

PRELIMINARY
UNEDITED
TRANSCRIPT

HOUSE OF ASSEMBLY
FOR THE PERIOD:
3:00 p.m. - 6:00 p.m.
MONDAY, APRIL 28, 1980

The House met at 3:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER (Simms):

Order, please!

ORAL QUESTIONS

MR. SPEAKER:

The hon. the member for LaPoile.

MR. S. NEARY:

Mr. Speaker, I want to direct a question to the hon. the Premier. I really do not know how to phrase it, I suppose I am going to give it a little bit of a preamble.

Reports have been reaching my desk of late that a lot of Newfoundlanders have been burnt by investing in the stock market and buying stock on oil, but the thing that disturbs me about it - and I am not sure if it is ethical or illegal or conflict of interest, but I want to find out about the government's fiscal agents, McLeod Young Weir. They recently established a brokerage office in St. John's. They are now dealing in buying stocks and bonds and a lot of Newfoundlanders - well, maybe not a lot; that is not a fair statement - but some Newfoundlanders have been taken in by this company. They are the government's fiscal agents, and I am wondering if, in the Premier's opinion, he would consider that to be ethical? - because they have to do business with the government, they have to talk about revenues from offshore, they have the inside track. - Is it ethical, is it morally right for the government's fiscal agents to open up an office in St. John's to deal in stocks and bonds, mainly oil stock?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Well, Mr. Speaker, we are into a bit of a grey area when you talk about is it ethically - you know, it comes down to one's opinion, I guess. So the question the way it was phrased is very difficult to answer. I think the question implies a number of things that should be set right. McLeod Young Weir are one of the Province's fiscal advisers in the Canadian market, that is fact number one. The other formal fiscal adviser is Dominion Securities and then there are a whole bunch of other people also who participate in the bond issue in the Canadian market.

PREMIER PECKFORD:

Then there is another group who are our fiscal agents in the United States market and another group who are fiscal agents for us in Europe. There is no information flow from us to McLeod Young Weir or the other way around as it relates to revenue, as it relates to offshore yet because there is no determination as to whether in fact there is going to be a commercial development or not. So that is highly speculative and therefore, McLeod Young Weir are in no better position than are the other people who are in the market today as it relates to information. They get their information the same as Greenshields do or the same as Merrill Lynch do or whatever. And the logs and everything are all made public by the company before, anyway, at the same time as we get them. So there is no information that I can think of off the top of my head that would give them any advantage in advising prospective clients on investment in a particular oil company over and above what other so-called houses have in St. John's right now.

MR. S. NEARY:

Supplementary, Mr. Speaker.

MR. SPEAKER (Simms):

Supplementary, the hon. member for LaPoile.

MR. S. NEARY:

Mr. Speaker, I would gather from the hon. gentleman's answer that he would have preferred that the firm, this government's fiscal agents, McLeod Young Weir were not in this business, I think it would be better if they were not in it. Now Greenshields and McLeod Young Weir and Wood Gundy have taken an awful lot of Newfoundlanders to the cleaners. Merrill Lynch, by the way, I am told so far have been playing it fairly straight. They have been accepting orders on the telephone without checking the customers' credit, their past performance as far as credit is concerned. Is the hon. gentleman aware of this? If he is, could he tell the House whether or not this is ethical? According to the Ontario Securities Regulations, is this legal or ethical to accept orders on the phone, take these people in without checking their - because I understand there are a number of writs already issued and there will be a number of writs issued today or tomorrow or sometime this week, what is the situation? Does the hon. gentleman know this is going on and, if so, how does he feel about it?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

I must say, I am overwhelmed by the hon. member's opinion of my opinion. And all I can say to the hon. member for LaPoile is that, yes, I am aware generally that there are individuals in the marketplace who have made a lot of money. I am also aware from rumors strictly rumors - I do not know if it is true or not - that there are other people in the marketplace who have not, who have lost a lot of money. I do not know, I honestly do not know whether the practice being operated by the various people - Merrill Lynch, Wood Gundy, Greenshields, McLeod Young Weir - is legal, illegal or whatever. I only can say that, you know, for anything that has come to my attention that what these people or firms are doing in the Province is legal and aboveboard. If not, then somebody would have been after either taking some action against

PREMIER PECKFORD: them or whatever. You know, I have not gone out of my way to try to find out whether in fact anything is illegal. I have no evidence to support any personal investigation on my part to try to find out something that they are doing that is wrong, but I know that there are a lot of people - so I hear - who have made a lot of money. And I also hear that there are some people who have lost money, but as far as I know everything that has been done to date has been fair and square and aboveboard. I have no evidence to show otherwise from these companies.

MR. SPEAKER (Simms): Order, please! Before I recognize the hon. member for LaPoile, perhaps I should point something out with reference to procedure for asking questions in order that members will not think that it has been overlooked. There is a reference in Beauchesne that says that questions asked during Question Period should not require an answer involving a legal opinion. I bring that to the attention of the hon. member in case he might wish to rephrase his question.

MR. S. NEARY: Supplementary, Mr. Speaker.

MR. SPEAKER: Supplementary, the hon. member for LaPoile.

MR. S. NEARY: I would hardly expect the hon. the Premier to give me an illegal opinion, Mr. Speaker, but I appreciate your drawing that to my attention. I would have thought, Mr. Speaker, that the hon. gentleman would have been very concerned

MR. S. NEARY: about these matters because it is the government that has created this boom atmosphere that has caused an awful lot of Newfoundlanders to get into the trouble they are in. One, I am told, this morning had a writ served for \$900,000, close to a million dollars. Other writs will be served today or tomorrow involving \$100,000, \$56,000 and so on, by the government's fiscal agents and this is the thing that concerns me.

I asked the hon. gentleman before, and I am going to ask him again if he is aware that the resident manager of this company, McLeod Young Weir is flagrantly violating either the law or the spirit of the law by not observing certain traditions or regulations particularly dealing with credit practice and credit checks of their customers who placed orders on the telephone?

Now, if the hon. gentleman is aware of that, and I mean, if it was the government that created this atmosphere in this Province by their statements and by their faith in oil and so forth, would they not be concerned enough to check with the Ontario Securities Commission to see if there has been a violation of the regulations of the Ontario or the Quebec Securities Commission?

MR. SPEAKER (Simms): The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, there are a number of points that come up as a result of the member for LaPoile's (S.Neary) question. One is, the questions to date, from the member for LaPoile have not directly centered on the questions concern. Obviously, I am, or government is, or all, I suppose, Newfoundlanders would be concerned if anybody loses money in this way. So, the concern, the question earlier had to do with legalities, ethical opinion and so on and I gave my opinions on that. If the hon. the member for LaPoile wants me to give my opinions on whether I am concerned or not, I can give him my opinions on that too. Yes, I am concerned, obviously, if any entrepreneur

PREMIER PECKFORD: or businessman or individual in the Province loses money in this way.

So there is no question about the concern, there is a question of what you can do about it and whether that is part of the market process. Secondly, no question, I do not- I am not familiar or do not know, I do not travel in those circles, I do not know about somebody losing \$900,000 or somebody else losing \$90,000. That is out of my league altogether. I am just the poor, lone little boy from South Brook, Halls Bay, Green Bay who is trying to do a job and, you know, if the member for LaPoile (S. Neary) knows something about people who lose \$900,000, you know, that is big news to me, that is out of my league altogether. And I am not familiar with those figures or, you know, I am not familiar with those names or those firms.

Thirdly, on the question of atmosphere being created in the Province, let me say to the hon. member for LaPoile that, if I remember correctly, that when the first pronouncements on the Hibernia discovery came out, most of the people that I have talked to in the street or who called my office - I do not know if anybody from the Opposition; there might have been one or two from the Opposition, just afterwards, commented upon it or asked me more questions about it, privately, was that we were playing it down and 'What is wrong? You know a lot more than the companies know and you will not say. You are really hiding information.' And we,

PREMIER PECKFORD: deliberately, right from the beginning, right from day one, before day one, tried to provide factual information and no more. Not get into the area of opinion, because we knew that that was fraught with dangers, fraught with the kind of thing that we are now seeing in the marketplace by individuals who were taking the advice of stuff that was coming over the wire from companies which was completely wild and talking about Saudi Arabian kind of structures and so on, it was on that kind of basis that a lot of investments were made. The public pronouncements by government were very reserved and cautious and will remain so until additional information becomes available which will, in fact, give us reason to be more optimistic than we have already we are.

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

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

MR. S. NEARY: Mr. Speaker, the situation has changed drastically since then because of the involvement of the government's fiscal agents. And I cannot help but going back to my original question, that some of these people who went to McLeod Young Weir, who went to see the local manager, and they only opened an office here recently, I understand, felt that these people were in the know because they were the government's fiscal agents. And from the information supplied me, it would seem that this company is not following traditional practices or regulations laid down by the various security commissions. And I am asking the hon. gentleman would he not be concerned about that particular aspect of it? We are talking now of the government's fiscal agents getting into the business and I am sure that people out there and the reason they come to me, Sir - I do not hobnob in that circle either, as hon. members know - they have no recourse, they cannot go to the Ombuds-

MR. S. NEARY: man, they cannot go to anybody on the government side, they get no sympathy, they come to the unofficial Ombudsman for the people of this Province, they come to me. And so I am asking the hon. gentleman again, is he not concerned that the government's fiscal agency would have placed themselves in a kind of a conflict of interest situation in this matter?

MR. SPEAKER (Simms): The hon. the Premier.

PREMIER PECKFORD: Two points, Mr. Speaker; first of all the reason why McLeod Young Weir has an office in the Province is because we demanded that they put an office in the Province if they are going to be our fiscal agents. And when we went out to the various individuals in the marketplace the various bond houses, we indicated that one of the conditions of being a fiscal agent of the Province was to provide services locally too and to have a local office. So I am pleased and proud that these people as well as others have an office in the Province and that is how they got here, if you will, and hopefully they will help put some additional competition into the marketplace.

Number two, on the whole question of whether there is a conflict of interest as it relates to our fiscal agents, the statements by the member for LaPoile (Mr. Neary) are extremely general and vague and in no way substantiate some of the allegations that he is making or implying, and that is that the fiscal agents are not abiding by the rules laid down by the Ontario's Securities Exchange Commission. So unless and until the hon. member for LaPoile can either, in this forum or in some other forum, demonstrate to me some legitimacy to the allegations, then it would seem that it is inappropriate for me to pursue the matter all that much further. It gives me some concern on the one hand, and then on the other hand

PREMIER PECKFORD: that is sort of subtracted from because the member from LaPoile (Mr. Neary), in his usual manner, does not provide any substantial information to give any credence or validity to the statements that he is making.

MR. JAMIESON: A supplementary.

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

MR. JAMIESON: It is something of a hypothetical question, but I would like to ask the Premier if he feels that it would be wise for him, and his associates, to examine the possibility for the future, I would assume at some stage down the road it is conceivable, indeed we all hope that it is likely, that there will be a prospectus prepared with regard to bond issues or something of the sort, which will involve oil and gas information or revenues or the things of that kind? Now accepting of course the Premier's assurances that there has been no flow of information to this moment, I think this is one of those cases where it is not enough to be right, one must appear to be right, would the Premier look at the validity of having fiscal agents at some point in the future who must of necessity embrace in a prospectus information which conceivably could have an effect on the market?

MR. NEARY: Right on.

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: Yes, Mr. Speaker. The Minister of Finance and others in the government have over the last number of months been contemplating when is an appropriate time to do that. You see, the problem is on the one hand members of the Opposition are alleging that we are creating a false atmosphere and we respond by saying that we are not, we are trying to be factual, but by the very nature of the questions that are now being asked gives rise to additional inflation of the expectation. So it is difficult then to answer without once cautioning your own self that by even answering the question you are going to be left bare for additional allegations daily from members of

April 28, 1980

Tape No. 1077

NM - 2

PREMIER PECKFORD: the Opposition because of statements you made in answer to the question which originated from other than the government.

So therefore I qualify any answer I make by saying that I hope that anything I say does not be misconstrued as trying to once again create an additional optimistic atmosphere, and we are not trying to do that. At an appropriate time, in government's opinion, there will be additional information provided and appropriate applications to the lending agencies and all the rest as it relates to this. But at this point in time you have one well called Hibernia P-15 which flows at somewhere over 20,000 barrels a day, sweet crude, and you have two additional step out wells being drilled, which are not completed, and a third well on a wild cat called Ben Nevis being drilled. So there is not really sufficient information. All the information that is available has been produced or released now. At some point in time, after additional information comes in from those wells, I think the hon. the Leader of the Opposition's (Mr. Jamieson) question is valid, that government must then put out either an appendix or a full scale prospectus as it relates to the overall development opportunities in the Province generally, and included in that would be a major component dealing with the offshore oil and gas. And that I would suspect would be done sometime later this year.

MR. SPEAKER (Simms): The hon. member for Terra Nova.

MR. LUSH: Mr. Speaker, I have a question for the Minister of Labour and Manpower (Mr. Dinn) and it is related to the hiring practices and procedures for people acquiring work on the offshore rigs. In view of the length of time that is required to be on these rigs, four weeks on and four weeks off, and in view of the fact that this could be quite new work for a lot of Newfoundlanders, I am wondering what procedures are used to screen workers to ascertain their suitability and adaptability for this kind of work?

MR. SPEAKER: The hon. Minister of Labour and Manpower.

MR. DINN: Well, Mr. Speaker, hopefully the screening process is one where a person who has the necessary qualifications to do any particular job in the offshore is hired. If they cannot do the job, if they prove that they cannot do the job while they are out there, then I guess they choose to come in. Now the fact of the matter is there is a twenty-eight day on, twenty-eight day off operation in the offshore that we are currently looking at. The present contracts that have been signed with the drilling companies and the supply vessels etc., are ones where we do have that sort of a situation. We are currently looking at it so that in our upcoming negotiations we can discuss with the companies whether or not it would be preferable to them, number one, and more advantageous to the workers, number two, as to whether the length of time out and in could be cut in half to, say, two weeks out and two weeks in.

MR. LUSH: A supplementary.

MR. SPEAKER: A supplementary. The hon. member for Terra Nova.

MR. LUSH: Mr. Speaker, I was hoping that the minister would have said that there was some sort of looking into, if you will, some sort of searching into a person's background to ascertain whether or not the person might be mentally or physically suited for this kind of work because, as I have said again, in many cases it would be a new type of work. And I took note of the minister's answers that a person could come in. Now the next question is how long will it take for a person to get in?

MR. LUSH: Are helicopters readily available in the event that it is discovered that a person is not psychologically suited to this kind of job or a person might have mental health problems or whatever? How quickly can a person get in from one of these rigs once it is found out that the person is experiencing problems of whatever nature?

MR. SPEAKER (Simms): Hon. Minister of Labour and Manpower.

MR. DINN: Mr. Speaker, there is a fairly routine shuttle back and forth by helicopter on a daily basis. I have known of, I believe, one individual that landed on the drill rig and decided that it was not the place he wanted to work and came back immediately. I would think that if he stayed there that night that he could get out the next day. But there is a fairly regular shuttle back and forth by helicopter to the rigs and I have not heard of any people who complained that they could not

MR. J. DINN: get off when they basically wanted to get off. So it is one where we have a control. We do not generally request people to take a psychiatric examination or anything for the work offshore, as I suppose half of us would not want that type of an examination for people who ran for the House of Assembly or half of the hon. members would not make it.

SOME HON. MEMBERS: Oh, oh!

MR. T. LUSH: Mr. Speaker, a supplementary.

MR. SPEAKER (Simms): A final supplementary, the hon. the member for Terra Nova.

MR. T. LUSH: Re the recent drowning on the rigs just a short while ago, the first, is it the minister's intention to set up a Magisterial Inquiry to look into this particular incident?

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

MR. J. DINN: Mr. Speaker, I have many things that I am responsible for in the Province. I have a full case load of problems that I am endeavouring to solve. It comes within the purview of the hon. the Minister of Justice (Mr. G. Ottenheimer) if there is an inquiry or if there is not an inquiry into the death offshore. We are very concerned about the offshore with respect to occupational health and safety and we are wondering what, if anything, can be done in the next drilling season. We are attempting to get a programme together so that we could possibly do something with respect to it. There does not seem to be any other jurisdiction that looks into it. The Canadian Government appears to have a hands-off attitude when it gets outside twelve miles, so we are currently attempting to look after all the problems that may arise with respect to the offshore and I will inquire when the hon. the Minister of Justice gets back as to whether there will be a Magisterial Inquiry. There certainly will not be anything with respect to the inquiries that we have had in the past. I do not think there is any wrongdoing in this case or anything like that. The possibility of a judicial inquiry with respect to the offshore is in the competent hands of the hon. the Minister of Justice and his department and he will report to the House in due course.

MR. SPEAKER (Simms):

The hon. the member for Windsor - Buchans.

MR. S. NEARY:

You really made a fool of yourself that time.

AN HON. MEMBER:

Terrible, terrible!

MR. G. FLIGHT:

Mr. Speaker, my question is to the Minister of Consumer Affairs and Environment (Mrs. H. Newhook). The minister may be aware that it is a stated policy of Abitibi Price to spend \$180 million in a five-year programme, and that \$180 million is to be spent in environmental control in their various holdings. I would presume that the bulk of it will be spent in their timber holdings, their mills. Could the minister indicate whether or not she is aware, as minister responsible, how much of those dollars, of that \$180 million that will be spent by Abitibi in environmental control over the next five years will be spent in this Province in view of the considerable holdings and the considerable areas that they own in this Province and the environmental damage they may or may not be doing in Newfoundland?

MR. SPEAKER:

The hon. the Minister of Consumer Affairs and Environment.

MRS. H. NEWHOOK:

Yes, Mr. Speaker, just recently we had a meeting with

MRS. H. NEWHOOK:

Abitibi Price; they were in my office and outlined a programme. I really can not remember the amount of money that they will be spending this year, but I can certainly go back and check my files and I can bring it into the House. It is a very large amount but I am not sure just what the figure is right now.

MR. G. FLIGHT: Supplementary, Mr. Speaker.

MR. SPEAKER (Simms): Supplementary, the hon. member for Windsor - Buchans.

MR. G. FLIGHT: Could the minister indicate to the House if Abitibi Price have indicated at this point in time exactly what areas in the Province of Newfoundland they will be spending that money? To give an example, will it be to cut back on the pollution going into the Exploits River? Will it be to cut back on the pollution or environmental disturbances that are existing in the various cutting operations? Would the minister indicate exactly - I will accept the fact that she does not know how much money they are going to spend in the Province out of that \$180 million they are spending in the country, but will she indicate as to what areas any money spent by Abitibi Price for environmental controls will be designated for spending?

MR. SPEAKER (Simms): The hon. the Minister of Consumer Affairs and Environment.

MRS. H. NEWHOOK: Yes, Mr. Speaker, if I remember correctly, I think most of the money will be spent with regard to the effluent going into the Exploits River. And they will be putting in some new equipment and I think they are planning to convert to a high - what do you call it? - output or something like that of the pulp. I forget exactly what they call it now, but this is, I think, under a two year period and then there will be also some renovations, I think, or some improvement to the air quality around Grand Falls. I am not sure about what will happen in the wood cutting in the woods, but I will get all that information and give it to you at the next sitting of the House.

MR. G. FLIGHT:

Final supplementary, Mr. Speaker.

MR. SPEAKER (Simms):

Final supplementary, the hon. member for Windsor - Buchans.

MR. G. FLIGHT:

It is common knowledge, Mr. Speaker, to the minister that Abitibi Price is spending a vast amount of money in the next couple of years for conversion purposes in the mill and they have stated that publicly and they have earmarked the amount of money to be spent, but they have not at this point in time indicated how many dollars they are going to spend in environmental control in Newfoundland and whether those dollars are to be spent on the cutting back on the effluent, the pollutant, that is now going into the Exploits River. And I would suggest that the minister, since Abitibi Price has indicated that they are going to spend this money in the country, then we should, when we look at the lack of environmental controls that is being practiced right now in that industry, that the minister should determine that this Province gets a share of that money. I agree with her that they should pin them down and see just how much money is going to be spent on cleaning up the Exploits River.

April 28, 1980

Tape No. 1081

NM - 1

MR. SPEAKER (Simms):
and the Environment.

The hon. Minister of Consumer Affairs

MRS. NEWHOOK:

Yes, Mr. Speaker, they have not indicated what they will be doing over a period, I think it is of two or three years, and it will reduce substantially the effluent going into the Exploits River and I will be able to tell you just how much.

MR. SPEAKER:

The hon. member for Port au Port.

MR. HODDER:

Mr. Speaker, a question for the Minister of Transportation and Communications. I have an awful situation down in my district, In the Summer fishing station, I suppose as it is known now of Blue Beach, there are some 100 fishermen down there and they cannot get to their fishing boats because of the condition of the road. Now I understand the road is now no longer classed as a fisheries access road, but under the minister's department. Unless you have a four wheel drive, or some sort of a track vehicle you cannot get to your boat or to your gear. I was wondering if the minister could offer some help for those fishermen because it is the biggest fishing area in, I suppose, the whole Bay St. George area at the present time. They have not caught their herring quota yet and the fishermen are eager to get to their boats and cannot get there.

MR. SPEAKER:

The hon. Minister of Transportation and Communications.

MR. BRETT:

Mr. Speaker, this has not come to my personal attention before. Is that the road to Blue Beach?

MR. HODDER:

Yes.

MR. BRETT:

I would assume that it is reacting the same as most of the gravel roads in the Province, you know, with the frost coming out of the ground it is breaking up and really it is better that our maintenance forces not go in and try to grade, you will only tear it up more. The only thing I can tell the hon. member - you know, I will take it under advisement and have a look at it and if there is anything we can do, then if we are

MR. BRETT: responsible for the road then we will do what we can.

MR. HODDER: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary, the hon. member for Port au Port.

MR. HODDER: I might point out to the minister that some of the local highway people were down there with shovels trying to fix the road because I understand the grader was broken down. But there has been \$2.7 million spent on a federal breakwater down there, the road is now deteriorated totally, completely. The fishermen cannot get to the area. Federal construction work is supposed to start, the tender is about to be let in a week or so, is time, and I make this my final supplementary, Mr. Speaker, there was \$250,000 budgeted three years in a row for this particular road: Is there any chance that we may be able to get some of this money because every single year at this time of the year we have the same problem? It is going on year after year that in the height of the fishing season the fishermen cannot get to their boats and we are talking about 100 fishermen, we are talking about thousands and thousands of dollars being lost to the economy of my district.

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

MR. BRETT: Mr. Speaker, I do not know - the hon. member mentioned a figure of \$250,000, it was probably budgeted by Fisheries, you know, I assume, because the road was not our responsibility up until this year, but in any case I can only repeat what I said, Mr. Speaker; as soon as the weather conditions improve and the road dries up we will do what we can to keep it passable so that the fishermen can get over it.

MR. SPEAKER: Order, please! The time for oral questions has expired.

ORDERS OF THE DAY

On motion, that the House resolve itself into Committee of Supply on Head III, Executive Council, Mr. Speaker left the Chair.

MR. CHAIRMAN (Butt):

Order, please!

I would like to point out to all hon. members that we have four hours and thirteen minutes remaining in committee. Before recognizing the first speaker, with respect to the point of order that was raised by the hon. member for Grand Bank (Mr. Thoms) I have since checked Hansard and I would rule that there was no point of order but the hon. member took the opportunity to clarify remarks attributed to him.

We are on Head III, the Executive Council. Shall 302-01 carry?

The hon. member for the Strait of Belle Isle.

MR. E. ROBERTS:

Mr. Chairman, I have largely said what I wish to say on the topic we were on on Thursday and Friday, but there may be some hon. gentlemen on the other side who wish to get into the debate and we would certainly welcome that. I think there are several of us on this side who would be quite prepared to carry it on for the four hours and twelve minutes, roughly, that are remaining.

I, however, wished to make just one point that I did not get an opportunity to say on Friday because we were treated to the Minister of Finance (Dr. Collins) intervening in the debate and he, of course, has a right to do it so we listened to what he said. But I simply wanted to make one point with reference to this letter which the former Prime Minister, Mr. Clark, sent to our Premier. The letters have been made public, of course, they are quite important. The letter from our Premier was sent the 23rd. of August and the letter from Mr. Clark was sent, I believe, on the 14th. of September

MR. E. ROBERTS:

and they have been made public.

And I hazarded the view in the House that in my opinion these letters were not worth the paper they were written on and I simply want to say that they are not. The Minister of Finance (Dr. Collins) got quite uppity about that and he felt that I was, I think, casting aspersions on the paternity or upon the descendants of the Prime Minister, as he then was; he is now the Leader of the Opposition, of course where he presumably will rest for a little while. I have no such thoughts in mind, The Minister of Finance, I suppose because he is unable to come to grips with the issues, has to twist and to try wriggle these things around. But I will rest my case - you know, I could go on any length - I do not know- that hon. gentlemen wishes, but I have no hope of convincing the Minister of Finance-I would not attempt that - but I will rest my case very simply on one fact, that when we come to talk of the value of this letter, this

MR. ROBERTS:

exchange of letters and it is an exchange of letters between heads of government. Now I could do a textual analysis of it which would show exactly what is or what is not in it, and there is not very much in it, but I do not even need to do that. I will rest my case simply on the actions of the Premier who, during the recent federal election when the then Prime Minister, Mr. Clark, came to St. John's in his quest for votes, had a meeting with him. Now we do not know what passed at the meeting. We, of course, were not there. As far as I know it was only the Premier and the Prime Minister who were at the meeting.

MR. F. ROWE: We know they had a row on the steps of the Confederation Building.

MR. ROBERTS: We know about the row on the steps of the Confederation Building and it is reasonable, I think, to infer that what went on at the meeting was not all sweetness and light, to use a phrase that is much in the public print these days. We do know what happened afterwards, that the Premier emerged from the meeting with the then Prime Minister and said - and I believe I am reporting correctly the gist of what he said, although I would not attempt to reproduce the words - that he had asked the Prime Minister for something more secure, more meaningful, something more real than the letter from the Prime Minister dated September 14th, the famous letter allegedly giving us our offshore rights. As the Minister of Finance (Dr. Collins), I am sure, will recall, and I am sure the Premier recalls too, there was some difference of opinion. In fact, it got to the point where the Prime Minister, as he then was, that night at a public meeting held at Holiday Inn here in town had to go to this somewhat unusual and I am sure unwelcome length of saying publicly that really the Premier seemed to have misunderstood or had perhaps reported it not quite correctly, but in fact that nothing more was going to be done nor could anything more be done. Well, all I wish to say, and the only reason why I raise the incident, although I am delighted to talk about it, the only reason I raise the incident is to say to the Minister of Finance (Dr. Collins) that if the letter was really worth anything at all, the letter

MR. ROBERTS: from the Prime Minister, why did we go through that exercise? Well of course the answer is that the letter from the Prime Minister, as even the Minister of Finance (Dr. Collins) will have to accept - I know he does not want to accept it, I know that, I can understand that, but even he will have to accept that the letter was not worth anything and that is why in the middle of an election campaign the Premier found himself in a position where he had to take an action that turned out to be potentially embarrassing to the Prime Minister. It may or may not have embarrassed him because certainly the Prime Minister when the election was over was out of office. It might or might not have been the result of that. When the election was over the Liberals had more seats in Newfoundland and Labrador than they have had since 1965: It might or might not have been the result. When it was over the percentage of the popular vote won by Liberal candidates was the highest it has been since 1965: It might or might not have been the result, I do not know. These things often are not simple cause and result, but I will simply say to the Minister of Finance (Dr. Collins) that if he really thinks those letters are worth anything, he might stand up and address himself to the question of why then the Premier had to undergo this exercise. The Minister of Finance (Dr. Collins), I suspect, cannot answer because there is no answer. The fact remains the letter from the then Prime Minister, the rich hon. Joseph Charles Clark, P.C., M.P., member for - where is it? - Kicking Horse Pass or something? - what is his seat called?

AN HON. MEMBER: He got kicked out of it.

MR. ROBERTS: Well anyway a Northern Alberta seat, to the West of Edmonton, up in the mountains around Jasper. The letter from Mr. Clark to our Premier is really nothing more or less than a statement of political intent and I have no doubt if it made -

MR. BARRY: We will want the same thing from Mr. Trudeau.

MR. ROBERTS: The hon. Minister of Mines and Energy (Mr. Barry) says he wants the same thing from Mr. Trudeau. I will deal with that whenever we want to deal with it but I will say - the minister was out in Alberta, I think, making a speech.

MR. BARRY: Be honest now.

MR. ROBERTS: I am always being honest. The minister may not recognize it because he may have difficulty knowing honesty, but I am always honest.

MR. BARRY: Would you accept that Mr. Trudeau giving the same statement of intent would be a step forward? Would you accept that?

MR. ROBERTS: No, I would not accept it as a step forward because the letter is not worth the paper it is written on.

MR. BARRY: Oh my! Oh my!

MR. ROBERTS: I will go back to talking, if the minister so wishes. I would be delighted to talk some more about exactly what I believe he should be doing. The Province has now revealed that they are talking about control and not ownership, and this brings us right back -

MR. BARRY: Sad.

MR. ROBERTS: Yes, I think the minister's performance is very sad and that is what I have been saying at some length. But, Mr. Speaker, I want to come back, if I may, just to finish demolishing the Finance Minister (Dr. Collins), because in the absence of the heavyweights in the Cabinet, the Minister of Mines and Energy (Mr. Barry), the Premier, the Minister of Fisheries (Mr. Morgan), the big three in the Cabinet, the Minister of Finance (Dr. Collins) was left to carry the can on Friday, and he did, as best he could, which was not very good in my view. But I simply want to say that the letter from Mr. Clark is not worth a tinker's hoot or a damn - if that is a parliamentary word - it is not worth a tinker's damn. If it is not parliamentary I will draw it back.

MR. JAMIESON: It is D-A-M.

MR. ROBERTS: If Mr. Clark stayed in office, he may or may not have carried

MR. E. ROBERTS: through with it. Let us assume he meant to carry through with it, but his record of promises as composed with action spoke for itself. But all I will say is that Mr. Clark is not in office, and the people of Canada, including the people of this province, took the decision to put him out of office very decisively, very dramatically, very effectively and very quickly. So I simply say to those on the other side that the letter from Mr. Clark is an interesting historical document. When the Minister of Mines and Energy (L. Barry) is back teaching law or practicing law after the next general election, and whether he will be or not depends on whether he seeks re-election in his constituency, - if he does, I predict he will be back teaching law or practicing law or otherwise adding -

MR. BARRY: Come on in to Mount Scio.

MR. E. ROBERTS: No, come on in to the Strait of Belle Isle. I live in Mt. Scio. Come to the Strait of Belle Isle. And I would think the hon. gentleman has about as much chance of being elected in the Strait of Belle Isle as I have in Mt. Scio.

SOME HON. MEMBERS: Oh, oh.

MR. E. ROBERTS: And that is why he is running there and I am running in Mr. Scio.

PREMIER PECKFORD: And that is why you are living here and not there.

MR. E. ROBERTS: That is right. And the Premier, of course, is running in the district in which he was born, Bellevue.

MR. JAMIESON: Hear, hear!

MR. E. ROBERTS: The Premier will be standing in Bellevue.

PREMIER PECKFORD: I have lived a lot longer (Inaudible) -

MR. E. ROBERTS: The Premier has certainly lived a lot longer down there and they voted for him, they voted for him three times. I give them full marks for that, and they may even vote for him a fourth time and I think this litmus test is very, very much in place. We are

MR. E. ROBERTS: going, now, to go the point of view where where one runs depends on where ones mother happens to be at the third trimester when the thirty-sixth week cometh and passeth, and where ones mother happens to be, not where ones father is, but, I, Sir, I would say to the Premier, I have always accepted the theory that if a cow has calves in a china shop, that does not make them soup plates.

SOME HON. MEMBERS: Hear, hear!

MR. E. ROBERTS: So that takes care of that particular argument.

MR. D. JAMIESON: It might make them a bull in a china shop.

SOME HON. MEMBERS: Hear, hear!

MR. E. ROBERTS: Now, Mr. Speaker, I want to simply say that if the Minister of Finance (J. Collins) has any, any desire to retain the least shred of credibility, he will get up and say that he was humbly and contritely sorry for what went on on Friday.

MR. THOMS: He is only going to grossly misintrepret what you are going to say.

MR. ROBERTS: Well, the sad thing about the Minister of Finance is he believes what he is saying. I mean, that is the pathetic part, and I think it is pathetic that the man gets up and exposes his inability to participate in this type of debate. Let him stick to finance. I mean, we know what the troubles there are and we know what little the Minister has done to correct them. We will talk about that when the government calls the Budget debate.

But, I do want to say that my time - oh, how quickly it goes by when one is engaged in such pleasant discourse with such intelligent, reasonable and altogether pleasant gentlemen and ladies as we have on the other side, Sir, that, you know, the letter from Mr. Clark was a political promise, in my view - incapable of implementation, and I might say there are an awful lot of people across Canada including an awful lot of Tory ministers that were in Ottawa who feel it

MR. E. ROBERTS: was incapable of implementation, whatever the intent, and I would simply say that promises by Mr. Joe Clark were never kept in any event. It is hard to believe any one single - it is hard to understand or recall any one single promise made by Mr. Clark before he became Prime Minister that was later transmitted into action. And, alas, we will never know on this one, because of course, Mr. Clark, for at least the next three or four years, is out of office. We will see what happens down the road. We will see what happens here down the road.

Now, if we want to carry on with this, I would love it. The Premier was away, he was, I think over in Halifax, giving us a new theory on Confederation.

AN HON. MEMBER: (Inaudible)

MR. ROBERTS: No, not last week, I believe he was in Halifax last week. I saw a report of a most interesting speech at the Council of Unity.

MR. CHAIRMAN (Butt): Order, please.

MR. E. ROBERTS: So quickly. Ah, well, another time, Sir, I shall carry on.

MR. CHAIRMEN (Butt): The hon. the Premier.

PREMIER PECKFORD: Mr. Chairman, it is difficult to know how to respond to people who get paranoid about a particular issue as the Opposition, obviously have gotten paranoid about this one. And I cannot help it if they are on the wrong side of the fence. I mean, on this issue..I just cannot help it and I feel sorry for them and I apologize for their position - I apologize to this House and I apologize to the people of Newfoundland. It is not my fault that they have built themselves into a corner. It is not the people on this sides' fault that they built themselves into a corner, and it is going to take more than the hon. the member for the Straits of Belle Isle (E. Roberts), given all his pontificating, his all egotism, his so-called pretentiousness, his effort, always, since I have been in this House, to try to put everybody on a level ten times down from where he is;

PREMIER PECKFORD: let me tell the hon. the member for the Strait of Belle Isle (Mr. E. Roberts) that all his little so-called substantial arguments, the bottom line of which are all very technical, refined and do not really grace the issue at all, are without really any foundation, they really should not be answered at all. And as the member for the Strait of Belle Isle says himself, if the people on the government side of the House want to continue this argument - and here, he is the one who is really pursuing the matter. We have not pursued any further. I just ask the Leader of the Opposition, I just ask the member for the Strait of Belle Isle, I ask all members of the Opposition: The proof of the pudding is in the eating. One of your own members had to leave your party, had to leave your side of the House, get out, because you people would not come down firmly on the whole question of the ownership and control of the mineral resources on the Continental Shelf. I mean, there is the proof of it.

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: You cannot keep your own members on your side because you will not come out on the principle. And, Mr. Chairman, they can weasel all they like. And the member for the Strait of Belle Isle can talk about the former Prime Minister and try to use his lack of delivering on certain promises - allegations to that effect on that - and try to dismiss the legitimacy of our claim by talking about a former Prime Minister whom he did not happen to like, or talk about the fact that the Premier has only lived for ten years in Green Bay and therefore, for some strange reason, does not have the same validity to be the member for that district as somebody else from somewhere else for some reason brings it, I do not know what his motivation is. That will not colour the fact that the member for the Strait of Belle Isle, the Leader of the Opposition and the members on the opposite side have not got the intestinal fortitude to come down heavy and strong saying in principle we agree with Newfoundlanders having ownership of the mineral resources on the Continental Shelf.

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: That is the question, Mr. Chairman.

Let us not muddy it with other little tiny sidelights.

PREMIER PECKFORD: Let us not try to evade it. Let us not try to capture some kind of headlines with flimsy little arguments. Let us deal with it head on, Mr. Chairman. And the Opposition will never, as long as I am in this hon. House, - they can attempt all they like to get away with the situation- but they are not going to get away with the situation, because people on this side will not let them. Let every member of the Opposition stand in his or her place and say, 'We agree with the principle that Newfoundland has ownership and control of the minerals on the Continental Shelf.' Now, they are saying different things. The Leader of the Opposition, members opposite, joined with the present Prime Minister on the stage over yonder at the University and tried to say that the only way around this issue was by going to the Supreme Court of Canada, and that is diluting the whole case that we are trying to establish. You know something, Mr. Chairman, in going across Canada and in talking to Premier Bennett of British Columbia, in talking to Premier Lougheed and some of the Opposition members - Liberal Party - in both of those provinces, in talking to both the N.D.P. and the Liberal Party of Saskatchewan, in talking to the N.D.P. and the Conservative Party and the Premier of Manitoba, in talking to the various political leaders in Ontario and in Quebec, in talking to Premier MacLean and the Liberal Party of P.E.I., in talking to the Premier of New Brunswick and the Liberal Party of New Brunswick, in talking, as I did, with the Nova Scotia leaders the other day, the only place I get any opposition to ownership and control is in my own Province. It is right here.

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: Let me inform the hon. members opposite, it was not insignificant or unimportant, it was not by accident that last week or the week before that the four Premiers of the Western Provinces came out saying that they want a new federalism. And did the hon. members opposite happen to notice? I thought it would be a question in Question Period today, that the first question would be to the hon. the Premier, Did the hon. the Premier hear the statement made by the four very powerful Premiers of Western Canada last week as it related to a renewed federalism, in which there was very significantly put a phrase 'including the offshore rights for mineral resources' when they talked about a renewed federalism.

April 28, 1980

Tape 1085

EC - 3

PREMIER PECKFORD:

Because we have succeeded in garnering
to our cause all the political parties and forces from Manitoba out to
Vancouver Island.

PREMIER PECKFORD: That is what I thought would be the first question today, Mr. Chairman, that we have been able to garner people in British Columbia, in Alberta, in Saskatchewan and Manitoba to our cause, that they do agree with us that ownership and control of the mineral resources on the Continental Shelf or continental margin are a principle that should be embodied in any new constitution. And I would ask the hon. the member for the Strait of Belle Isle (Mr. Roberts) to stand, when I sit down, and endorse the following - I challenge the hon. the member for the Strait of Belle Isle, I challenge the Leader of the Opposition (Mr. Jamieson) to get up and acknowledge without qualification these four principles:

Number one, Newfoundland should own the mineral resources of its continental margin in the same manner as if those minerals were located in the onshore portion of the Province and should have the same legislative competence with respect thereto insofar as that is consistent with international law;

Two, the legislative jurisdiction and responsibility of the Government of Canada in such areas as the protection of the environment, national defence, customs and excise, shipping and navigation and external affairs must be fully recognized;

Three, the mandate of the Government of Canada to regulate the national economy, international trade and inter-provincial pipelines through such mechanisms as the National Energy Board must be fully recognized;

Four, confirmation of Newfoundland's ownership of offshore minerals will be effected by the signing of an agreement between the two governments and the subsequent confirmation of that agreement by appropriate legislative action.

PREMIER PECKFORD: Those are the four principles that I challenge the Leader of the Opposition, I challenge every member opposite to get up, not only to acknowledge but to agree with totally, without qualification. Because if that is so, there is total and absolute agreement in this Province of our ownership and control so that we can move on toward getting that effected through the proper means, as outlined in those four principles.

AN HON. MEMBER: They cannot do it.

PREMIER PECKFORD: But they cannot do that. You all have taken different positions on it.

SOME HON. MEMBERS: Oh, oh!

PREMIER PECKFORD: You do not. You are against the Province having ownership and control of our mineral resources on the Continental Shelf.

SOME HON. MEMBERS: Oh, oh!

PREMIER PECKFORD: There go the paranoids.

MR. STIRLING: A point of order.

SOME HON. MEMBERS: Sit down!

MR. CHAIRMAN (Butt): Order, please!

A point of order. The hon. the member for Bonavista North.

MR. STIRLING: The Premier is completely distorting something which was clarified last week by the member for Terra Nova (Mr. Lush), spelled out point blank, accepted by by everybody who was on the other side, in his absence. He absolutely clarified the position and so he is completely distorting the position. I mean, he is having enough problems with his own position, his non-position, and he has had a lot of fun, but he is completely distorting the position of the Liberal Party.

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

MR. CHAIRMAN (Butt): To the point of order.

The hon. the Premier.

PREMIER PECKFORD: That just shows the bankruptcy of the Opposition, because they cannot even make a point of order. That is not a point of order - that is nothing. And that is like their position on the offshore.

MR. CHAIRMAN: To the point of order. I would rule that there is no point of order but merely a difference of opinion. And in this particular case, the hon. the member for Bonavista North took the opportunity to put forward his point of view. The hon. the Premier.

PREMIER PECKFORD: Thank you very much, Mr. Chairman.

Obviously it is just a stalling tactic because they do not like to hear the truth. I ask the member for Bonavista North to, this moment, leave his position in this hon. House - and I think all members will agree - move toward his office, sit down and write a letter to me as Premier of the Province - he has copies of the correspondence that I had with the former Prime Minister - and put down in writing, and sign his name to it, that he concurs fully and supports those four principles and pass it to me before the House closes at six o'clock.

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: The onus is on the Opposition not to get up and from time to time give different statements by different members. I challenge every member of the Opposition - we will close the House down for a half hour and ask them to take a copy of this correspondence and write and sign their names to what is here.

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: I challenge you. I will agree to close the House down. We will have a recess for a half hour until that can be typewritten.

MR. STIRLING: You cannot do it.

PREMIER PECKFORD: No problem!

MR. F.B. ROWE: Who are you?

PREMIER PECKFORD: Is that the problem?

SOME HON. MEMBERS: Oh, oh!

PREMIER PECKFORD: There is no problem?

Put it in writing. Put it in writing.

In the minute or fifty seconds I have left, Mr. Chairman, let me just say that if any of the members of the Opposition think that we have been somehow derelict in our duty in pursuing this matter further, so that they are trying to use that as an argument - they are trying to forget about the principle now - 'Now you are not doing what you can to ensure that this comes about with the present federal government'. We are in the process of talking with the federal government. We will be putting forward the same situation as we have here. Number two, my second point is that we are pursuing this matter with the present federal government.

Thirdly, as it relates to the former Prime Minister,

PREMIER PECKFORD: and that meeting that I had with the former Prime Minister, I put that forward Mr. Chairman, as an example of the non-partisanship of this particular administration to try to fight for Newfoundlanders regardless of political stripe or colour in Ottawa. That is what I put that forward as.

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: What I was trying to do was not only get that enshrined in writing from the then Prime Minister, but I was trying to push him even further and to say to me, "Give me dates on which we can have the first meetings pursuant to these principles, in writing," so that we could then have a number of meetings held before the federal election actually occurred on that particular date to show him. That is what I was trying to do and that was for all Newfoundlanders - no NDPs, no Liberals, no Conservatives, but all of Newfoundlanders - to try to get a better deal even out of what I would classify as my Prime Minister.

SOME HON. MEMBERS: Hear, hear!

MR. CHAIRMAN (Butt): The hon. member for Grand Bank.

MR. THOMS: Thank you very much, Mr. Chairman. It is hard not to get on your feet after you have heard such -

AN HON. MEMBER: Garbage. Trash.

MR. THOMS: - trash, rubbish, naive, inane, silly, stupid statements coming from the Premier of this Province. Now I do not want the Minister of Mines and Energy (Mr. Barry) to look at me like that either.

SOME HON. MEMBERS: Hear, hear!

MR. THOMS: Because every word that I said in trying to describe the Premier of this Province applies equally to the Minister of Mines and Energy.

MR. BARRY: Thank you for the compliment.

MR. THOMS: I would suggest if you want to be stupid and silly and ignorant and inane and full of rubbish and garbage, like the Premier of this Province, then be my guest.

Mr. Chairman, I would suggest to the Premier of this Province that he go back either to Thursday or Friday and read Hansard, read what my friend from Terra Nova (Mr. Lush) had to say.

MR. BARRY: Where is the writing?

MR. WHITE: It is in writing, in Hansard.

MR. THOMS: It is in Hansard.

MR. BARRY: I will ask him now to put it in writing.

MR. THOMS: I will put it in writing. I do not mind putting anything that I say in this House in writing. Anymore than anything I say in this House, I will gladly repeat outside this House any day of the week, any day of the week.

MR. BARRY: Why it is that the member for the Strait of Belle Isle (Mr. Roberts) is saying that ownership is not important?

MR. ROBERTS: Can I answer that, 'Les'?

Let me simply answer that question.

MR. CHAIRMAN (Butt): If the hon. member wishes to give leave -

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN: Order, please! Order, please! If the hon. -

MR. THOMS: I yield.

MR. CHAIRMAN: - member wishes to yield to the hon. member for the Strait of Belle Isle.

MR. ROBERTS: Sir, I simply answer the question for the benefit of the school boy debater, to say that ownership is not the issue; he and I resolved that in this House four or five years ago. The issue, as even he and his colleagues have now come to realize, is control. Control is the issue, not ownership.

MR. BARRY: Control is (inaudible).

MR. ROBERTS: No, Sir. As far as we are concerned,
Mr. Chairman -

PREMIER PECKFORD: (Inaudible).

MR. ROBERTS: The Premier is not only speaking like
a child, he is acting like a child. I would simply ask him to stay
quiet for a moment.

The question of ownership was settled in
this House back in 1975.

MR. BARRY: Follow through on it.

MR. ROBERTS: We have followed through. The problem -

MR. BARRY: You are not the government.

MR. ROBERTS: Mr. Chairman, I have only -

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

MR. ROBERTS: Mr. Chairman. Mr. Chairman.

MR. BARRY: (Inaudible) all the time.

MR. CHAIRMAN: Order, please!

MR. ROBERTS: Mr. Chairman.

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

MR. ROBERTS: As Your Honour pleases.

MR. CHAIRMAN: The hon. member for Grand Bank (Mr. Thoms) as
I - the hon. member wishes to yield to his colleague to speak on a point, I
would ask him if he would please not interrupt him while he is speaking.

MR. ROBERTS: I will get back on the floor in a moment
or two and my friend can carry on with his speech, but I simply want to lay
this base, deliberate distortion, or this incredible negligence on the
part of the Minister of Mines and Energy (Mr. Barry); ownership is not
the issue, and whether he agrees with that or not the fact remains that
in this House ownership is not the issue. The fact remains it is control
is the issue, and all the twistings and meanderings of the minister, the
school boy debater and the kindergarten debater will not change that,
Sir.

April 28, 1980

Tape No. 1080

NM - 4

MR. CHAIRMAN (Butt):

The hon. member for Grand Bank.

MR. THOMS:

Mr. Chairman -

MR. ROBERTS:

Harold Duffett owns the land downtown,
he does not control it.

MR. THOMS:

- I have said it in this House before
and I will say it again and I will say it again today, that I want
Newfoundland to own, to obtain the maximum benefit; whatever phraseology
you want to use I am prepared to go along with. Now as far as I can
understand basically

MR. STAGG: Write the Prime Minister now.

MR. L. THOMS: - not basically - that is the position of this caucus. Now, the red herring is this, and I say this to the Minister of Mines and Energy (Mr. L. Barry), that you do not want to hear it because then all of your ammunition is gone.

SOME HON. MEMBERS: Oh, oh.

MR. L. THOMS: You do not want us to agree with you on it. You will not accept it. I could put it in writing - red, white and blue ink - and you would not accept it because you would have nothing to talk about.

SOME HON. MEMBERS: Oh, oh.

MR. L. THOMS: And that is the position that this government and this administration is taking.

MR. BARRY: Are you criticizing (inaudible)

MR. CHAIRMAN (Butt): Order, please! I have difficulty understanding the hon. member for Grand Bank (Mr. L. Thoms).

SOME HON. MEMBERS: Oh, oh.

MR. L. THOMS: The member for St. John's West (Mr. H. Barrett!) - is it? - says he has difficulty understanding me. We own the offshore resources.

SOME HON. MEMBERS: Hear, hear.

MR. L. THOMS: We own them.

MR. BARRY: Is Mr. Trudeau in on that now?

MR. L. THOMS: No.

MR. S. NEARY: We are not Mr. Trudeau.

MR. L. THOMS: I am not Mr. Trudeau. When was the last time you talked to Mr. Trudeau?

MR. BARRY: Have you criticized him or his stand on Newfoundland?

MR. L. THOMS: For what?

SOME HON. MEMBERS: Oh, oh.

MR. L. THOMS: Since February 18th you have not asked the Government of this nation whether or not they will sign an agreement or what they would do.

MR. PECKFORD: No, we have not, that is not the question.

MR. L. THOMS: You have not asked them,

MR. PECKFORD: (Inaudible) important.

MR. L. THOMS: Fine.

SOME HON. MEMBERS: Oh, oh.

MR. L. THOMS: Okay, it is business as usual.

SOME HON. MEMBERS: Oh, oh.

MR. PECKFORD: (Inaudible) still into politics.

MR. E. ROBERTS: Political posturing by the Premier.

MR. PECKFORD: (Inaudible) we want you (inaudible).

MR. L. THOMS: Mr. Chairman.

MR. CHAIRMAN (Butt): Order, please!

MR. L. THOMS: If I may, Mr. Chairman -

MR. CHAIRMAN: The hon. member -

MR. L. THOMS: If I may, Mr. Chairman -

SOME HON. MEMBERS: Oh, oh.

MR. CHAIRMAN: Order, please!

MR. L. THOMS: The reason why they are taking this position is because this administration has done nothing for this Province -

SOME HON. MEMBERS: Hear, hear.

MR. L. THOMS: - since June 18th. So what do we get? I read out the list of legislation the other day that is going to come before this House, amendment to amusement rides and that is probably one of the biggest things to come before the House.

MR. E. ROBERTS: Yes, they are taking us all for amusements rides.

MR. S. NEARY: Do not forget the Embalmers Association.

MR. L. THOMS: An amendment to the Embalmers Association, or whatever it is. What else has happened in this Province since June 18th?

April 28, 1980

Tape No. 1088

SD - 3

SOME HON. MEMBERS:

Oh, oh!

MR. THOMS:

Nothing more -

SOME HON. MEMBERS:

Oh, oh!

MR. CHAIRMAN (Butt):

Order, please!

MR. L. THOMS:

Mr. Chairman, nothing more has happened in this Province since June 18th than a few little bits of legislation that we have seen go through this House. So what is the oil and gas problem all about? What is it all about?

MR. FLIGHT:

They are playing politics.

MR. L. THOMS:

I mean, this caucus, this Party is for ownership of the offshore oil and gas. The Minister of Mines and Energy (Mr. L. Barry) goes on radio and says, "Well, why are the Liberal Party not up in Ottawa trying to get Pierre Trudeau to agree that we own it?" Well, I would like to remind the Minister of Mines and Energy and the Premier of this Province that on June 18th you were elected to govern, not this Party -

AN HON. MEMBER:

Hear, hear.

MR. L. BARRY:

- you were elected to (inaudible).

MR. CHAIRMAN:

Order, please!

MR. L. THOMS:

Get off -

MR. CHAIRMAN:

Order, please! The hon. gentleman's time has expired.

MR. L. THOMS:

Thank you very much, Mr. Chairman.

All I would say is that I would like to ask them to get off their butts and do something about it.

MR. D. JAMIESON:

(Inaudible) getting up, I have (inaudible)

MR. CHAIRMAN:

Before I recognize the hon. the Premier, I would just like to make one brief comment that it is rather mind-boggling to listen to about forty people speaking at the same time, so perhaps we could restrain ourselves.

The hon. the Premier.

PREMIER PECKFORD:

Mr. Chairman, look, the question here, and I know the Opposition are all uptight about it, but the fact of the matter is that obviously since the day that the member for

BREMIER PECKFORD:

Baie Verte - White Bay (Mr. T. Rideout)

crossed the floor that they are having a change of heart on the opposite side of the House. There is no question about that. The member for Baie Verte - White Bay was not comfortable with the position that the Liberal Opposition and the Liberal Party of Newfoundland were taking as it related to offshore because they were wishy-washy, one day one member was

PREMIER PECKFORD: saying that we should go to the Supreme Court of Canada, another day the member for the Strait of Belle Isle (Mr. Roberts) was talking about control as being all important, another day another member was saying something else. And I have challenged, Mr. Chairman, the Opposition now here today that I will recess this House, I will agree and I am sure all the members here on this side will agree that we will recess the House and we will ask only because, not for playing politics, Mr. Chairman, playing legitimate politics for Newfoundlanders because we want to be unified in this House as it relates to our ongoing battle and fight with the federal bureaucrats and the federal politicians to ensure that we get the best deal possible and the stronger you are when you begin that the better off you are. So let us be totally unified on this issue and let us now recess the House and ask the Liberal caucus to go into meeting and to endorse in writing -

MR. STIRLING: Check Hansard.

PREMIER PECKFORD: No, Mr. Chairman, there is a whole bunch of things in Hansard by different members and that is why the member for Baie- Verte - White Bay had to cross the House, that is the reason. Because you are confusing, you are not clearly establishing that you are in favour of ownership and control, and it is a lot better to go with fifty-two members totally unified in talking to Ottawa than it is to go with thirty-four, even though we speak as a government. We would love to have, we want to have the member for Lewisporte (Mr. White), we want to have the member for LaPoile (Mr. Neary), we want to have the member for Grand Bank (Mr. Thoms) we want to have the members for Torngat Mountains (Mr. Warren) and Eagle River (Mr. Hiscock), we want to have the member for St. Barbe (Mr. Bennett), we want to have the member for Bonavista North (Mr. Stirling) with his name signed on those principles.

SOME HON. MEMBERS: No way! No way!

PREMIER PECKFORD: The member for Fogo (Mr. Tulk), stand up and be counted, the member for Trinity - Bay de Verde, (Mr. Rowe) stand up and be counted, the member for Windsor - Buchans (Mr. Flight), stand up and be counted, all of you stand up and be counted not by wishy-washy statements, one member saying one thing, another member saying something else. Put your money where your mouth is and that is communicate! Put your name to it, put your name to those principles! Put your name to those principles that you agree with ownership!

SOME HON. MEMBERS: Oh, oh!

PREMIER PECKFORD: Mr. Chairman, may I speak in silence?

MR. CHAIRMAN (Butt): Order, please!
The hon. the Premier.

PREMIER PECKFORD: I mean, if the hon. member for the Strait of Belle Isle (Mr. Roberts) is serious, let him put his name to it, that is the final support mechanism that the Liberal Party can use. You would think, Mr. Chairman, if the Liberal Opposition is so paranoid on this issue, if they are so supportive of the government's position, introduce a resolution and we will suspend the normal Orders of the Day. We, the members of the House of Assembly, overwhelmingly or enthusiastically support the government's position on the offshore so we can send it to Ottawa tomorrow morning. Let us do it now this afternoon, Mr. Chairman, Ten after four: let us suspend the normal Orders of the Day, Mr. Chairman, and have a member of the Opposition, preferably the Leader of the Opposition, introduce a resolution into this House calling on all members to fully support the government on those four principles! I challenge you to do it! Let us have a vote.

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: Let us have a vote, Mr. Chairman. Do I hear applause from the opposite side? Do I hear the member for Terra Nova (Mr. Lush), sitting in the wings there now, will he agree with that? Will the member for Windsor - Buchans (Mr. Flight) agree with that approach? Let us suspend the normal Orders of the Day! The member for Windsor - Buchans, do you agree with that approach?

MR. G. FLIGHT: No, no!

PREMIER PECKFORD: Bingo! Bingo! Does he agree with that approach? The member for Port au Port (Mr. Hodder), does he agree with that approach?

MR. J. HODDER: No, no!

PREMIER PECKFORD: No, no! There you go, there is dissension, he does not agree with our approach. The member for Trinity - Bay de Verde (Mr. Rowe), does he agree with this approach? Do you agree with this approach? We will suspend the normal Orders of the Day and put in a resolution supporting those four principles. The member for Fogo (Mr. Tulk), does he agree with that approach? The member for Bonavista North (Mr. Stirling), does he agree with that approach, yes or no?

SOME HON. MEMBERS: Oh, oh!

PREMIER PECKFORD: I have the floor. Yes or no? The member for Grand Bank (Mr. Thoms), he is coming to his seat, does he agree with that? The great citizens' man, the man from LaPoile (Mr. Neary), the unofficial Ombudsman, does he agree with that? Let us suspend the normal Orders of the Day, introduce a resolution supporting those four principles that we have ownership and control of the mineral resources, and it will go forward from this day forward. The member for Lewisport (Mr. White), does he agree with that approach? No comment. How about the hon. the member for Labrador, does he agree with that approach? No comment.

PREMIER PECKFORD: So there you have it, Mr. Chairman, that is what I have been trying to demonstrate, that there is dissension. Some people in the Liberal Opposition are saying 'yes', some people in the Liberal Opposition are saying 'no', some people have to cross the floor to show their dissatisfaction. There is total and absolute disarray on the opposite side of the House on one of the most important issues ever to come before it.

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: Ah, Mr. Chairman, how easy it is to flush them out! There is the confusion. It lies there, it is festering there and it is hurting Newfoundland. And I ask the Liberal Opposition to come out of hiding. Come out and show your true colours, show us you are Newfoundlanders, true, blue Newfoundlanders. Let us go forward from this day totally united that we own and control the mineral resources so we will have a chance one day to be as good as somebody who lives in Toronto or Hamilton. That is the whole answer. Come on, out of your caves, come out into the sunshine of Newfoundlandia and let us go forward and be together as we fight this great cause. Come on! Let us go!

SOME HON. MEMBERS: Hear, hear!

MR. CHAIRMAN (Butt): The hon. the member for Trinity - Bay de Verde.

SOME HON. MEMBERS: Hear, hear!

MR. F. ROWE: The Premier is gone berserk, completely berserk. He is gone out of control. He is the one who is uptight, it is not the members of the Opposition who are uptight.

SOME HON. MEMBERS: Oh, oh!

MR. F. ROWE: And the reason the Premier is uptight, Mr. Chairman, is because we, if we ever were, we are out in the open, we are out of our caves, if we were ever in a cave. We are out of hiding if, in fact, we were ever in hiding. We have stated our stand when he was not present in the House of Assembly. We are for ownership and control of our resources off our lands.

MR. WARREN: Right on.

MR. F. ROWE: And he hangs his hat on a turncoat
from Baie Verte - White Bay.

SOME HON. MEMBERS: Hear, hear!

MR. F. ROWE: Well, let the record stand, Mr. Chairman,
let the record speak for itself.

SOME HON. MEMBERS: Hear, hear!

MR. F. ROWE: The member for Baie Verte White Bay
(Mr. T. Rideout) did not make one public statement except once in the
House a week or two before he crossed the floor, did not make one single
policy statement on behalf of the Liberal Party or the official Opposition
for the whole time that he was the spokesman for Mines and Energy on the
Opposition side. Not once did he speak up except in the House shortly
before he crossed over. Sir, not one speech except the speech he made
which we did not know he was going to make. And, Sir, let the record also
speak for itself. That same hon. member, whom the Premier is hanging his
hat on, the big red herring, the same hon. member, was the same member who
campaigns openly for William Rompkey, the member for White Bay - Labrador
- Grand Falls - White Bay - Labrador, or whatever they call it now -
campaigns openly for that Liberal M.P. who was endorsing the stand of
the now Prime Minister of Canada. He campaigned openly for that member.
Let that speak for itself. And, Sir, let one other thing speak for itself;
that same hon. turncoat - if I can call him that - that same hon. member,
the only thing - and I hope I am not breaching a caucus secrecy here - not
one statement in caucus except, 'I am uncomfortable.' A few weeks before
he crossed the floor, he let us know that he was uncomfortable, the only
word we heard from him. And that was the same hon. member, Mr. Chairman,
who over twelve months ago was then talking about crossing the floor or
not running for the Liberal Party. And in fact, a deal was almost struck,
and then when he heard that a certain hon. member was coming back, he gutsed
out and he did not consummate the deal on the other side.

MR. PECKFORD: That is your problem.

SOME HON. MEMBERS: Oh, oh!

MR. F. ROWE: Mr. Chairman, the hon. the Premier has the
problem.

MR. HODDER: It is your problem.

MR. F. ROWE:

Now we have gotten rid of the hon. the member for Baie Verte - White Bay (Mr. T. Rideout), I say now he has the problem, not us in this hon. House.

Now, look, Mr. Chairman, the fact of the matter is how many times do we have to stand up in this House of Assembly and state a - we do not believe we think we own the oil and gas - we have an historic right, we own it, there is no question about it. It is the methodology of control and so forth.

Now, the hon. the Premier asked us to support his stand. The member for LaPoile (Mr. S. Neary) a dozen times has stood up in this House and catalogued off five different positions enunciated by the government opposite. Now, I challenge the Premier, which one of these five positions do they stand for? Which position do they stand for - extending boundaries, or the other four that escape my memory? There are five or possibly six different positions. What do they

MR. F. ROWE:

stand for? And now, Mr. Chairman, when the Premier finally realizes that we agree with the principles he is talking about, he drags this foolish red herring, or whale, across the floor by galloping out in the common room and signing a sheet of paper to send off to the Prime Minister of Canada. When we say that we agree with ownership, then the Minister of Mines and Energy (L. Barvy) wants us to get up and criticize the Prime Minister of Canada. What is that going to achieve? What is that going to achieve?

Hon. Members opposite say, 'Talk to your buddies in Ottawa and straighten it all up.' Have hon. members opposite forgotten that they were elected to administer this Province in June last? It is governments who negotiate with governments, Mr. Chairman. Oppositions do not negotiate with governments. Our political friends in Ottawa happen to be the Liberals. They also happen to be the government. But they are not going to entertain negotiations and agreements being worked out between the Opposition of this Province.

MR. LUSH:

I wish they would!

MR. F. ROWE:

- and the government of Canada, that is not the way it works. It is governments negotiate with governments. Governments make agreements with governments, no matter what the political colour. You do not have oppositions going up working out the negotiations -

MR. LUSH:

First Minister (inaudible).

MR. F. ROWE:

- and making agreements. It is too stund to talk about, Mr. Chairman. The fact of the matter is, the Premier now, Sir, has realized that the people of this province recognize the phoniness of the argument. They thought they had us backed into a corner. They thought they had us backed into a corner. They thought we were disagreeing with them. We support ownership -

MR. LUSH:

They want us to disagree.

MR. F. ROWE: - the concept of ownership.

They want us to disagree so they can go to the people sometime, in the near future, I would suspect.

MR. HODDER: To keep the issue alive.

MR. F. ROWE: Now, Mr. Speaker, how more sacred can you be than get up - how more sacred can it be than -

MR. STAGG: Tell us about the Supreme Court.

MR. HODDER: You tell us about it. You are the guys to negotiate. You tell us.

MR. F. ROWE: How more sacred can it be for hon. members to get up in this House and say we agree that we own the oil and gas off our shores in this hon. House? How more sacred can you be?

MR. HODDER: We would negotiate for you if you have not got time.

MR. F. ROWE: Do we have to swear it on the Bible? We said it in the House of Assembly and we will continue to say it. We do not have to criticize Prime Minister Trudeau. We can see what happens when he has criticism. We saw the spectacle of the members opposite - the Premier opposite - before the last election getting into television fights with the Minister of Fisheries. What good did that do our fishery? We saw the spectacle of the Premier of this Province going out on the Confederation Building steps and saying, "There is some misunderstanding. Oh, Joe, I did not say it." "Brian, I did not mean to say that." What a spectacle. The worst sort of thing you can do, Mr. Chairman, is to negotiate in public, and the Premier should learn that and learn fast. The best way he can get any agreement from Ottawa, whether it is a PC Government or a Liberal Government, is to go up and negotiate in good faith, not try to play politics here in the House of Assembly, sending out little pamphlets, getting his puss on TV every other night, going around talking about unity.

SOME HON. MEMBERS: Hear, hear!

MR. THOMS: What a man to talk about unity!

MR. ROWE: Mr. Chairman, we do not stand a ghost of a chance in this Province if hon. members keep pursuing this foolish politicking on the other side. Now, I will restate it once again. And, by the way, all this foolishness about - and I was just about to say the right thing - all this foolishness, Mr. Chairman, about going to the Supreme Court. I will tell you about that. The Supreme Court is the supreme authority in the nation. Now, just one second Mr. Chairman, if they will allow me to finish -

MR. STAGG: Aha!

MR. F. ROWE: No matter what governments agree to what, no matter what governments do, it can still go before Supreme Court. Now, the hon. the Premier knows that and if anybody has some sense over on the other side, they realize that. The present Prime Minister of Canada said if there is a referral to the Supreme Court, it will go. How? Uncontested!

PREMIER PECKFORD: No, no.

MR. F. ROWE: Yes, yes, uncontested. That is what he said. And at least he had the guts to face a few thousand university students who can filter out around this Province and give the Prime Minister's message to the people of this Province. And the result of it was five Liberals being elected to Ottawa. That was the result of it. Now, I will say, Mr. Chairman, use some sanity here. Forget about the politics about trying to paint us into a corner.

MR. LUSH: You will not do it.

MR. F. ROWE: You will not do it. While the hon. the Premier was away, we told this House, the most sacred place in this Province, we told this House that we are foursquared behind ownership of our offshore oil and gas. Now, what else does he want to hear? What we would like to hear is what is their position - of these five positions enunciated - what is their position? When are they going

MR. F. ROWE: to go up to Ottawa and negotiate something in the best interests of this Province? When are they going to stop negotiating in public -

MR. FLIGHT: And bring back a position (inaudible).

MR F. ROWE: and starting fights in public? Because that will get them absolutely nowhere. I experienced some joy, Mr. Chairman, during the last election in seeing a bunch of Tories, provincially, fighting a bunch of Tories federally. I experienced a bit of got my political jollies out of that, but I was a little bit sad as far as the welfare of this Province was concerned, because what they were up to was not doing this Province any good whatsoever.

Now, they have a Liberal government up in Ottawa. Forget about the politics. If you want to get your political jollies, do it some other time, but for God's sake do not do it over the issue of offshore oil and gas. There is not anything as important as that and it is going to be jeopardized if the hon. members keep on

MR. F. ROWE:

with this foolish strategy they are playing opposite. So I suggest give up the foolishness you are getting on with, we are foursquare behind with respect to ownership, get up to Ottawa and negotiate in good faith.

SOME HON. MEMBERS:

Hear, hear!

MR. CHAIRMAN (BUTT):

The hon. the Premier.

PREMIER PECKFORD:

Mr. Chairman, the hon. the member for Trinity-Bay de Verde (Mr. F. Rowe) if he would only agree - now I thought this parliament, as the hon. member for Trinity-Bay de Verde has indicated, is, as he says, a sacred institution in the Province, the highest body in the land. Now what better way, the whole reason for Private Member's Day, the whole reason for resolutions is to try to put -

SOME HON. MEMBERS:

Oh, oh!

PREMIER PECKFORD:

Mr. Chairman, may I be heard in silence?
May I be heard in silence, Mr. Chairman?

MR. THOMS:

King Brian! King Brian!

MR. CHAIRMAN:

Order, please! The hon. the Premier wishes to be heard in silence.

MR. STAGG:

Name, Mr. Chairman! Name him!

MR. THOMS:

(Inaudible).

PREMIER PECKFORD:

May I be heard in silence, Mr. Chairman? The member for Grand Bank (Mr. Thoms) persists.

So all I am saying to the Opposition, because they are so -

AN HON. MEMBER:

A republic.

PREMIER PECKFORD:

Mr. Chairman, may I be heard in silence?

MR. CHAIRMAN:

Order, please!

AN HON. MEMBER:

(Inaudible).

PREMIER PECKFORD:

Because - Mr. Chairman, I asked for silence because I want to make a few important points.

MR. CHAIRMAN:

Order, please! The hon. the Premier wishes to be heard in silence.

PREMIER PECKFORD:

I think this House would wish that every member be heard in silence, Mr. Chairman. That is one of the rules of the

PREMIER PECKFORD: House. I did not set it. I am just asking that it be enforced.

Members of this House hold it sacred that when it comes to issues of major import for this Province we have on occasion, since I have been a member of this House, since 1972, resorted to a very, very, appropriate lever. We have done it on fisheries, we have done it - I do not know if it was on the railway we did it, two or three times over the last years, passed an unanimous resolution because that is the only way it can be spoken -

MR. F. ROWE: That has been done (Inaudible)

PREMIER PECKFORD: Mr. Chairman, I am trying to be heard in silence.

MR. CHAIRMAN (Butt): Order, please!

PREMIER PECKFORD: I said nothing while the hon. member for Trinity- Bay De Verde (Mr.F.Rowe) spoke. I kept quite. I tried to listen to him, I tried to be a reasonable member of this House, and now I find that they do not want me to speak, Mr. Chairman, they do not want to hear what I have to say because they will not let me say it.

MR. MOORES: I do not want to hear you.

PREMIER PECKFORD: Well then, the hon. member for Carbonear (Mr. Moores) will have to leave because that is one of the rules of the House.

SOME HON. MEMBERS: Oh, oh!

PREMIER PECKFORD: Good. Good. I am asking all members of this House of Assembly to vote on those four principles for two reasons .

MR. ROWE: Let us see them.

PREMIER PECKFORD: Mr. Chairman, once again I am being interfered with and I cannot get on with my flow of debate. They were circulated at the time that the thing was released. It is a public document. Because it covers , number one, it displays unequivocally the support of all members of this House on both sides. That is number one, total and absolute. And that is the reason why we are here, because we pass resolutions and laws. That is the reason why we have Private Member's Day. It is the members of the Opposition who over the last seven or eight years have said, but if you could vote for this resolution, vote for the air

PREMIER PECKFORD: ambulance in Labrador. That is what a resolution is for. You said a couple of weeks ago in the Private Member's Day, vote for it. That is what it is all about. Democracy is based on vote. Democracy is based on that kind of thing. That is what it is all about. So, I say not just a general -

AN HON. MEMBER: (Inaudible).

PREMIER PECKFORD: Mr. Chairman, I am into my flow of debate and I do not want to be interrupted. Look, Mr. Chairman, I am asking not just for a general support of the Province's ownership stand, I am asking for the endorsement of four principles which will then put every member on the record and, secondly, it will take care of that kind of cute way that the Liberal Opposition are trying to get out of giving the support, which is to say, "Which of the four or five ways do you prefer? You are saying you can do it through the courts, you are saying you can do it this way, you are saying you can do it that way." The fourth principle tells you which way the government supports of those four or five. But we have said to the Opposition, we have said to Newfoundlanders, we have said to the federal government, there is not just one way, Mr. Chairman, there are many ways to do it. Now you can do it this way, (a), (b), (c) or (d). But the way we would prefer is in our principle four. That is the reason why those principles are so important.

Principle four says - what? - the above principles, the previous three, will be further confirmed and implemented by the signing of an agreement between the Government of Canada and the Government of Newfoundland and by appropriate legislative action and constitutional change. It is

PREMIER PECKFORD:

all contained in the fourth principle, What we say is one step at a time. We have an exchange of letters between the two leaders of the respective governments, step number one. Step number two is the formalizing of that letter of intent by an agreement covering those principles and going into more detail. Step number three is to pass an act of the House of Commons as well as an act of this House, simultaneously. And step number four, if necessary, is to provide changes in the constitution through the natural review process which is now presently underway.

You see, Mr. Chairman, I do not know if the members of the Opposition recognize but there is a continuing committee on the constitution presently in its session, looking at changes to the constitution. So that is the methodology. It is clear, it is in principle four. Principle one recognizes our ownership of the mineral resources on the Continental Shelf in the same way as we have our iron ore on land, in the same way as we have our trees on land. Principle number two, at the same time says, "Hey, you guys, hey, Canadians, we are not trying to be selfish or poor Canadians." Number two says "such ownership of and legislative jurisdiction over offshore resources by Newfoundland will be consistent with and subject to the division of legislative competence as between the Parliament and provincial legislatures on the constitution of Canada. Thus the legislative jurisdiction and responsibility" and so on.

So we are being clear and precise in the way we want to proceed not only to enshrine the principle but also to demonstrate the methodology by which it can occur. It is all contained in the four principles, and that this would demonstrate beyond any - because you see, Mr. Chairman, the members of the Opposition cannot - I mean they might as well forget that. They might as well forget trying to win this kind of silly debate either in this House or outside. I do not care about inside or outside as it relates politically. It does not make any difference to me. All I am interested

PREMIER PECKFORD: in is seeing the Province move ahead on this issue, and I am quite sincere about that. Because the member for this one and the member for that one are saying different things, the member for Gander-Twillingate, a Liberal MP who sits on the government side of the House, who is a part of their caucus, is asking for us to take it to the Supreme Court of Canada, and we say there is a more simple way to handle those things. If there is a will, there is a way, and all we want is for the Federal Government of Canada to confirm those principles again that were confirmed by the previous Prime Minister, let us move on to a formalized agreement, let us move on to legislative action, let us move on to constitutional change, which thereby eliminates in the agreement to those principles any reference to the Supreme Court of Canada and takes it out of their hands, because, Mr. Chairman, as we all say in all parliaments in this free world, the parliaments are above everybody else. We are the highest court in the land. Do not let us suddenly say that the Supreme Court of Canada is the highest court in the land. The Parliament of Canada and the Parliament of Newfoundland, if they want to change things, all the Supreme Court of Canada does is speak on laws that were prepared by us, prepared by the Parliament of Canada, and we are above them, so that, therefore, if we want to, we can change the law so that all the Supreme Court of Canada would do then, if it was referred to, it would be confirmed that we do own them. So it is totally and unquestionably one which begs any further debate on it, Mr. Chairman. It is one that is clear and simple. Those four principles not only include the principle of confirming our ownership and control in the same way as we have the trees but gives the methodology by which it can be done. So let us not try to get the Opposition trying to pick me up or pick some member of the government up on, "Hey, you are not sure on which way you want to do it". We are totally clear. All I did at the time, Mr. Chairman, was to try to broaden the mandate that was available and the options that were available to the Federal Government. Here is one, two, three, four, five ways you can do it. We have already decided on the way we want to go. The process is in principle four and it says, "Let us have a formalized

PREMIER PECKFORD: agreement as a follow-up to those letters, legislative action", but I ask, Mr. Chairman, and I challenge the Opposition members to join with us in endorsing those four principles because we think they are all encompassing and give meat to an otherwise empty kind of statement by the Opposition that they agree with our position.

MR. CHAIRMAN: (Butt) The hon. member for Lapointe.

MR. NEARY: Mr. Chairman, we have had an awful lot of arm waving again this afternoon, and the Premier seems to be rather uptight over this situation. I would gather, Sir, that he heard about the debate in the House on Thursday or Friday, he heard about his government and his ministers getting creamed by this side of the House on their stand on the offshore and he is back now from a so-called trip to the mainland in connection with Canadian unity. I wonder, after reading the reports, if it was not Canadian disunity he was talking about. He used his speech in Halifax to attack the Government of Canada. He attacks Quebec in this House and various other places outside the House, on the mainland, attacks Quebec and then goes off to the mainland and attacks the Federal Government. He has attacked just about everybody in this Province that he can attack, and now he is gone off to the national arena. If the hon. gentleman is interested in Federal politics then let him quit, let him get out, he has not got anything done here in this Province, yet, has not done a thing, no action yet in this Province. But he goes off to the mainland talking about changing the constitution, attacking the Government of Canada. You would not know but all the problems of Newfoundland were solved. I think he did more here in this House a week ago, ten days ago, and more on the mainland to cause disunity than he did to help unify Canada.

Now, Mr. Chairman, the hon. gentleman arrives back in the House,

MR. S. NEARY: heard about his ministers not being able to defend the government's policy and their position, and now today he comes in ranting and raving again. The next thing now we will have the Minister of Mines and Energy (Mr. L. Barry) in the debate. He has to get up and state his position which will be totally different from the one the Premier just stated. And then we will have the Minister of Finance (Dr. J. Collins) getting back again into the debate and he will further confuse the issue by giving his position. And the President of the Council (Mr. W. Marshall) is not in the House today. If he were here, he would give us a fourth position. Then we have the Clark formula that the hon. the Premier keeps waving, this piece of paper, at us from over there across the House.

Well, now, Mr. Chairman, we have heard quite a bit today about a resolution that was unanimously passed in this House - amended, mind you, but passed - on March 6, 1975. Well, nobody has taken the trouble to read the resolution. Let us see what the resolution says. 'On a motion of the hon. the Minister of Mines and Energy, seconded by the hon. the Leader of the Opposition, it was unanimously agreed that the resolution be amended to read as follows, to be submitted to the House of Assembly in relation to the position of Canada at the forthcoming - no, that is the Law of the Sea Conference, I do not have the right resolution here now. Hold on now. No, that has to do with the fishery; that is not the right resolution, but I will have it. Later on in the debate, I will get the right resolution and I will read it, because what that resolution stated, moved by the Leader of the Opposition, incidentally, and then later taken over, amended, moved by the Minister of Mines and unanimously passed in this House, was a resolution stating that all members on both sides of the House felt that Newfoundland owned the offshore resources. So that matter has been put to bed already. There is no further debate on that; that matter has been resolved to the satisfaction of members on both sides of the House. But the question that arises, Mr. Chairman, is this, that the Premier seems to be unsure whether or not the Government of Canada has the right to give Newfoundland something that it does not own. The question that arises is that if there were a negotiated agreement or if there were

MR. S. NEARY: concurrent legislation or if we did use the Clark formula, could the oil companies somewhere down the road take the matter to the Supreme Court? I believe they could take it to the Supreme Court and then it would have to be settled by the Supreme Court.

Now, I have heard the hon. gentleman over there ranting and raving this afternoon, and I have no problem - I do not think I do - if I follow him correctly, I have no problem with the four points that he outlined. If that is the route - and I caution the hon. gentleman to think about it very carefully - if that is the route that this government wants to take, if they want to bring about the control or the ownership through a Constitutional amendment - and I cannot quarrel with that - but the reason I caution the hon. gentleman is that in order to bring about a Constitutional amendment, in order to bring about a Constitutional change, you have to get agreement of the other nine provinces of Canada. Now how long is that going to take? How long will it take, Mr. Chairman? Is it possible to get unanimous agreement of the other provinces of Canada? If it is, I am all for it.

Now, the hon. the Premier challenged the members on this side of the House to put their position in writing. Well, here is my position in writing and I am going to send it across to the hon. gentleman. I did not have a piece of paper, I had to put it on the Order Paper. The Order Paper is dated Tuesday, April 24th - April 28, 1980 - "Premier Peckford: I support the Liberal Party's resolution that Newfoundland owns the offshore resources." Now, would you please tell the people of Newfoundland how the government is going to confirm this control or ownership -

AN HON. MEMBER: Hear, hear!

MR. S. NEARY: - one, Supreme Court case; two, Constitutional change; three, concurrent legislation; four, the Clark formula; five, negotiations with the Government of Canada? Now,

MR. NEARY: Mr. Chairman, I ask the page to bring this over and lay it on the Premier's desk.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: All he has to do it he does not want to write me a letter is just put a tick by the option, by the route that the government is going to take in order to confirm the offshore ownership, because it has to be confirmed. That is what the argument is all about. We can stand in here day in and day out and we can rant and rave and we can shout and roar at each other, but the fact remains, Mr. Chairman, that nobody, but nobody in this House is sure who owns the offshore resources.

MR. BARRETT: We are.

MR. NEARY: No, you are not sure. If you were sure you would just plough on and go ahead, ignore everybody else, ignore the Government of Canada, ignore the Opposition. You were elected to govern, why are you so concerned? Why are you so concerned about where I stand on the offshore? And I have already told you there in my letter -

MR. CARTER: You are knifing him.

MR. NEARY: Mr. Chairman, would the hon. gentleman please elaborate, please explain that remark that is typical of the hon. gentleman, low remark, low-level remark that the hon. gentleman just made?

The fact of the matter is, Sir, that nobody, but nobody in this House is sure that if Newfoundland ploughed ahead saying, 'We own it. We do not care what the Government of Canada thinks. We do not care what the oil companies think. We do not care what anybody on the face of this earth thinks', if we plough ahead saying we own it, somewhere down the road will it be questioned,

MR. NEARY: will we be hauled into court? And will the court decide or will somebody else decide, some other jurisdiction decide that in actual fact we do not own it? So it has to be confirmed and therein lies the confusion. There is where the confusion is arising.

The hon. the member for Exploits (Dr. Twomey) is like myself, he is not a lawyer, he is not a constitutional expert. The hon. gentleman would get up and he would fight to the last breath, the same as I would. I would go to Ottawa and I would say, 'Look, Ottawa, we own the resources off-shore'. I am prepared to do that. If the hon. gentleman wants fifty-two members to go, I will go.

AN HON. MEMBER: Yes, I will go.

MR. NEARY: Charter a plane and I am sure every member of this House will go up to Ottawa. And I challenge the hon. gentleman now, I challenge him, to charter an EPA plane and see how many members will refuse to go to Ottawa and say to Mr. Trudeau, and say to the Government of Canada, and say to anyone else, 'Look, we own the offshore resources'.

SOME HON. MEMBERS: Right on! Right on!

MR. NEARY: See how many members will refuse to go. I will bet you 100 per cent of the members of this House will go. And I challenge him now to put it to the test. He is talking about rising the House for five minutes, ten minutes or a half hour so we can make a decision -

MR. CARTER: Why do you not sign the letter (inaudible).

MR. NEARY: I just signed the letter. But I would say the hon. gentleman was the one who threw out the invitation. He said, 'Let fifty-two members go

MR. NEARY: up to Ottawa and tell the Government of Canada, and tell the people of Canada we own the offshore resources. No problem with me. I cannot speak for my colleagues, but let him charter an EPA flight and I will be aboard of her tomorrow morning, I will be the first one on, headed for Ottawa.

MR. FLIGHT: Right on!

AN HON. MEMBER: (Inaudible) Ottawa?

MR. NEARY: To tell the Government of Canada that we own the offshore resources. But, now, whether we can prove it, or whether we can confirm it is a different matter and therein lies the problem and that is where the hon. the Premier is dragging in the red herring.

Now, if he wants to take the constitutional route, amend the constitution to get the ownership, let him say so and then we will decide whether that is the right route, then we can take positions.

MR. CARTER: All the Prime Minister has to do is say, 'Yes'. He does not (inaudible).

MR. FLIGHT: Why do you not ask him?
Why does the Premier not ask him?

MR. NEARY: I believe, Mr. Chairman, somewhere along the line during the last federal election I heard Mr. Clark say, after the row down on the steps of Confederation Building Mr. Clark said, 'What I mean in my letter is that you have to get agreement of the other nine provinces of Canada, then we will bring about a constitutional change and we will give you the ownership or control, whatever you call it'. That is what Mr. Clark said.

So, Mr. Chairman, there is no argument. All he has to do is tell us that is the route he wants to take.

MR. CHAIRMAN(Baird): I wish to remind the
hon. member his time is up.

MR. NEARY: - and we will tell him
whether we agree with him or disagree with him.

SOME HON. MEMBERS: Hear, hear!

April 28th., 1980

Tape No. 1096

DW - 1

MR. CHAIRMAN (Baird): The hon. Minister of Finance.

SOME HON. MEMBERS: Hear, hear!

MR. L. THOMS: He is very affable.

DR. J. COLLINS: I can be very affable. Actually I am always affable, really. It is just you and I have a little argument about interpretation every once in a while.

Mr. Chairman, we are giving the Opposition a pretty hard time over this. There has been - I think this is the third day of the debate now and we are really pressing them and on occasion they sort of flare up a bit and feel they have a good point going and then we sort of answer and then there is a somber silence on the other side and then someone mentions something and then they flare up again. So we have been giving them a pretty hard time on it. However, I think what you should do is look at it in a positive light. What we are trying to do is to test you. We are trying to test you with a baptismal fire and just like iron is improved by coming out of fire, believe me, you will feel better when it is all over, You will feel better when we really test you, we knock down your arguments, you have brought up all of the spurious points you can think of, and finally you really get down to bedrock and you finally agree with our case because we thought through our case very, very carefully. Now, the Opposition, really, they are just talking off the tops of their heads. You know, when something occurs to them they jump on that as the great big point that will win the day and then when that does not come about then they jump on another big point. This has all been thought out very carefully, very thoroughly, very closely. And what we are trying to do now is to put you through the same, almost agonizing process that we went through ourselves to reach what we feel is bedrock truth. And we are just doing the same to you now and I will tell you you will feel better at the end of it so do not be too downheartened.

SOME HON. MEMBERS:

Oh, oh!

DR. J. COLLINS:

The Opposition seems to be making a big point out of, you know, 'confirm it' that seems to be sticking in their throats, 'Why do you not get on and confirm it?' I did bring up the example the other day and I am going to mention it again, Just at the risk of repetition I am going to make the same point again. If you own something you do not then turn to someone who comes in and questions your ownership, you do not say, 'All right, let us negotiate and decide what the end result is'. If you own it you say, 'You take the action, If you question my ownership you take the action.' If I own something and you question my ownership you do not expect me to take the action. Possession, I think, is nine points in the law. I mean, why do we, when we own the offshore resources, have as the Opposition would have us do go around and try to prove we own it? We know we own it! There is no doubt about it, we own it! And we have said to the Federal Government, 'If you want to go along with us we are not going to change, we are quite clear in our own minds, we have thought it through, we have got the legal precedents, we know what we came into Confederation with, we are not going to change it. Now, if you want to go along with us here are some suggestions for you. Now there are a number of ways you can go on this; here is the way we want you to go, this is the one that would satisfy us most, this is the way we feel would make it clearest that you are going along with us. Now there are other ways, we are not going to be pig-headed about it. We are not going to say, 'You have to do it our way or not do it at all'. We are just saying that having thought it through this to us seems to be the most transparent way, the way that everyone will clearly see that you are going along with our position. Why do you not follow these steps we give you? If you do not want to follow these steps and you want to make up some new steps, if they satisfy, reach the same objective, I am sure we will not disagree.

DR. J. COLLINS:

Now, the Opposition are saying, 'Oh, no you cannot do that, you cannot do that. What you have to do, you have to go up - and I do not know what they want us to do, perhaps grab the Prime Minister by the throat and stand on his chest and force out of him some admission that we own it. They want us to take some vigorous, firm, radical action. That is not the way it goes. The way it goes is you own something, someone questions it so you ask the other fellow, then, if he has a doubt in his mind, let him take the action and that is what we are saying.

The hon. member who just sat down - again, as I say, they are clutching at straws really - is clutching at another straw.

DR. J. COLLINS: He said, "Here is the way we will win the day now. We will challenge him to put us all on a plane and take us up to Ottawa".-

AN HON. MEMBER: That is right.

DR. J. COLLINS: You know, he did not mean it seriously. You know, he has been in this House for umpteen years and he knows when he wants to make a good point he makes it in a certain way, when he makes a sort of frivolous point he does not expect to carry it the day, but, anyway, it is something to say, makes it in another way and he made that. You know, I have been in here long enough now to know he has made that point in that sort of secondary frivolous way, he really did not mean it. Because if you wanted to do what a plane ride would, do just as well, do what the Premier said. The Premier merely said, "Everyone in this House, either individually, take the four principles that are laid down there, i.e. our preferred method of having the federal government confirm our ownership, that is our preferred way, have every individual member in this House sign a letter to that effect either do it that way or the second way you can do it -

SOME HON. MEMBERS: Oh, oh.

MR. CHAIRMAN: (Baird) Order, please!

DR. J. COLLINS: - is to bring up a resolution that does the same thing, includes in the resolution the same four -

SOME HON. MEMBERS: Oh, oh.

MR. CHAIRMAN: Order, please!

DR. J. COLLINS: - principles and that resolution in the whole Assembly, perhaps, not individually, but that would do just as good, the whole Assembly then will agree to the thing. That is the way now, that is a much better way, a much clearer way a much more straightforward way of achieving what has to be achieved than going up on a plane because what going up on a plane, if one could take it seriously, what going up on a plane would do would be to prod the federal government to get off its you-know-what and do the sort of thing that we require. That is what a trip on the plane would do. And we are saying that there is every good chance

DR. J. COLLINS: that if a resolution was brought into this House with those four principles in it, or if each individual member wrote on a piece of paper the four principles and signed his name to it that he agreed with it, that would be a satisfactory procedure to get the federal government going.

AN HON. MEMBER: That is right.

DR. J. COLLINS: However, I will say this.

SOME HON. MEMBERS: Oh, oh.

DR. J. COLLINS: If the hon. members want to take -

MR. CHAIRMAN (Baird): Order, please! The member has the right to be heard in silence.

DR. J. COLLINS - a trip to Ottawa for this purpose I will say this, if hon. members opposite will do one of those two things, either do it individually or do it through a resolution in this House, if they do this I will tell you this, I will use my best efforts to have the Premier also agree to take the whole lot of us up to Ottawa and go in to see the federal government with this communally signed resolution or thirty or fifty-two - we will all go up -

MR. S. NEARY We will all go up.

DR. J. COLLINS: - all with the same signed resolution in our hands.

SOME HON. MEMBERS: Oh, oh.

DR. J. COLLINS: I give my promise that I will use my best efforts and I think my hon. colleagues here on all benches of this side, we will try to prevail on the hon. the Premier to go ahead and take us up to Ottawa on block.

SOME HON. MEMBERS: Hear, hear.

DR. J. COLLINS: Now, Mr. Chairman, there is another point that came up and I could go into great detail on this but I do not think I will, in actual fact, I will just mention it. The other point that came up on the opposite side is that we had unanimity of thought over here on ownership, you know, there is no dissension amongst us, we all speak in the one voice on ownership and I think the hon. member for Grand Bank (Mr. L. Thoms) thumped the desk and he said, "We own

DR. J. COLLINS: it, we own it, we own it." I accept that, I am sure he meant it - excellent.

Someone else made the same type of statement but is fudging over there, there really is fudging. Now if you wanted to, I could read Hansard from Friday where the hon. House Leader opposite (Mr. E. Roberts) fudges on ownership.

AN HON. MEMBER: Hear, hear.

DR. J. COLLINS: Now, how does he fudge on ownership? Does he say that we do not own it? No, he does not say it. He is too clever a debater to say that we do not own it. What he says is that ownership is irrelevant. It does not matter who owns it, come off ownership. He is trying to fudge the issue, he is trying to becloud the issue, he is trying to muddy the waters so that when we make the very important point -

AN HON. MEMBER: (Inaudible)

DR. J. COLLINS: Yes, that is right. When we make the very important point that we must establish ownership to go on to the next step -

MR. L. STIRLING: What is the next step?

DR. J. COLLINS: - the hon. member for Bonavista North keeps asking me, "What is the next step?" The first step

DR. COLLINS: is to achieve ownership. The hon. House Leader opposite, he fudges, he clouds up, he distracts, he distorts, he cannot really, in his own heart and soul say, 'We do not own it', but he says, 'It does not matter', you know, 'come off it, let us get on to something else'. We cannot do that, we must establish ownership first.

Then after that - now, this is where the boys are separated from the men, this is where the goats are separated from the sheep, this is where the P.Cs are separated from the Liberals -

MR. STAGG: Hear, hear!

DR. COLLINS: - after you establish ownership then you have to go on and exercise that ownership. You have to be firm about it. You have to stand up for your rights and you have to say, 'I am not just going to say I own it', and then let someone else do it and run off with all the profits and all the benefits and let someone actually exercise your ownership. We on this side are saying we establish ownership then we take firm control of our ownership and we go on and we do the things that are necessary to make sure that the benefits accruing from that ownership come to this Province. Now that is where we have a quarrel with the Opposition.

Firstly, on ownership they will not stay in the one spot, they are moving all over the shop. You can hardly get at them. When you think you have them in one place they slither out and go in another place.

PREMIER PECKFORD: Like Mohammed Ali.

AN HON. MEMBER: And they are cowards.

DR. COLLINS: Yes, they are. They think they can (inaudible) it. Come out and stick firmly on ownership. Say, 'I will not fudge on it. I will not say

DR. COLLINS: ownership is irrelevant.
I will not say there is a dozen different ways of doing it, therefore, it does not matter'. That is really fudging. Stick with ownership. Say, 'We claim ownership and nothing will shift us off that'.

The second point is that having claimed ownership and been immovable on our claim to ownership, then we firmly get together and say, 'This is what we have to do to make sure that we get the benefits from ownership'. And this is where the Opposition will not stand still on the issue.

SOME HON. MEMBERS: Hear, hear!

MR. CHAIRMAN (Baird): The hon. the member for Port au Port.

MR. HODDER: Mr. Chairman, the realization is growing on me more and more and more, day by day, that there is something amiss in this House, that for the first time, now, I have a perception that I am not going to be in Opposition very much longer. I feel that we are going to be over there pretty soon.

MR. STIRLING: They do not want the job.

SOME HON. MEMBERS: Come on over. Come on over.

MR. HODDER: I said we.

SOME HON. MEMBERS: Come on over.

MR. STIRLING: They do not want the job.

MR. HODDER: We! We! We!

MR. STIRLING: They cannot handle the job.

MR. BARRY: (inaudible) a few exceptions who came over.

MR. HODDER: It seems, Mr. Chairman, that never before as an Opposition member, and I have been here for four years, never before as an Opposition member have I had such pressure, or seen such pressure put on the Opposition to - it is almost as if the government were not sure about the next step they were making and they want

MR. HODDER: our concurrence. It is almost like you were afraid to answer a question in an exam unless you asked the guy behind you, for sure, whether it is right or not. In other words, they do not seem to have made up their minds as to exactly what they are doing -

MR. BARRY: Stop undermining the (inaudible) provincial claim.

SOME HON. MEMBERS: That is low.

MR. STIRLING: The young people are going to begin to wonder about your plans.

MR. BARRY: (Inaudible) being done.

MR. CHAIRMAN (Baird): Order, please!

MR. HODDER: Mr. Chairman, what I have seen here in this House in the last three or four days, and I do not really see any sense in standing up and talking about it, to tell you the truth - I made a speech the other day and I said to you all, if you want us to go up and negotiate for you we will go up and negotiate for you. If that is what you really want!

I heard the Premier come in today with a piece of paper that he rattled off in his usual way saying, 'Now, do you agree with it? Do you agree with it?' Well, I will tell you, Mr. Chairman, if the Premier wants to lay that down as a resolution - I understand that there has been a resolution in this House which was moved by our side, by the now hon. House Leader (Mr. Roberts) on ownership. I also remember, this year, the Leader of the Opposition (Mr. Jamieson) standing in his place and speaking and saying that he would like to see a select committee, of both sides of the House, to look into this whole question of offshore.

Mr. Chairman, if this government wants to put down a resolution on the Order Paper to be debated at that time, we will debate it and

MR. HODDER: then we will have to make our collective decisions, how we vote for it. But there is no way that the Premier - I have never seen anything like it before - can wander into this House with a great list of principles and reel them off and say, 'Now, come over and sign them. I will adjourn the House for a half hour'. Put them down as a resolution and then let us debate them and let us have a special debate, a ten day debate. Let us do it after the normal business of the House is over and then let us decide how we will treat those things.

Mr. Chairman, there is something else that bothers me, bothers me a lot. I am a Newfoundlander, the same as anyone over there, but I happened to be elected and I happen to be unfortunate enough to be in Opposition.

MR. HODDER:

Mr. Chairman, my job as an Opposition member is to keep a watch on the government. The government seems to me to be very, very anxious to have a rubber stamp from this side. Now, Mr. Chairman, I do not mind the Province of Newfoundland knowing that I am not a lawyer, I have no knowledge in the law, I have no legal expertise whatsoever. But I will tell you, Mr. Chairman, that I have as much common sense as any member over on that side of the House and if I have the facts put before me and I have the legal opinions put before me and if I have all that the government is supposed to have on offshore oil and our legal position with the federal government and what we are trying to achieve with the federal government, if I had that then I could make just as good a decision as the Premier can. But until such time, I will stand with the members of the Opposition, with the Leader of the Opposition (Mr. Jamieson) who daily gets up here and questions the Premier as to what is happening, what is happening, what is happening and we try to get bits of information here and there, shooting in the dark. But if the Premier wants from me a signed statement I want from him every bit of information he has, every bit of expertise put at my disposal before I sign anything. And that is why I say, Mr. Chairman, that there is something amiss, and I believe I put my finger on it the last time I spoke here, that the government feel they have a good issue. But I can tell you something about that, Mr. Chairman, in a great deal of the parts of the Province now they are saying, "Will you get off the offshore oil and talk about something like unemployment or roads or something like that". Because what the government is doing is they are holding onto that issue and they are holding onto it as long as they possibly can to make political points on it.

But when I give up my position as an Opposition member to go over and sign a document I want to know what is behind it. I want to have the same types of information at my disposal that the Premier has at his and which we do not have. And until such time, I will stand here as an Opposition member and I will question the government on every move that they make whether it be on offshore oil

MR. HODDER:

and gas, whether it be on unemployment or anything else. So, Mr. Chairman, I just do not want to see that sort of thing coming into this House of Assembly anymore because, you know, we have our role to perform here and our role is to question. If we were to decide that everything is right, and maybe I agree with you, maybe I would agree with you and I have no problem in associating with the principles, no problem at all, but were we all, like a herd of sheep, to run over to the Premier -

MR. THOMS: Like the turncoat.

MR. HODDER: Yes. If we were all to run over to the Premier en masse and say, "We are with you", what will be have then? We will have a government with no Opposition.

MR. STAGG: Unanimity on one issue.

MR. HODDER: I think I have said quite clearly, give me the information, give me access to the types of information and background that the government has, I would have no problem perhaps in rubber stamping the whole works. But let us see the information, let us see the legal opinions, let us see the - I mean there must be reams of information. How valid is our case? I have not seen it but I would like to see it. But I am not going to stampede over to the government side and sign a piece of paper that is brought in here. But put down the resolution and I will debate it.

SOME HON. MEMBERS: Hear, hear!

MR. STAGG: Mr. Chairman.

MR. CHAIRMAN (BAIRD): The hon. member for Stephenville.

MR. STAGG: Well, Mr. Chairman, I am drawn into this debate again to further restate the position that was taken here on Friday by hon. members on this side and my own position at that time. I will attempt not to be needlessly repetitious, I will bring some other matters into the debate. Now, the issue that I would like to have honourable members opposite address themselves to is where they stand with regard to the present Prime Minister of Canada. His name is never uttered by them in this debate, his name is never uttered. The position of the Prime Minister of Canada as far as we are concerned, and he has been in office now for over two months, his position apparently

MR. STAGG:

is the same position he had before he became the Prime Minister of Canada. This is not a matter that he is unaware of. He was very aware of it at Memorial University when he came down here and paraded himself before the electorate and indicated, as he said then, "Why-you will be fabulously wealthy", and he shrugged his shoulders in his own inimitable style and apparently there were some elements in the Province, some people in the Province who thought, Yes, this is right, he may have carried the day by saying that we were bordering on being selfish or whatever.

Now, Mr. Chairman, I would like to know where the members of the Opposition stand with regard to the leader of the federal Liberal Party, where do they stand

MR. STAGG: with regard to his reluctance and his slithering away from confirming the very patriotic, the very generous offer and acceptance, the contract practically, that was entered into between the present Premier of Newfoundland and the former Prime Minister of Canada? The former Prime Minister of Canada enunciated and agreed with the four principles that I read into the record on Friday, that the Premier has read into the record here today, that some hon. members opposite apparently have never seen or heard of. The member from Port au Port (Mr. Hodder) says, "Give me the tools and I will do the job". I remember the last fellow who said that; he was knifed in the back by his colleagues about two or three hours later at the Arts and Culture Centre, in 1977. "Give me the tools and I will finish the job". Well, the material that is available to me on the exchange of correspondence between Prime Minister Clark and Premier Peckford is available to anyone. I brought it over to the member from Grand Bank on Friday because he thought that I should table the documents they were so sensitive

MR. HODDER: You had not seen them (inaudible).

MR. STAGG: Yes, that is right, I had not seen them during the Federal election, I had not seen them during the Federal election, and I wondered whether they were sensitive documents, and I questioned the right of a candidate in that election to read that into the record. He stole the march on me, he won a debate with me in that they were parts of the record.

AN HON. MEMBER: (Inaudible).

MR. STAGG: Well, I have them now and I have read them and hon. members opposite should read them, because this exchange of correspondence between two heads of government is not something that should be sloughed off and called a fake or called 'not worth the paper it is written on'. This is a letter, a letter - where is it now? - the letter from the Prime Minister of Canada - and I have it all messed up here now - a letter from the Prime Minister of Canada. I am going to read one, if I can find it.

MR. STIRLING: (Inaudible) make some more important points.

MR. STAGG: Now, Mr. Chairman, I am sorry, I was so carried away there that I -

MR. STIRLING: Sit down for a while and let somebody else speak while you are (inaudible).

MR. STAGG: The member for Bonavista North is over there caterwauling in the wilderness. He has nothing to say of his own but he would certainly like to snipe at others. He would hide away behind the -

MR. STIRLING: Sit down and let me speak.

MR. STAGG: - I have not seen you trying to get the floor. I have seen the member for Lapoile (Mr. Neary) trying to get the floor again, the member for Grand Bank (Mr. Thoms) trying to get the floor. I went over and interceded with the Chairman so that we could hear what the member for Port au Port (Mr. Hodder) had to say. When the opportunity comes for you to get up on your feet -

AN HON. MEMBER: No, no.

MR. STAGG: - I did. I said, "Look, the member for Port au Port has been trying to get the floor, give him a crack at it", and he did. So I would like to hear what the member for Bonavista North (Mr. Stirling) has to say, yes.

MR. STIRLING: Do you want to sit down?

MR. STAGG: Well, I am going to read into - no, I am not going to sit down, no.

MR. STIRLING: (Inaudible) not reading them right.

MR. CHAIRMAN: (Butt) Order, please!

MR. STAGG: I am going to read into the record now a letter from the Prime Minister of Canada to the Premier of Nova Scotia dated September 20th., 1979, and I hope I get a chance to read it all, I will get a couple of pages of it anyway: "My dear Premier -

AN HON. MEMBER: I have not seen it.

MR. STAGG: - you have not seen it? Well, go down and get it. I am sure we will give it to you. I gave a copy of it to the member from Grand Bank, he will photocopy it for you - "My dear Premier, September 20th., 1979. As I am sure you know, the Progressive Conservative party has long been dedicated to the belief that the provinces should own

MR. STAGG: "their mineral resources off their shores and enjoy legislative jurisdiction over those resources comparable to their jurisdiction over natural resources located onshore within their boundaries." Now, that is the Prime Minister of Canada, the Prime Minister of Canada writing to the Premier of Nova Scotia.

SOME HON. MEMBERS: Hear, hear!

MR. STAGG: Now, I stack that Prime Minister up against that character that you fellows have. "Our commitment was born of a deep appreciation of the feelings and aspirations of the people living in the coastal provinces who tend to view the ocean, not as a barrier, but as a frontier, an extension of their livelihood. Provincial spokesmen have had an important influence in fostering this understanding, so it is fitting, indeed, that the position first came to be adopted by the party, the Progressive Conservative party of Canada as a consequence of remarks made by the Hon. Robert L. Stanfield, then Premier of Nova Scotia in 1965." Of course, he is writing to the Premier of Nova Scotia, so he is addressing himself to his predecessor, his Progressive Conservative predecessor. They had the minister of work and play in between. "It has since been expressed numerous times and in numerous ways, not the least of which was the statement of the Kingston communiqué of September 16th., 1977, a product of similar consultation: By now you are aware of the meeting I had recently with Premier Brian Peckford when a good deal of time was devoted to the question of how, in the case of Newfoundland, we who now form the Government of Canada might carry out our pledge on offshore resources. The Premier and I came to an oral agreement

MR. F. STAGG: on that occasion, based essentially on the same principles proposed by the Premier in his letter to me. August 23rd, 1979"-and all hon. members opposite can have it - "and I found to reflect the basic position which the government has wished to adopt. I have now replied in writing to confirm the agreement reached. The exchange of correspondence is enclosed for your information." Well - that is a couple of paragraphs - that shows the kind of commitment there was on the part of the Government of Canada to the Government of Newfoundland, they were at one. And the four principles that were read on Friday by myself and read several times here today by the Premier, these are the principles that we want the Opposition to agree with.

Now, if they have not got the material they should absorb a certain amount of humility, or to agree that they have not taken advantage of material that was available to them and go get it and read it. That is what I had to do. When I accused the candidate out in Humber, Port au Port - St. Barbe of reading things into the record that he did not have the right to do, that he had gotten the letters by other than legal means, well he certainly put me in my place and I had to absorb that. I had to go on the defensive and practically apologize for it, not an easy thing to do. Well, the hon. members opposite obviously are not aware of the exchange of correspondence or the substance of the correspondence between the Government of Newfoundland and the Government of Canada on this subject. They do not know and they do not care. They do not know and perhaps they do not care. I do not think that they do not care. I think that they do care.

Now, all we want from hon. members opposite is a clear and unambiguous statement of their position. They talk about going to the Supreme Court -

SOME HON. MEMBERS: Oh, oh.

MR. F. STAGG: - and indicate - be quite - and indicate that the Supreme Court is the authority in Canada. The Supreme Court is not, n-o-t the supreme authority in Canada,

MR. F. STAGG: parliament is supreme, parliament makes the laws and then the Supreme Court enforces the laws. So, if we have the Government of Newfoundland and the Government of Canada in consensus as one and they have an agreement and it lasts for four or five years and you arrive at a position five years later where another government takes over, do you think that they would possibly have the audacity to change it because of things that have happened in the meantime? These things have a habit and it is based on the British parliamentary system which is really based on precedent, which is not enshrined in any constitution or whatever, it is an evolving and always evolving thing. It is what we really are trying to get into in Canada now.

If Prime Minister Clark had remained in office and the principles enunciated in these letter and in these four principles, if they had been carried out for five years, do you think that anyone could have changed them? Do you think that the Supreme Court could have done anything about it? That is what I would like hon. gentlemen to address themselves to. Where do they stand on this reference to the Supreme Court? I do not think they have made their positions clear on it. If they can make their positions clear, they want an agreement between the Government of Canada and the Government of Newfoundland, let them state it and then use their good offices, because they are the members of the same Party, write a letter to the Prime Minister, tell him change their previous position - let us get back to the spirit of co-operation between the two parties that was evident last Summer.

MR. FLIGHT: What about the (inaudible)? What is his position?

MR. CHAIRMAN: (Butt) Order, please! The hon. gentleman's time has expired.

SOME HON. MEMBERS: Hear, hear.

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

MR. L. THOMS: Mr. Chairman, I am rising again on this particular point. I would like to take one exception with my friend from LaPoile (Mr. S. Neary) and with the Minister of Finance

MR. L. THOMS: (Dr. J. Collins). You can hire a plane tomorrow morning to take all fifty-two members to Ottawa -

MR. S. NEARY: We will not be on it.

MR. L. THOMS: - but if all fifty-two members decide that they are going to be on that plane, I will not be on it. I would not fly on an aircraft carrying the member for Baie Verte - White Bay (Mr. T. Rideout), I would not go in the same elevator with the member from Baie Verte - White Bay -

SOME HON. MEMBERS: Oh, oh.

MR. L. THOMS: - until - Mr. Chairman, I have a right to be heard in silence -

MR. CHAIRMAN (Butt): Order, please! The hon. member for Grand Bank wishes to be heard in silence.

MR. L. THOMS: - until that member has the intestinal fortitude to resign from this House, which I believe he should do, and go back and let the people of his district decide whether he sits in this House as a Liberal, Progressive Conservative, NDP, Social Credit or whatever.

MR. G. FLIGHT: Right on! Right on!

SOME HON. MEMBERS: Hear, hear.

MR. L. THOMS: Now, if the other fifty-one want to fly to Ottawa with that member they can I will go on my own. I will not fly on the same aircraft but I will go and I will state clearly to the Prime Minister of this country, as I believe I stated clearly in this House, what my position is. Now, my problem over here is that I do not know what your position is, I do not know it.

MR. BARRY: Ask.

MR. L. THOMS: Before you speak Mr. Chairman, I have a right to be heard in silence and I insist on being heard in silence.

MR. CHAIRMAN: (Butt) Order, please! The hon. gentleman wishes to be heard in silence.

MR. L. THOMS: Mr. Chairman, the Premier of this Province stood in this House in this session and made this statement. And I think I am quoting the man accurately and he said these words; " We do not know who owns the offshore resources out there." He said it I can get hansard and I can show it to you.

MR. NEARY: A slip of the tongue.

MR. L. THOMS: Maybe it was a slip of the tongue, but I think it was a prophetic slip of the tongue.

MR. NEARY: He has not denied he made the statement.

MR. L. THOMS: He has not denied he has made the statement, of course he has not denied it. It is in hansard.

MR. NEARY: He did make it.

MR. L. THOMS: He made that statement. So it does show that there is some confusion. Now, the Premier of this Province gets up and makes one statement. The Minister of Finance gets up and makes another statement. And sometimes I wonder whether they are in the same party let alone the same House.

SOME HON. MEMBERS: Oh, oh !

MR. L. THOMS: You know, the two statements are diametrically opposed. I do not know what the Minister of Mines and energy is saying except to go out and indicate that this

MR. L. THOMS: administration cannot get the best deal from Ottawa, cannot negotiate or too incompetent to do so and suggests that it is the Liberal Party who should be doing this not the P.C. administration.

MR. BARRY: (inaudible) that you should have the guts to fight for the Province which you are not doing.

MR. L. THOMS: I will not bother, Mr. Chairman, with any points of order with that word. I have got as much guts as anybody in this House, anybody bar none. I have got as much guts as anybody in this House when it comes to fighting for what is rightfully Newfoundlands.

MR. BARRY: Why did you do it then ?

MR. L. THOMS: Do what ? Do What ?

MR. NEARY: Do you want him to do your job for you or what.?

MR. L. THOMS: Do what ? Make me Minister of Mines and Energy.

MR. WHITE: Hear, hear !

MR. L. THOMS: Why do you not make me Minister of Mines and Energy and I will see what I can do in that position?

MR. HODDER: He would have no problems then. He would have to take all of us.

MR. L. THOMS: Why do you not abdicate? Why do you not do the honorable thing.?

AN HON. MEMBER: (inaudible) keep trying.

MR. L. THOMS: The honorable minister is talking about guts, either that or have the intestinal fortitude to call an election. I am prepared. I am prepared to discuss my position and to put my position on the line with the people of Grand Bank anytime the Premier wants to visit the Lieutenant-governor and have an election in this Province . Prepared at any time at all.

MR. STAGG: I doubt it.

MR. L. THOMS: What is the position of the P.C. administration? We thought we knew what it was until the late Prime Minister, Joe Clark, came to Newfoundland -

MR. STAGG: Former Prime Minister.

MR. WARREN: He is late because he will be there no more.

MR. L. THOMS: - and met with the Premier of this Province. Maybe the Minister of Mines and Energy was in on that meeting.

MR. WARREN: No, he was not.

MR. L. THOMS: But all I can see is the spectacle, all I can see is the spectacle, during a federal election, of the Premier of this Province on the steps of Confederation Building saying that Joe Clark has just given us everything, 'No problems now, people of Newfoundland, we have it all, we have control, we have the jurisdiction, we have the ownership, we have the this and we have the that,

MR. L. THOMS: until lo and behold who should trot out behind him, in Confederation Building and then appear at Holiday Inn that night and say, "No, no Brian that was not what I meant, I did not mean to give you everything. I did not mean to give you everything. Naughty boy now you are misquoting me. You are misquoting me."

MR. F. STAGG: Did we want everything?

MR. L. THOMS: What I am trying to establish - You asked what our position is, the member from Stephenville I would like to know - I would like to get back to this question - I would like to know what the position of the government of this Province is.

MR. STAGG: It is in this letter.

MR. L. THOMS: That was the letter where little Joe Clark said that 'Brian Peckford' did not know what he was talking about.

MR. STAGG: No, no my boy.

MR. THOMS: That was the position.

AN HON. MEMBER: No, no. This is the exchange of letters where they agree on everything.

MR. HODDER: No, they do not.

MR. L. THOMS: It certainly showed the people of Newfoundland where Joe Clark stood. And you talk about letters. If you want me to go down to Grand Bank and produce letters, signed by the Premier of this Province and the former premier of this Province, making promises that were never kept, I will show you a lot of worthless paper. And let the Premier of this Province come down to St. Lawrence and Grand Bank and Fortune, there is enough paper down there to give to him of broken promises. Let the Premier of this Province - Eight minutes gone already, Mr. Chairman. I can hardly believe it. I have not started. Let the Premier of this Province go down to Salt Pond, Burin, or let the former premier of this Province go down to Salt Pond, Burin and see the great big sign, Mr. Premier, that is up down there for the Burin peninsula hospital, with the great big April Fool marked across it. What about the promise made by this administration to the Burin Peninsula Hospital Committee that this year they would be considered,

MR. L. THOMS: that they would be considered? They were certainly considered. As far as I can see in the Budget there is not a line, not a line for them. That is the consideration they got. If you want to present, I would be only too happy to present a resolution outlining what my position is in this House. But before that I would certainly like to know what the position of the Government of this Province is. That is what has me bothered. When the Premier stands on his feet he gives us one version, the Minister of Finance (Dr. Collins) gets up and he gives us another version and the only version we get from the Minister of Mines and Energy (Mr. Barry) is the one when he peeps up when somebody else is speaking. I have not heard anything from the Minister of Mines and Energy. So I would like to hear in clear, concise terms what their positions are. I know what my position is. I have said it, I have reiterated it and I have nothing to be ashamed of. Nothing to apologize for, Mr. Chairman. Thank you.

MR. CHAIRMAN (Butt)

The hon. Minister of Mines and Energy.

SOME HON. MEMBERS:

Hear, hear;

MR. L. BARRY:

Mr. Chairman, I am going to have in the course of the Budget debate and hopefully the Throne speech, I have not had a chance to speak in the Throne speech yet, to rebut some of the inanities put forth from the other side of the House on this matter of offshore ownership and control. But I think it is time to say a few words here today because of the fact that we again see hon. members opposite attempting to perpetrate fraud - is that parliamentary? - attempting to undermine the government's position on offshore oil and gas. And the only reason I can see that they would want to do this is because they know that this is an issue on which the people of this Province are 100 per cent behind this government.

SOME HON. MEMBERS:

Hear, hear;

MR. L. BARRY:

And they are terrified, Mr. Chairman. Mr. Chairman, they are terrified that we are going to, on this issue alone, establish a PC administration in this Province for such a period that hon. members opposite.

MR. L. BARRY: will be grey, long in the beard, short in the tooth and gone from politics forever before you ever see a Liberal administration.

SOME HON. MEMBERS: Hear, hear!

MR. L. BARRY: And, Mr. Chairman, they know and in their heart of hearts and in their caucus, I have to say, Mr. Chairman, that I know that there are other members opposite who are not happy with the official position taken by the Opposition. They are not happy with the position taken by the Leader of the Opposition and by the Liberal House Leader, Mr. Chairman. There is a lot of soul-searching going on on the other side of the House, there is a lot of anxiety and well there should because, Mr. Chairman, just consider, we have the Leader of the Opposition getting up and saying that he does not understand what Newfoundland's position is on offshore ownership and control when he was in the Federal Cabinet, a member of Mr. Trudeau's Cabinet which received, Mr. Chairman, a lengthy proposal from the Province, which received the letter from the then Minister of Inter-governmental Affairs -

MR. S. NEARY: Can we see it?

MR. L. BARRY: Mr. Chairman, I have already committed to bringing forth this letter at my next sitting of the Resource Policy Committee during the Mines and Energy Estimates. Now, Mr. Chairman, it is clearly set out there. It is clearly set out that this Province is seeking ownership because from ownership flows control not as the member for the Strait of Belle Isle (Mr. Roberts) said, 'Ownership is irrelevant', ownership, if you have it then you have some control. Just consider how much control would Alberta have at the present time if it was not the owner of the oil and gas resources of Alberta? How much discussion would Mr. Lalonde be having with Mr. Lougheed concerning oil pricing if the Province of Alberta did not own the oil and gas within the territory of Alberta?

MR. L. BARRY: Now, Mr. Chairman, how can hon. members opposite say that the question of ownership is not important, is not the issue?

MR. J. HODDER: Would the hon. member permit a question?

MR. L. BARRY: How can the member for the Strait of Belle Isle (Mr. Roberts) say that the question of ownership -

MR. J. HODDER: Would the hon. member permit a question?

MR. L. BARRY: When I finish my statement. How can the member for the Strait of Belle Isle say that ownership is not the issue, that control is the issue when it is from ownership that control flows when it is only because we have a claim to ownership -

MR. P. WALSH: How can you control something you do not own?

MR. L. BARRY: - that the Federal Government would even be talking to us.

AN HON. MEMBER: That is right.

MR. L. BARRY: Now, Mr. Chairman, there were two years of discussions with the Federal Government from 1972 until 1974. I spent two years of my life and most of the time in negotiations with the other four Eastern Provinces, including Quebec, to try and arrive at a concerted position to place to the Federal Government and ultimately the Province concluded that it had to go its own way and we presented a position and we said, "We own it but Federal Government you do not have to eat crow and say, 'Yes, Newfoundland you own it, we accept your ownership', you do not have to concede that Federal Government, what you have to do is to accept that this Province should have a 'substantial degree of control' over offshore oil and gas resources and we can be in business. We can see this resource developed for the benefit of the Province." And do you know what the response

MR. L. BARRY:

of the Federal Government was?

'No way'. Mr. Trudeau and his government would not concede
one jot, one tittle one iota of control

MR. L. BARRY: to this Province.

MR. G. FLIGHT: What is he saying today?

MR. L. BARRY: And any member opposite, including the Leader of the Opposition (Mr. Jamieson) who was in his Cabinet at the time, who says that the federal position has been any different than that is, Mr. Chairman, a liar, an out and out liar.

MR. L. STIRLING: Would you table that position?

MR. L. BARRY: Mr. Chairman, as I have already indicated, during the course of my estimates, these two letters, and they have already been lengthily reported in this House -

MR. S. NEARY: On a point of order,

Mr. Chairman.

MR. S. NEARY: Mr. Chairman, for the sake of the decorum of the House and of getting the records straight, the Hon. gentleman has used an unparliamentary term. He has used it twice. And he used it knowingly, referring to a member of this House when he was in another capacity and he is doing it in an indirect sort of way. But you cannot do indirectly what you cannot do directly in this House. And if for no other reason I raise that point of order, Mr. Chairman, there are children in the gallery listening to the hon. gentleman and I ask him to try and restrain himself and not leave the wrong impression with those poor little innocent children.

MR. CHAIRMAN: To the point of order the hon. the Minister of Mines and Energy.

MR. L. BARRY: To that point of order, Mr. Chairman, I think it was clear from my remarks that I said that if that position were taken by any hon. members opposite they would be liars. I did not say that there were any liars and I would find it unbelievable that anybody would have the gall on the other side to come out and take that position when it is documented and the Leader of the Opposition was in receipt of the documents and has had the opportunity to refer to his Caucus - I am sorry, do you want to rule on the point of order, Mr. Chairman.

MR. CHAIRMAN: (Butt) Yes. To the point of order. In this particular case I do not think the hon. the Minister of Mines and Energy did refer to any hon. member as being a liar. I rule there is no point of order and the hon. the Minister has about one minute remaining.

The hon. the Minister of Mines and Energy.

MR. L. BARRY: Now, Mr. Chairman, there was the position, that the federal government would not concede a substantial degree of control to this Province. That is it. In the Maritimes agreement the same thing which is why we departed from the approach that was being taken, and why Nova Scotia has said it is no longer acceptable to them, why PEI, I believe, is inclined the same way. And, Mr. Chairman, you have the situation where this Province concluded - well, obviously, if the federal government is not prepared to concede a substantial degree of control, as was indicated by them in writing, and I do not see where there is any problem in tabling those two letters, they have been fully reported in this House before.

PREMIER PECKFORD: Yes, many times.

MR. L. BARRY: Many times, many times. And in the course of my estimates we will table them and hon. members will see, as the Leader of the Opposition knows and, as I assume, he must have informed his Caucus. Surely, surely he has informed you fully as to the position of this Province, that he has received as a member of the federal Cabinet, or is he really saying that he still does not know what the Newfoundland position is? He stood up and he said, Mr. Chairman, on the 3rd of March, it starts on page 130 and page 132 ,

MR. BARRY:

"I am baffled, quite frankly, or quite frankly baffled, I am not sure, I am baffled, quite frankly by the use of these words, 'ownership', 'control', 'jurisdiction!', and then the hon. member for LaPoile (Mr. Neary) threw in 'and management cost'. He is baffled. He does not understand them.

MR. CHAIRMAN (BUTT):

Order, please!

The hon. minister's time has expired.

MR. BARRY:

And, Mr. Chairman, this is when he has the full documented position of the Province.

MR. NEARY:

Mr. Chairman.

MR. CHAIRMAN:

The hon. member for LaPoile.

MR. NEARY:

Mr. Chairman, we are making a little bit of progress. In the middle of all this debate that is taking place today and all this ranting and raving, we are making a bit of progress, I believe, because it is becoming clear to me, at least, that the government's position now, even though the Premier told us that -

MR. BARRY:

Now?

MR. NEARY:

Yes. The Premier told us the day that he read that speech in the House that there were three options. He mentioned three options.

MR. BARRY:

That was 1974.

MR. NEARY:

No, this was only a few weeks ago, a few weeks ago when the Premier read his speech in this House he said there were three options open to the Newfoundland Government to get confirmation of the ownership offshore.

AN HON. MEMBER:

(Inaudible) now.

MR. NEARY:

Three, he said three. We since heard one from the President of the Council (Mr. Marshall), and then we already knew about the Clark formula so that was five. But now let me see if I understand the hon. gentleman correctly. Is this the position of the Newfoundland Government, that in order to confirm the ownership offshore the Newfoundland Government are following the Clark formula? And let us be fair about the Clark formula now. Mr. Clark said that his letter was misinterpreted by the Premier of this Province. The Clark formula is

MR. NEARY:

that if the government - he agreed to give ownership to Newfoundland, to give ownership to the Province providing that the Province could get the agreement of the other nine provinces of Canada to make a constitutional change.

MR. BARRY:

He never.

MR. NEARY:

Well, that is what he said.

MR. BARRY:

He never said that the agreement of the other provinces was necessary.

MR. NEARY:

It is in the letter. Well, just read the letter again, get the letter and read it.

MR. WARREN:

He cannot read. He cannot read.

MR. HODDER:

He did so say it.

MR. NEARY:

The letter - Mr. Chairman, this is what I am trying to get straight in my mind.

MR. BARRY:

It is not necessary, the agreement of the other provinces is not necessary. I thought the member had accepted my position on that.

MR. NEARY:

Mr. Clark said down at the Holiday Inn that night, after he met with the Premier, he said -

MR. HODDER:

It is in the letter too.

MR. NEARY:

Yes, and it is in the letter. What he said was that, "Yes, my government will give you ownership, control or management, whatever term you want to use, providing you can get the agreement of the other nine Provinces of Canada." Now, let me ask the hon. gentleman this, "Is that now the government's position? Is the government now saying - and I got the impression from the Premier when he spoke, I wish he was in his seat so he could clear up this matter in my mind - is the Newfoundland Government taking the position that they own the resources, that Newfoundland owns the resources, but it has to be confirmed through a constitutional change?" Is that what the hon. gentleman is saying?

MR. BARRY:

I am not saying that, no.

MR. NEARY:

Well, what is the hon. gentleman saying? The Premier said it.

MR. STIRLING: They have got together, he and 'Hodder'.

MR. BARRY: Constitutional change is one way of doing it.

MR. NEARY: Now, here is what Mr. Clark said in his letter, Okay? All right, just listen now. "I wish to take the opportunity, presented by the publication of our exchange of letters, to confirm that the Government of Canada is prepared to see these principles applied to the resolution of the offshore issue with all provinces concerned. Indeed, I am sending a copy of this letter to all the Premiers because all are interested in the matter to some degree and will - listen to this - and will in due time have to deal with it in a constitutional discussion."

SOME HON. MEMBERS: Now! Now!

MR. FLIGHT: Now! There you go.

MR. NEARY: What Mr. Clark is saying in this letter -

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN (BAIRD): Order, please!

MR. BARRY: He never said the agreement of the other provinces was necessary.

MR. CHAIRMAN: Order, please!

MR. NEARY: Well, that is the only way that you - let me quote again -

MR. BARRY: He did not say -

MR. NEARY: Let me quote again from Mr. Clark's letter.

MR. NEARY: Mr. Clark stated in his letter.

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN: (Butt) Order, please! I have problems here hearing the hon. gentleman.

MR. NEARY: No, here is what he said now, I will repeat it again so that hon. members on both sides of the House will hear the exact words of Mr. Clark, in his letter: "I am sending a copy of this letter to all the Premiers because all are interested in the matter to some degree and will in due time have to deal with it in a constitutional discussion."

MR. BARRY: (Inaudible) have to agree (inaudible).
(Inaudible) because the Clark government believed in consultation with the provinces (inaudible).

MR. NEARY: Well, Mr. Chairman, to the best of my knowledge -

SOME HON. MEMBERS: Oh, oh!

MR. CHAIRMAN: (Butt) Order, please! Order, please! The hon. gentleman from Lapoile has the floor.

MR. NEARY: I am enjoying the banter back and forth, Mr. Chairman, but when you strip the Minister of Mines and Energy (Mr. Barry) stark naked and expose him for what he is, he blows his cool, he goes out ranting and raving. He goes down to Rotary and he said, "What is the Opposition's position? What is the Opposition's position?" he says, going out on television, ranting and raving around the Province and on the mainland. Mr. Chairman, that is not the question at all. Does it make any difference what our position is? They are the government, they were elected to govern this Province.

MR. BARRY: (Inaudible) more agreements yet?

AN HON. MEMBER: Do not get worried.

MR. NEARY: Listen, Mr. Chairman, just listen to this. Listen to the gentleman who is out ranting and raving and dragging red herrings and white elephants into the case and saying, "What is the Opposition's position? We cannot get agreement from the Liberals." "Proposals", Mr. Clark says, "proposals for constitutional change will,

MR. NEARY: of course, need to be considered at an appropriate time by all governments together in the context of the continuing committee of ministers on the constitution."

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: The hon. gentleman cannot be, Mr. Chairman, the hon. gentleman cannot be as naive, the hon. gentleman cannot be as naive and as stupid as he is pretending at the moment. The only way, traditionally, to get a constitutional change in Canada is by all the Provinces agreeing.

MR. STAGG: It is not so.

MR. NEARY: It is so. It has been so since 1936.

MR. BARRY: Could I ask a question?

MR. NEARY: It has been so. It is tradition, it is not law. It is tradition but not law. Yes, go ahead, I welcome it -

MR. CHAIRMAN: (Butt) The hon. Minister of Mines and Energy.

MR. NEARY: - as a matter of fact, I will yield and then I will have another ten minutes. The hon. gentleman can carry on for a few minutes.

MR. BARRY: Mr. Chairman, just a question. Am I not correct in recalling that the hon. member stood up and pointed out that the member for the Strait of Belle Isle (Mr. Roberts) was in error on his constitutional interpretation that the agreement of all the provinces was necessary? Did the hon. member not do that in this past session? And did I not table a series of precedents showing that 90-odd per cent of the constitutional amendments that have been carried out have been carried out without agreement by all the provinces, and, in fact, a number of them were carried out despite the very strong objections by some of the provinces?

MR. CHAIRMAN: The hon. member for Lapoile.

MR. NEARY: I believe, Mr. Chairman, since 1935 or 1936 not one constitutional change has been made in Canada without the agreement of the other provinces. It is not the law, it is the tradition in Canada, and no Federal Government since that time would dare amend the constitution

MR. NEARY: without prior consultation with the other provinces of Canada. The hon. the Premier knows that, but now that he is back in his seat let me ask him if I got him straight. Is the hon. gentleman saying that the Province is now going to follow the route of having the constitution amended? Is that what the hon. gentleman is saying? If so, let the government say that is their official position and then we will decide over here if we agree with that or not, because Mr. Clark said, "In order to accomplish what I said I would do by giving you the offshore rights, the ownership of the offshore resources, in order for me to do that you have to get the agreement of the other nine provinces of Canada". That is what he said during his visit to Newfoundland. Now, is that what the Premier is saying? Is that the official position of the Newfoundland Government at the present time?

AN HON. MEMBER: (Inaudible).

MR. NEARY: I am asking the hon. gentleman, I would like to know. I am serious about this. Is that the position?

PREMIER PECKFORD: I have given the position (inaudible) -

MR. NEARY: All right.

PREMIER PECKFORD: - principles, I will give it again when (inaudible).

MR. NEARY: All right. Well, is the hon. gentleman going to try to seek the agreement of the other nine provinces so that if he accomplishes, which almost seems impossible at this moment, but is he going to set out to try to accomplish that. If so, let him say so, and then we will decide whether or not that is the most expedient way to confirm the offshore ownership. I am at a loss, I do not know.

MR. CHAIRMAN: Order, please!

MR. NEARY: I am looking for information. I am asking the hon. gentleman to tell me.

MR. CHAIRMAN: Order, please! The hon. member's time has expired.

April 28, 1980

Tape No. 1108

RA - 1

MR. CHAIRMAN (BUTT)

The hon. the Premier.

PREMIER PECKFORD:

Mr. Chairman, obviously anybody

with an independent mind listening to the debate this afternoon would, I guess, laugh and cry all at the one time. It has been rather, really, in one sense, a useless debate because, Mr. Chairman, we have been over it one hundred times, a thousand times - Mr. Chairman, I would like to be heard in silence because there are certain things I would like to say.

MR. CHAIRMAN (BUTT):

Order, please ! The hon. the Premier

wishes to be heard in silence.

MR. T. LUSH:

debate and laugh and cry at the same time.

PREMIER PECKFORD:

Mr. Chairman, because no matter how

much the member's either sitting or standing want to try to create some problems here to get themselves out of the corner that they have painted themselves in, there is just no way, Mr. Chairman, that this side of the House or this government is going to allow the Liberal Opposition to get out of the corner that they now find themselves in, there is just no way in the world, we want to see all Newfoundlanders-

MR. L THOMS:

very revealing.

PREMIER PECKFORD:

Mr. Chairman, we want to see -

Mr. Chairman, Point of Order, may I have silence.

MR. CHAIRMAN: (Butt)

The hon. the Premier wishes to be

heard in silence.

PREMIER PECKFORD:

What I am asking for, Mr. Chairman,

is for all members of the House of Assembly to join the government in endorsing the four principles outlined in the letters of exchange between the Prime Minister of Canada and myself. Now, in those four letters, and the member for LaPoile (S. Neary) just cannot escape the obvious, is set down a process by which this can be affected, by which this can be realized. And as the Prime Minister mentions in his reply, the Supreme Court is put to one side as, obviously, it becomes unnecessary. And the process is, and if the will is on both sides and it is done by letters of intent between the two first ministers, done by legislation

PREMIER PECKFORD: in both Houses, done by Orders in Council by both governments, if that process is followed you see and if, in fact, down the road it is seen that even with all the precedents there is a desire for amending the constitution so be it but you will have entrenched then, you will have entrenched, letters of intent, you will have entrenched formalized agreement, you will have entrenched Orders in Council, you will have entrenched pieces of legislation in both parliaments, you see, and the years will have passed, the exercise of the provincial jurisdiction will have been continuing as if there is almost like squatters' rights, with all of those things being agreed to by both sides ANYWAY. But if some academic, if some theoretician, if somebody who has a great pleasure in looking at the niceties of the constitutional requirements in this country sees that, well, even though all those other precedents are there, even though those two letters of exchange are there, even though the Orders in Council are there, even though the legislation is in both Houses, even though all those things are in place, the formalized agreement is there, you still need constitutional change, fine, there is nobody against it Besides which, Mr. Chairman, all the Provinces agreed on two or three different occasions now, in communiques, in resolutions at the Premier's conferences, to support this. The four Premiers of Western Canada have done so. So there is no way, you see, that the members Opposite can get away from the fact that there are four principles which contain the ownership question and control, number one, which contain the fact that we recognize that there are national responsibilities here in environment, excise taxes, external affairs, that still apply in the same way as they apply now even though we own the trees. We own the trees but there is pulp and paper exported outside of Canada.

SOME HON. MEMBERS:

Oh, oh!

PREMIER PECKFORD:

Thirdly, that the National Energy Board

PREMIER PECKFORD: is still applicable in the same way it is now applicable to Saskatchewan, and Alberta and British Columbia. And fourthly, the process to be used to give effect to this ownership residing in the Province, is through that that process of it, in exchange of letters, legislative change in Orders in Council and then, if necessary, constitutional change. That is the process, That is the process that the former Prime Minister agreed to. Now, that is where it is and I challenge again-and that is the process that the member for LaPoile (Mr. Neary) was asking me a question about earlier. That is the process. Confirm these exchange of letters, or these four principles between us two to get the ball rolling. There is nothing wrong with that. Just let us get the ball rolling by Orders in Council from both governments confirming those principles, get that done first

PREMIER PECKFORD:

and then put that Order in Council in letter form back and forth to the two governments. That is done. Then we sit down and work out the details that flow from those principles. Then we pass legislation in our respective jurisdictions and then, if necessary, two or three years down the road, or whatever, constitutional change which will become a part of the process. That is the methodology by which it can be accomplished, very simple and very easy.

Number two, we will be - and let nobody doubt it - obviously, we will be, over the next number of weeks, sitting down with the federal authorities. Right now we cannot get answers from any DREE proposals that are put forward, or whether they are going to be signed. We have been talking to the federal government as it relates to hydro power and so on, only communication in letter, we cannot get any real answers only acknowledgements. But what we intend to do is be a very, very responsible government as we were with the Clark Government in the sense that we want to put a package before the Prime Minister and the respective ministers. We do not want to be ad hocly going every day. Here is how we perceive the relationships between the two governments over the next four or five years, and here are the big issues: the role of DREE in Newfoundland; the role on transportation policy; the role of both respective governments as it relates to ownership of offshore. And we will embed those principles again and ask for the next stage to be done. I agree with the Opposition, I agree, I would say the comments of the present Prime Minister notwithstanding during the election and when he was Prime Minister before, I do not think the Prime Minister for one minute is going to reject those four principles, I do not see how he can. I think it would be totally, totally inconsistent with any individual assuming the office of Prime Minister to reject those principles, totally wrong. I mean how can the Prime Minister of Canada reject this kind of correspondence between two respective individuals fulfilling their roles as first ministers in their respective jurisdictions? I do not think he can. I think he will in due course honour those commitments made by his predecessor. I do not think there is any question about that.

PREMIER PECKFORD:

But we are not going to do it ad hocly and within about twenty-four hours, forty-eight hours. We have been working on refining our document on bilateral issues which contains the ownership of the offshore question, which contains the question of Newfoundland, of hydro flow through Quebec, which contains DREE agreements, which contains transportation policy and then present it to the Prime Minister and the respective ministries, and then three or four weeks thereafter ask and request, reasonably and rightly, a meeting with the Prime Minister to discuss the major issues and leave the other ones as we did before, with the DREE Minister and with the Transportation Minister, so that we do it properly, reasonably and not in an ad hoc fashion. That is our approach and it is a reasonable, sensible approach for us to take.

So that is where we stand. There are four principles that we would like to see all members of the House agree to which are critical, in our view, for any meaningful support. We will be obviously communicating with the federal authorities on it over the next week or two now because we are in the final stages of refining and putting our whole federal-provincial position on a whole bunch of issues dealing with transportation which is so important, ongoing DREE agreements which are long overdue to be signed and a whole bunch of other issues which are so important, fisheries matters and all the rest of it. That is where we stand on it and we see no reason why the Liberal Opposition would continue to try to muddy the waters and to use other tactical ways of diminishing the importance of those principles, the major principle of which is that you endorse the principle - and we should put it in a resolution, it would only take fifty seconds, we can do up a resolution; BE IT RESOLVED, WHEREAS the Government of Newfoundland is such and such economically and so on. WHEREAS other provinces have have on land ownership and control of their mineral resources; and WHEREAS this is the natural extension of the land mass under the ocean bed; and WHEREAS international law from time immemorial developed up to 1949, said that the coastal state; and WHEREAS in the Terms of Union we did not relinquish that from our Dominion status towards the federal; THEREFORE BE IT RESOLVED

PREMIER PECKFORD:

that this House unanimously supports the following four principles as they relate to the ownership and control of the mineral resources on the Continental Margin.

And then there is no need for debate, we have been debating it for years. The White Papers are out, Heritage of the Sea document is out, all the relative correspondence is out. We all know what it all means. It means the same

PREMIER PECKFORD: thing as we are doing now on land with iron ore and trees, there is no difference. The other jurisdictional competency still apply as they do now in trade, and as they do for environment and so on, you work all those out the same as we are doing now with trees, the same as we are doing with iron ore, the same as we are doing with lead and zinc and asbestos and everything else. And then we have a very, very strong position as members of this House, You know, Mr. Chairman, we are going to proceed anyway as a government. As the Opposition says, we are at a lead and make no mistake, we intend to lead and I think we have shown that over the last number of months. And on this issue we will, with or without the Opposition, it makes no difference. But I would like to think that we can put aside our partisanship and agree to those four principles as being Newfoundlanders.

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: I have no argument with the member for Port au Port (Mr. Hodder) who says, 'Why, but we are over here - there will be no Opposition' he said, 'if we support the government'. I am not asking the member for Port au Port not to oppose us, oppose us on a multitude of things, obviously. But on selective particular issues, as we have seen in the past, there can be unionimity in this House and let us not lose that. But oppose! I say to the member for Port au Port I want you to oppose go right to it but surely there are certain particular issues of principle, which we have all grown up with, we were born with and have grown up with and have learned to live with which are so important that they override, the thrust and heat of particular partisanship that goes on in this House of Assembly, legitimately so, from time to time and that is all I am asking in this case.

SOME HON. MEMBERS: Hear, hear!

MR. CHAIRMAN (Butt):

The hon. member for Bonavista North.

MR. L. STIRLING:

Thank you, Mr. Chairman. It has been a long afternoon of waiting, a very interesting debate. I think there is one thing that the Premier will go down in this Province for and that is government by impulse. We have seen two Premier's here this afternoon, we saw the Premier who just came in from - whatever has happened to him this afternoon he has been cooled down, they maybe talked him down. He came in reasonable, he said, 'Mr. Speaker - he was interrupting everybody over here - he said, 'I have some reasoned approach to make, I want to make a sound, sensible kind of an approach. It is not the same wild Premier that we saw a little while ago, the one who said - do not leave now Mr. Premier, do not chicken out now. When you were waving your hands we sat - and he said, 'Come over, the member for Baie Verte - White Bay (Mr. Rideout), he could not stand, he left the government on a question of principle. Well, let me just tell you what the member for Baie Verte - White Bay said when we had the minister in front of the Resources Committee - I do not have time to go into the whole thing - but he said, 'I, for one, believe that a definitive judgement of our position by the courts would have been much more beneficial in the long run than a political settlement. That is what the member said. Well, one reason, he did say last Fall, when he would not join this government, one of the things he did say is 'I could not join such a corrupt government'. That is one of things he said so maybe the Premier here, since we are under Premier's salary, what corrupt practices that we was going on with last Fall that he now does not go on with? I am prepared to discuss that, debate that. The reasonable man has left. This is what the member for Baie Verte - White Bay said, he would prefer a political settlement -

April 28th., 1980

Tape No. 1110

DW - 3

AN HON. MEMBER:

Court settlement.

MR. L. STIRLING:

A court settlement. I believe that a definitive judgement of our position by the courts would have been beneficial in the long run to the Province than a political settlement.

MR. L. THOMS:

I wonder what made him change his mind, that is what I would like to know.

MR. L. STIRLING:

Mr. Chairman, I have a confession to make. The confession that I have to make is that the minister, who may want to avoid the subject now, but three months after

MR. L. STIRLING: the election last year when we said to him in the committee, "Have you got a letter from the Prime Minister?" This is what I asked him. He said, 'It would seem to me to be good common sense that we at least get a letter from Mr. Clark stating "That the promise that I made which was that you have the ownership of the mineral resources has not changed and we are going to set up committees to confirm whatever is necessary to confirm that point." Can we get that confirmed? That is my confession to my colleagues because the Liberal Party position since 1975, has not changed, we have been consistent that we want the ownership and control of the offshore. So I asked the minister, 'Have you got that letter? Will you get a letter?' And here is what he said, "I am sorry, Mr. Chairman, I am not going to give the hon. member a commitment I am going to get a letter from the Prime Minister of Canada. I am not going to give that commitment." And then for pages and pages he goes on to explain why he does not think we should suggest something. When the Prime Minister is ready. And then suddenly this letter that we talked about for pages -

MR. F. STAGG: The Prime Minister was ready in September.

MR. L. STIRLING: 'I will not give a commitment. I will not give a commitment that this is the way we will proceed because that is exactly why we are doing very careful preparation in our approach.' That still has not been tabled. The Premier, the government by impulse, came in this afternoon, rifled through a few pages and like a mad man said here it is look, the principles.' Gave me a copy of the principles. Dashed around and said, 'Will you sign them? Will you sign them?' The member for LaPoile (Mr. Neary) said, "Yes there is. Here it is in writing. Now, I signed it, what are you going to do about it?" And he took off out of the House. Then he came back -

SOME HON. MEMBERS: Oh, oh!

MR. L. STIRLING: Let us give them a minute of silence. Would you like a minute of silence? You see - I do not mind the debate

