that the people of our Province asked questions.

I also do not believe the people should elect the Opposition, whether it be NDP or Liberal, just because we happen to be on the other side. I hope they will ask questions of us and have a look at our policies and a look at the direction in which we want to take Newfoundland and Labrador.

I think the saddest thing that this debate has brought out is that the vision is gone, that defeatism has crept in. The dreams that were offered to our youth and offered to our people have now withered and blown away. We find out now instead of having a government fighting for the average person we have now a government for larger corporations. This was a fine piece of legislation that was brought in. Granted it had some mistakes, but they could have been corrected in a sensible parliamentary manner.

On an impulse, Mr. Speaker, the government put our claim to the offshore in the courts and lost. But, Mr. Speaker, in concentrating on the offshore for the past five and a half years, they let everything else go to ruin, including our forest industry, our mining industry and our tourist industry. Now instead of hope and prosperity we have doom and gloom, something the President of the Council (Mr. Marshall) has always attributed to this side of the House.

The Premier's admission about the financial state of affairs of this

Province does not leave very much room for hope. I think this state of affairs can only be changed, Mr. Speaker, by having a change of government.

AN HON. MEMBER:

What about our deal on the offshore?

MR. HISCOCK:

Mr. Speaker, we are not going to get what we deserve with the offshore, we are not going to get the type of deal we need. Now we are going to have to accept what the companies are going to give us because we have nobody fighting for us. Now we have to accept what the companies are going to give us, we have to accept what the federal government is going to give us. That is what is going to happen, Mr. Speaker, that is where we find ourselves after five and a half years.

MR. ANDREWS:

You are a socialist.

MR. HISCOCK:

I am not a socialist. I am a capitalist and proud of it, but I also realize my social responsibility to our constituents.

It is sad enough we have this legislation, but the saddest admission in this debate was the Premier's admission of defeatism. The Premier has now admitted that his vision for Newfoundland has not been achieved. I say, Mr. Speaker, if he no longer has conviction he should call an election and allow somebody with conviction to lead this Province. Thank you, Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER (Russell):

Order, please!

Is the House ready for the question?

SOME HON. MEMBERS:

Agreed.

MR. SPEAKER (Russell):

The question is that the previous motion be now put. Those in favour, "Aye".

SOME HON. MEMBERS:

"Aye".

MR. SPEAKER (Russell):

Those against "Nay"?

SOME HON. MEMBERS:

"Nay".

The motion is carried.

SOME HON. MEMBERS:

Divide.

MR. SPEAKER (Russell):

Call in the member.

### Division

MR. SPEAKER:

Is the House ready for the question?

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please!

Is the House ready for the question?

All those in favour of the motion, please stand.

The hon. the Premier, the hon. Minister of Rural Agriculture and Northern Development (Mr. Goudie),

the hon. the Minister of Education (Ms. Verge), the hon. Minister of Career Development and Advanced Studies (Mr. Power), the hon. Minister of Health (Dr. Twomey), the hon. the Minister of Justice (Mr. Ottenheimer), the hon. the President of the Council (Mr. Marshall), Dr. McNicholas, the hon. the Minister of Culture Recreation and Youth (Mr. Rideout), the hon. Minister of Transportation (Mr. Dawe), the hon. Minister of Municipal Affairs (Mr. Doyle), the hon. the Minister of Labour (Mr. Dinn), the hon. Minister of Forest Resources and Lands (Mr. Simms), Mr. Barrett, the hon. the Minister of Social Services (Mr. Hickey), the hon. Minister of Public Works and Services (Mr. Young), the hon. Minister of Consumer Affairs and Communications (Mrs. Newhook), the hon. Minister of Environment (Mr. Andrews), Mr. McLennon, Mr. Baird, Mr. Morgan, Mr. Reid, Mr. Brett, Mr. Peach, Mr. Cross, Mr. Stewart, Mr. Aylward, Mrs. Reid, Mr. Hearn, Mr. Patterson, Mr. Osmond, Mr. Greening.

MR. SPEAKER (Russell):

All those against the motion, please stand.

The hon. the Leader of the Opposition (Mr. Barry), Mr. Tulk, Mr. Hiscock, Mr. Warren.

MR. SPEAKER:

The vote is 31 for, 4 against.

The motion is carried.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The motion is that this bill be now read a second time.

Motion, a bill, "An Act To Amend

The Labour Standards Act", read a second time, ordered referred to a Committee of the Whole House, presently by leave.

MR. MARSHALL:

Mr. Speaker.

MR. SPEAKER:

The hon. President of the Council.

MR. MARSHALL:

Mr. Speaker, I move that this House at its rising do adjourn until today at 3:00 p.m. and that this House do now adjourn.

On motion, the House adjourned until today, December 11, 1984, at 3:00 p.m.