

PRELIMINARY
UNEDITED
TRANSCRIPT

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

The House met at 3:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER: Order, please!

STATEMENTS BY MINISTERS

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, in last year's budget, this government announced its intention to abolish the Special Action Group.

I would now like to inform this hon. House that the Action Group has been disbanded and all its affairs wound up.

Mr. Robert Cole, who had headed up the group, will have his employment with government terminated on March 15th. of 1980. Government has reached an agreement with Mr. Cole on the remaining period of time set out in his contract. The settlement is equivalent to fifteen months' salary, an amount of \$65,000. This contrasts with approximately \$500,000 the Province would have had to pay if the contract had run its course. This amount is in line with settlements normally made with senior employees in the private sector.

Mr. Cole's separation from government is as a direct result of the abolition of the Action Group. He performed his duties with the Action Group well and conscientiously, and his separation from government is not to be construed as a reflection on his abilities or his performance.

I hereby table this.

MR. SPEAKER: The hon. member for the Straits of Belle Isle.

MR. E. ROBERTS: Mr. Speaker, let me first of all say that we on this side welcome the Premier's statement that nine months after the announcement of the Action Group was to be

MR. E. ROBERTS: abolished, the government have taken the action to abolish it. We have always felt, and I think it has been made abundantly clear by people on this side of the House, that the Action Group really served no purpose at all and it is a significant step forward in the administration of the affairs of the government of this Province that it no longer is with us.

 Having said that, I would like to say that that is no reflection on Mr. Cole. I find no trouble at all in associating us on this side of the House with the Premier's words about Mr. Cole. I suspect that these were the result of an agreement between government lawyers on one hand and whoever was acting for Mr. Cole on the other hand, but we have no complaint. I think Mr. Cole did the very best he could with an impossible job.

 I would like to go on to say that I think the government have made a very bad settlement. They may or may not have made it upon legal advice, but if they did they had bad legal advice, because that contract, Sir, was never valid for more than one year. There is a statute of this House which says, Mr. Speaker and before my learned friend for St. John's East (Mr. MARSHALL) gets up, I am not debating it I am simply making a few comments

MR. ROBERTS: there is a statute of this House, Sir, an act of this Province, which says that no contract for more than twelve months is valid unless it is ratified by the Legislature. That contract was never ratified by the Legislature and therefore the government, in my view, or in our view, have acted injudiciously, to use that word, injudiciously in agreeing to give Mr. Cole fifteen months' salary. I think his legal rights, Sir, were that he was entitled to nothing, and I think his moral case was that he was entitled to nothing because, Sir, that contract could lawfully never have been signed and ought never to have been signed. It never came before this House of Assembly and now we have got the case where the government have wasted \$65,000.

Having said that, Sir, there will be an opportunity to debate the matter, we shall debate it, but I do want to say that I think the government have acted very unwisely if not unlawfully.

MR. SPEAKER (Simms): The hon. Minister of Justice.

MR. OTTENHEIMER: Mr. Speaker, with leave of the House I would like to propose motions of congratulations and best wishes with respect to certain gentlemen, one who has retired from, and another two who have received appointments to the judiciary.

As hon. members know, since we last met Chief Justice R.S. Furlong, after having served many years as Chief Justice of Newfoundland has retired, and I am sure hon. members would all wish the House to express to him through you, Mr. Speaker, our appreciation for his many years of service and best wishes for a happy and lengthy retirement.

Also, since the House last met, of course, Chief Justice Mifflin has been appointed Chief Justice of Newfoundland from his previous position as Chief Justice of the Trial Division, and also Chief Justice Hickman has been appointed in charge of the Trial Division of the Supreme Court of Newfoundland and I feel reasonably

MR. OTTENHEIMER: confident that the House would wish, also through you, Mr. Speaker, to communicate to these hon. gentlemen the congratulations and best wishes of the House of Assembly.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Simms): The hon. member for the Strait of Belle Isle.

MR. ROBERTS: Mr. Speaker, it is a pleasure to associate us on this side of the House with the remarks made by the learned Minister of Justice. The service of the hon. Robert Furlong as Chief Justice of this Province, and latterly as Chief Justice of the Court of Appeal in addition to being Chief Justice of the Province, speaks for itself, Sir, and it needs no embellishment from me. I know that all of us in the House, and I am sure I reflect the Bar of this Province, Sir, wish the learned former Chief Justice a long and a happy retirement.

Chief Justice Hickman's elevation, Sir, was a welcomed one from many aspects, but as I think my friend

MR. ROBERTS: from LaPoile (Mr. Neary) said, the Chief Justice of the Trial Division showed a superb sense of timing. His distinguished career in one phase of public life came to an end at just the right time. The window was open and he was translated into another place where I know he will serve with great distinction and will add considerable lustre both to the Bar of this Province and to the Bench of this Province and will continue a career that has been marked with distinction in a number of ways. I am sure we all wish him well in his new career. I think, Sir, he holds out a shining example to all of us who still -

MR. NEARY: I hope none of us ever appear before him.

MR. ROBERTS Well, I appeared before him this morning, in fact, but I -

MR. NEARY: Acting as solicitor.

MR. ROBERTS I was acting as a solicitor. If my friend from LaPoile (Mr. Neary) appears it may be in a different capacity, unless he has recently been admitted to the Bar. But I do want to say, Sir, and I know I speak for all the members of the House who are at least according to the rules learned, that the former Minister of Justice, now the Chief Justice of the Trial Division, is a shining example, Sir, for all of us who labour at the Bar and I hope he goes to prepare a place for at least some of us, Sir, We wish him well in that.

MR. JAMIESON: They will look after you, 'Bill', when the time comes.

MR. SPEAKER: (Simms) Does the hon. minister wish to speak on the motion?

Is it the pleasure of the House to adopt the said motion? Those in favour "Aye", contrary "Nay", carried.

MR. SPEAKER:

The hon. Minister of Fisheries.

MR. MORGAN: Mr. Speaker, today I am pleased to inform the House of Assembly that a partial re-organization of the Department of Fisheries has now taken place of the senior management of the department, as well as the announcement today of two senior appointments to the provincial Fisheries Loan Board.

The re-organization in the departments resulted in the creation of a position for an Assistant Deputy Minister who will take over the responsibility of administering the Divisions of Program Planning and Review and Field Services and Administration. These divisions formerly reported directly to the Deputy Minister.

The creation of this new position will enable the Deputy Minister to concentrate his efforts more and co-ordinate that of other senior staff in developing overall policies and strategies to meet provincial fisheries objectives.

Mr. Speaker, the last re-organization of the Department of Fisheries occurred back seven years ago and the programs and activities of the Department of Fisheries since that time have greatly expanded. The staff of the Department has increased from 47, as it was seven years ago, to now 130 and the budget has increased from \$8 million, back in 1972, to now approximately \$40 million annually.

I am pleased to announce the appointment of Mr. R.A. (Ray) Andrews, 38 years of age, formerly of Port de Grave, to the new position of Assistant Deputy Minister of Planning and Administration.

Mr. Andrews holds a Bachelor

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MR. MORGAN: of Science degree from
Memorial University, and has approximately eighteen
years

MR. J. MORGAN:

experience in the federal Department of Fisheries and Oceans in a number of technical and managerial capacities. His most recent post was the central area manager responsible for the central part of the Island and most of Labrador.

I indeed welcome Mr. Andrews to the Department of Fisheries and I am sure that his experience and his expertise will go a long way in better preparing the department to meet the challenges of the 1980s.

The creation of this new position of third A.D.M. brings the number of assistant deputy ministers now to three, the others being Mr. Herb Goudie, the Assistant Deputy Minister of Fishery Services responsible for the divisions of Engineering and Facilities and Incentives and Assistance, and also Mr. Leslie Dean, who is the Assistant Deputy Minister of Fishery Development responsible for the divisions of Fishing Operations, Fisheries Technology as well as Market and Product Development.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER: (Simms)

Order, please!

MR. J. MORGAN:

Mr. Speaker, over the last while

the Fisheries Loan Board has been acting on an interim basis, or carrying out work on an interim basis to the major review being carried out by government with regard to the activities and the operations of the Loan Board. That review will be completed within ten days and I am pleased to announce today the appointment of a new permanent Chairman and a new Comptroller for the Fisheries Loan Board. The new Chairman, I am pleased to announce, is Mr. Frederick G. Pike, a Registered Industrial Accountant, and he has been now appointed Chairman of the Loan Board.

Mr. Pike, a native Newfoundlander, has considerable experience in the fishing industry. In fact, he served in a number of capacities with Fishery Products for as long as seventeen years. He has worked for the provincial Department of Finance and his previous position before taking the appointment of Chairman of the

MR. J. MORGAN:

Loan Board was that of District
Manager of Revenue Canada.

Mr. Pike is married to the former
Eileen Mercer and they have one son.

With the importance of the Fisheries
Loan Board to the orderly development of the fishing industry, it was
essential in my view as a minister, and as a view of the government,
that we attract a senior executive who has a broad range of management
and financial systems experience. I am quite confident, Mr. Speaker,
that the new Chairman brings with him the experience and the background
to guide the Fisheries Loan Board in the challenging days ahead.

The other appointment, Mr. Speaker,
to the Loan Board as well, is the appointment today I announce of the
position of Comptroller of the Loan Board. I am pleased to announce
the appointment of Mr. Sidney C. Blundon. Mr. Blundon, who is a Chartered
Accountant, brings a wide range of financial, budgetary, management and
government experience to the Loan Board, having been employed for the
past three years as a Senior Budget Officer with the Provincial Treasury
Board. Prior to this, he worked for a number of years with the Auditor
General's Department.

Mr. Blundon is also married. He is thirty
years of age and he is married to the former Shelley Willar. They have
three children.

During the past few weeks, Mr. Speaker,
the Loan Board, in an interim way, has been carrying

MR. J. MORGAN: on the programme announced by the Premier last Fall whereby the loans would be arranged for the building of twenty new boats, ranging in a forty-five - sixty-five foot range, and to date eleven of these loans have been approved and contracts awarded and the remaining boats will have applications approved and contracts awarded over the next number of days. Also, over the past six weeks the Loan Board is still being active, despite the complains from certain sectors that the Loan Board is no longer active, it is active whereby over the past six weeks a total of sixty-seven new loans were approved, sixty-seven new loans with twenty-two of these for new and used vessels and forty-five, Mr. Speaker, new loans for the acquisition of new engines and other fishing equipment required by the fishermen. The total value of these loans, Mr. Speaker, was almost \$2 million, in fact \$1.9 million for the past six weeks. And as I mentioned, the Loan Board will be carrying on its activities in an interim way until the overall review is complete, which will be approximately ten days from now, and then, of course, there will be new policy guidelines and criteria set down by the department with regards to the future operations of that Board. But I am convinced with a new Chairman now being put in place and a new Comptroller that the Loan Board will be able to handle the challenges of the future in the fisheries in our Province.

Thank you, Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear.

MR. SPEAKER: (Simms)

The hon. member for the

Strait of Belle Isle.

MR. E. ROBERTS:

Mr. Speaker, this seems to be the day of the pinch hitter, but in the absence of my friend from Trinity - Bay de Verde (Mr. W. Rowe), who normally speaks for some fisheries matters, perhaps I could say a word or two.

MR. E. ROBERTS: Let me begin by saying we welcome the news, we welcome it for two reasons. First of all, we have been waiting a long, long time and so have the fishermen of this Province for some resolution of the apparently hard to credit mess that existed, and hopefully no longer exists, at the Fisheries Loan Board. And the appointment of the new Chairman, Mr. Pike, and the new Comptroller, Mr. Blundon, is certainly a step in the right direction. We wish them well with their work and we hope that in the days to come they will evidence, as I am sure they can and I believe they will, the confidence that has been placed in them by the minister and by his colleagues.

The appointment of Mr. Andrews as an ADM in the Fisheries Department is also welcomed. As far as I am concerned the record of the Fisheries Department these last few years shows that if we need anything we need some planning in there. The Fisheries Department of this Province has not fulfilled its mandate. I would hope with a new minister, determined to make his mark in the political world, that we will see a favourable mark made.

I wish we could go on to debate the Fisheries Loan Board because I suspect, Sir, that when the through is known about that it will be like the Augean Stables and it will take Hercules to clean it out, I do not know whether Mr. Pike and Mr. Blundon

MR. E. ROBERTS: are Herculean or not, but I can assure them that their task is Herculean.

I would hope in this session of the House we will have from the minister something which we have not had so far, and that is a candid and a complete explanation of just what went on at the Loan Board and what the government has done about it. I am quite prepared to believe that nobody in the present administration knew what was happening. They may or may not have been negligent. I do not think it was. They had a right to believe that things were okay. But nobody knew what was happening and I am prepared to accept, if we are shown this to be the case, that when things came to their attention they took the steps to straighten it out. But I do say, Sir, that everything we on this side know, and my friends from Bonavista North (Mr. L. Stirling), LaPoile (Mr. S. Neary) and some others have a great deal of information on this, that the situation at the Loan Board could only be compared to the Augean Stables and the great mess which resulted - the Augean Stables, I recall, were several thousand horses that had not been cleaned up after for many, many years, and that is just the kind of situation that I understand Mr. Pike, the new Chairman, and his assistant, Mr. Blundon, will have to clean up.

We in the House, Sir, -

MR. S. NEARY: And now they are taking it out on the fishermen, and repossessing their boats.

MR. E. ROBERTS: Yes, the fishermen are bearing the brunt of it. There are seven hundred fishermen expecting loans and been led to believe they had a good chance to get them and only 20 are being approved. The fishermen have not been well treated and I think it is incumbent upon the government, as I said, to give us a candid and a complete explanation. Then, when we have seen that, we will be in a position to know whether the government has taken the appropriate steps or not. It is a subject, Mr. Speaker, of which a great deal more will

MR. E. ROBERTS: be heard in this session of the House and it is well it is so.

SOME HON. MEMBERS: Hear, hear!

ORAL QUESTIONS

MR. SPEAKER: (SIMMS) The hon. the Leader of the Opposition.

MR. D. JAMIESON: Mr. Chairman, may I direct my question to the hon. the Premier since it encompasses a number of different departments. He will not be surprised when I say to him that it is about Come by Chance. Is the Premier in a position to give us an unqualified assurance that regardless of what develops that the Come by Chance refinery will not be either dismantled or moved away altogether or sold as scrap?

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

PREMIER PECKFORD: Mr. Speaker, we are working as diligently and as hard we can, the Minister of Finance and other ministers in the government right now, to ensure that that kind of theory does not come into practice, that in fact, the Come by Chance refinery is not sold as scrap. We are moving ahead on a number of fronts right now and are into negotiations with a number of people on the Come by Chance oil refinery and it is the policy of this government to see that that refinery is put back into operation as soon as is possible.

MR. D. JAMIESON: A supplementary, Mr. Speaker.

MR. SPEAKER: (SIMMS) Leader of the Opposition.

A supplementary, the hon.

MR. D. JAMIESON: I thank the hon. the Premier for his answer. My question was prompted by reports and I would like to ask him now whether it is indeed now a fact that the first mortgagees, or their agents or a combination of them have in fact come to the government with a clear-cut indication that they themselves are in fact now getting close to the point at least where they would be prepared to dismantle - that is, on the one hand I make the distinction between dismantling for sale for re-erection somewhere else, or simply selling it for scrap in the matter that I outlined?

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, we have had negotiations, talks with ECGD and the Receiver, and everybody else involved in the refinery over the last week or two weeks as it relates to its future, and there is a fair amount of concern being expressed by ECGD. They have been involved in mothballing the refinery for quite some time now, and of course, they have certain pressures on them in England that we do not here or the agency for the British Government does from its masters, the politicians and the Government of England. Therefore, they are expressing concern to us about the future of the Come by Chance refinery, as it is now, and trying to get it re-opened. And those talks are continuing, there has nothing been finalized as it relates to them removing any interest that they have, there has nothing been finalized with them as it relates to them not continuing to mothball. The matter is still being discussed with the Receiver ourselves, ECGD and everybody else but there has been concern expressed by ECGD in the ongoing

PREMIER PECKFORD: mothballing cost of the refinery. They have expressed those concerns to us and we are now talking to them about those concerns.

MR. D. JAMIESON: A final supplementary, Mr. Speaker.

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

MR. D. JAMIESON: I thank the hon. Premier again. This is strictly for information purposes. Does ECGD or the first mortgagee or whatever combination is in the primary position here, do they have the right to go ahead and make a decision with regard to the demolition of that refinery without the concurrence of the Government of Newfoundland?

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: I have to defer to one of my colleagues present as to the legalities of the question. I do not know if the Minister of Finance (Dr. Collins) or the President of the Council (Mr. Marshall) would like to respond to that in detail. I will bow to -

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

MR. MARSHALL: Mr. Speaker, the present situation is that before the security can be realized in any way, the consent of the court has to be obtained to the realization of the security. There is ongoing litigation before the courts now with respect to it. And in the view of most people the scrapping of the refinery, which would be the very last step that this government would envisage would ever be allowed to be taken, but the scrapping of that refinery would, in fact, be a realization of the security.

MR. MARSHALL: So in answer to the hon. Leader of the Opposition's question, before this was done, apart from whatever position the government will take with respect to it per se, and I can undertake to the House that the government will take a very strong position with respect to it, that certainly there would have to be the

MR. MARSHALL:

consent of the court as well, because this would, as I say, involve a realization of the security.

MR. JAMIESON: A final supplementary.

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

MR. JAMIESON: Perhaps I might direct it to the Minister of Finance, if I may. Is it possible for us, or would it be possible for him to prepare a definitive statement for the House within the next few days giving the situation as it exists at the present time. I do not wish to take the time now to recall the number of different times that we have had indications that there were going to be resolutions of it. Now this has led to, again, an enormous amount of confusion. Would it be possible and can the minister give a date at which it might be possible for him to at least let us know what the state of play is, and perhaps at that time also include some reference to the various reports we have heard that there may be a relationship between the maintenance of this facility and the offshore oil and gas developments?

MR. SPEAKER: The hon. Minister of Finance.

DR. J. COLLINS: Mr. Speaker, the Come By Chance refinery situation is clearly one of great interest to many people in the Province and we have taken pains to inform, mainly through the media because these matters break quickly, mainly through the media we have taken great pains to inform all those interested and we are thinking primarily here of the people in the Come By Chance area.

It is an ongoing situation. There are changes. I am sure the hon. Leader of the Opposition understands that the oil business generally is in a state of great volatility now and this particular matter is perhaps one of the more volatile in that situation. So there are changes almost daily. If one made a statement at any definitive moment in time it might well have to

DR. J. COLLINS: be amended within twenty-four hours even.

All I can say to the hon. member is that we will continue the undertaking we gave some time ago and that is that when matters of importance in regard to the refinery should be made known we will make them known. I do have to make this caveat that quite often there are things going on which the individuals concerned in wish to have confidentiality preserved until such time as something very definite comes to pass, and the receiver who deals with these honours that and we feel that we should fall in behind the receiver in the regard.

MR. SPEAKER (Simms): The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, we have heard so much about appointments today from the government benches, I wonder if the hon. the Premier would care to tell the House of the circumstances surrounding the firing or the resignation of Mr. William E. Fearn, Deputy Minister of Finance and Comptroller of the Treasury?

MR. SPEAKER: *The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, all the information concerning the resignation of Mr. Fearn has been made public, and there is no more I can add than has been made. The Minister of Finance can respond to the hon. member's question as well.

PREMIER PECKFORD: Mr. Fearn has resigned as deputy minister just a few weeks ago and we have now advertised for some other person to fill that role, and that is where it is. Mr. Fearn resigned, as far as I know, for personal reasons and that is where the situation is. There is just no other information, Mr. Speaker. I do not know if the Minister of Finance (Dr. J. Collins) has anything more to add or not.

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

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

MR. NEARY: Mr. Speaker, would the hon. gentleman care to indicate to the House whether Mr. Fearn resigned or was fired? If he resigned, did he resign under duress after a row with the Premier in his office on the Eighth Floor? And if so, would the hon. gentleman - I think he owes it to the people of this Province to tell the true story because this particular individual occupied one of the highest, one of the most senior positions in government, Deputy Minister and Comptroller of the Treasury, and just did not resign out of a clear blue sky. Would the hon. gentleman care to tell the people? The hon. gentleman campaigned in the election that he was going to bring honesty to government, that he was going to give the people -

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

MR. W. MARSHALL: Mr. Speaker, a point of order.

MR. SPEAKER: A point of order, the hon. the President of the Council.

MR. W. MARSHALL: The hon. gentleman is out of order primarily because he is impugning the honesty of a member of the House but also his whole question - not his whole question, but the latter part of his question is out of order in that it contains certain imputations, the imputation being that the whole story is not being told.

I would submit, Your Honour, that it is perfectly appropriate during Question Period to ask questions to elicit information from any member of the ministry but it is not within the rules

MR. W. MARSHALL: of this House or any other House
for a question to contain imputations to the effect that somebody is
not telling the true story or not giving out the true story.

MR. E. ROBERTS: Mr. Speaker.

MR. SPEAKER: (Simms) To the point of order, the hon.
the member for the Strait of Belle Isle.

MR. E. ROBERTS: If I might, Mr. Speaker, I find it
peculiar that a member of the government would object to a member on
this side reminding the government of their commitment to honesty and
total disclosure. I do not think the comments preparatory or supplementary
to the question asked by my friend from LaPoile (Mr. Neary) were in any
way out of order. He was not impugning anyone's motives. And as for
the gratuitous comment for which we are suitably grateful that we are
allowed to ask questions to elicit information, I would say to the minister
and my learned friend that we will ask the questions and we do that very
well. If they on the other side were one half as good at giving information
as we are at asking questions we would not have this kind of thing.

MR. JAMIESON: Hear, hear!

MR. SPEAKER: Order, please!

MR. E. ROBERTS: I think the Premier should be allowed to
answer the question. Many of us suspect we have not had the full story
about Mr. Fearn and we intend to keep after it.

MR. SPEAKER: With respect to the point of order,
I would rule there is no point of order, there is clearly a difference of
opinion. The hon. member has asked the question if the hon. the Premier
wishes to respond.

The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, I cannot answer and give all
the information on every question totally to the satisfaction of every
single member of this House every time I get on my feet to give information,
because, obviously, some people might believe and other people might not
believe. I can only leave it to hon. gentlemen of the House on both sides
and to the media to report

PREMIER PECKFORD: the facts as they are given and then allow individuals to criticize and to attack what I have said and to make certain allegations about what they think I have not said and I should have said. All I can inform the hon. member, he asked the question whether Mr. Fearn resigned or whether he was fired, and I have answered the question that Mr. Fearn resigned and that there is no more to it than that. If the hon. member for LaPoile (Mr. Neary) wants to allege that there is more to it than that, the hon. member is quite in his rights so to do. I have answered the question for the hon. member. There is nothing hidden. There is no dishonesty on my part in giving the information. I can only give all the information that I have, that is that Mr. Fearn has resigned and he is no longer the Deputy Minister, one of the senior posts of government. We now have an Assistant Deputy Minister filling in as Deputy Minister. We have gone out to ads to attract other competent people to apply for that job. There is no more than that to it. If the hon. member knows something more than I do, I would ask him to please provide the information for me so that I can check it out. But Mr. Fearn has resigned and that is all there is to it. I cannot be more than honest. I can only give all the information I have and that is it.

MR. NEARY: A supplementary.

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

MR. NEARY: Would the hon. gentleman, Sir, indicate to the House if he and Mr. Fearn had any very serious disagreements or discussions or if Mr. Fearn's resignation was suggested by the hon. gentleman because of his handling of the negotiations with the First Arabian Corporation to take over the oil refinery at Come By Chance? Is this what

MR. NEARY: led up to the resignation of Mr. Fearn? And would the hon. gentleman also - I would like to make it a double-barrelled question seeing Your Honour said it was my last - I ask the hon. gentleman what settlement the government will make with Mr. Fearn? Will they make a similar settlement as they made in the Cole case?

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

PREMIER PECKFORD: Mr. Speaker, the answer to the first part of the question is no, it had nothing to do with his handling or anybody else's handling of the Come By Chance situation. The severance pay and whatever else was due Mr. Fearn as a senior civil servant, as is given to all senior civil servants, was applied and we can provide the hon. member with that information over the next number of days. No, it had nothing to do with Come By Chance and, two, obviously with a senior post like this, a man like Mr. Fearn, we did provide him with the normal severance pay allocations which are provided to all people who leave the service and who had such senior jobs as Mr. Fearn held.

MR. SPEAKER: The hon. member for Bonavista North.

MR. STIRLING: Mr. Speaker, I have a question for the Minister of Fisheries dealing with the Fisheries Loan Board. Can the minister tell us how many applications are still in the possession of the Fisheries Loan Board for which fishermen have not been given a satisfactory answer to these applications that were on file prior to the two boards being appointed?

MR. SPEAKER: (SIMMS) The hon. Minister of Fisheries.

MR. J. MORGAN: Mr. Speaker, I am not clear on the question with regard to the two boards being appointed, but I am assuming he means the appointment today of two members of the board. But the situation of the Loan Board is that in the Fall of 1979 the government had to issue additional funds to that board to keep it operating and the total allocation this financial year up until the end of March will be \$24 million, \$24 million additional dollars to that board and that is in comparison to in 1978, last year, a total of \$8 million. So there was three times as much money went into the loan in this present fiscal year than in any other previous year. The total number of applications on file when I took over the department in checking into the Loan Board was around - I can get the exact for the hon. gentleman - but it was around 700. Now many of these applications were not qualified applications, the applications had to be screened and the applicants screened accordingly and it came down to between I think it was around 250 or 275 qualified applications. And many of these applications are being processed under the interim financing which was put in last Fall in October, up until now.

MR. S. NEARY: How many votes were there?

MR. J. MORGAN: I mentioned in my today's statement a total of twenty-two boats in the last six or seven weeks were approved for loans in either used boats or new boats, in most cases used boats where they changed ownership. So the board is still active and obviously quite active during this present fiscal year by spending \$24 million of the taxpayers money.

MR. L. STIRLING: A supplementary, Mr. Speaker.

MR. SPEAKER: (SIMMS) A supplementary, the hon. member for Bonavista North.

MR. L. STIRLING: The Minister of Fisheries (Mr. Morgan) still has not answered the question. But to be specific as a supplementary question, all of us have requests from fishermen who have had their boats financed through the Fisheries Loan Board and now have need for new engines to go in these boats, the old engines are not working. He knows very specifically about one that he agreed to intercede on his behalf. That application has been here since early Spring, he is about to start fishing in his longliner, he is now behind in his payments, and the Fisheries Loan Board has told him that they will not finance his engine. Now how does the Minister of Fisheries propose to handle the applications of fishermen in that kind of situation? Their banker, the Fisheries Loan Board, have financed the boat, they cannot go fishing, what is the minister's position?

MR. NEARY: He is too busy repossessing boats.

MR. SPEAKER: The hon. Minister of Fisheries.

MR. J. MORGAN: Mr. Speaker, I will answer the question in detail because the hon. gentleman brought up an individual case. But I will say, first of all, Mr. Speaker, while I am the Minister of Fisheries I am not going to interfere in the operations of the loan board. Never! Never!

SOME HON. MEMBERS: Hear, hear!

MR. J. MORGAN: I am not going to interfere on any individual loans being made or any applicants. The criteria is set down for the board to operate on it. And in one case a few days ago, representations came from a certain member and a certain area, and one case from the

MR. J. MORGAN: Bonavista North area asking me to interfere and I said, 'No, I am not going to interfere. The criteria is set down! And if that hon. gentleman wants to interfere himself I still think it is wrong because the criteria is set down. In this case, the man has been in arrears for two or three years in his payments, there has no payments being made. I can give the hon. gentleman details outside the House if that is necessary. But this one individual case, I am not going to interfere; in fact, in any other case in the future. The situation is there is interim financing arranged right now up until the end of March, our new fiscal year, and the board is dealing with the applications on a hardship basis. Any cases where an applicant meets the criteria, meets the guidelines and there is hardship involved, where there is a boat with no engine, For example, or a boat with no fishing gear or equipment on the boat, these applications will get priority under the interim financing period up until the end of March. But again I want to repeat I am not going to get involved in intercepting any applications on behalf of any applicant while I am Minister of Fisheries.

MR. D. JAMIESON: A supplementary, Mr. Speaker.

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

MR. D. JAMIESON: Mr. Speaker, I would not have asked for a supplementary but I do think the hon. minister would want to set the record straight with regard to his use of the word 'interference! If I heard him correctly-and if I did not, my apology - he did not feel that-I believe he said, "Members ought to interfere". Well, surely, without becoming argumentative, he did not mean that it was inappropriate for members on either side of the House to make representations to the Fisheries Loan Board or to any other government body on behalf of their constituents. I just want to make that point. Is that his understanding of it?

MR. SPEAKER: (Simms) The hon. Minister of Fisheries.

MR. J. MORGAN: Mr. Speaker, to clarify it, making representation and writing to the Loan Board Chairman or to myself, the Minister responsible for the Board, is one thing, but asking the minister to interfere to make sure that the applicant gets special preference over and above the guidelines under which the Board operates, that is totally wrong. And that is what I am saying making representation is one thing but asking a minister to interfere and to override the guidelines and criteria is a separate thing altogether.

SOME HON. MEMBERS: Hear, hear.

MR. L. STIRLING: A final supplementary, Mr. Speaker.

MR. SPEAKER: A final supplementary, the hon. member for Bonavista North.

MR. L. STIRLING: Thank you very much, Mr. Speaker. The minister has touched on something which indicates that we are going from one situation to the extreme opposite and again the fishermen are going to get hurt.

Is it true that the Fisheries Loan Board, either on their own or taking directions from the minister, are now taking the position that any fishermen who are in arrears, even though they may have been let go in arrears

MR. L. STIRLING: with the blessing of the Fisheries Loan Board, are they now taking a position that any fishermen in arrears have no other choice but to have their boats repossessed and they have taken that position?

MR. S. NEARY: And put them up for sale.

SOME HON. MEMBERS: Right on!

MR. SPEAKER: (Simms) Order, please!

The hon. Minister of Fisheries.

MR. J. MORGAN: Mr. Speaker, I am rather surprised at these kinds of comments coming from responsible individuals. Surely, if we are going to spend the taxpayers' dollars, we are not going to be making loans left and right to every fisherman or farmer or anybody else in any industry and not make arrangements to have these payments paid back to government. Sure we can not keep handing out the taxpayers' dollars and say, "Here, keep on taking money but do not pay it back." Surely we are not going to do that. And all I said, the individual case referred to by the hon. gentleman, if it be one individual case, was that one of the major reasons why the loan could not be approved was because of the financial criteria. In this case, the man was in arrears for the last number of years and no payments made on his boat. That is one of the reasons, a very obvious reason why it could not be approved.

MR. E. ROBERTS: When you take the boat do you go after them for the balance?

MR. G. WARREN: A supplementary.

MR. S. NEARY: Mr. Speaker.

MR. SPEAKER: A supplementary, the hon. member for Torngat mountains, unless he wishes to yield to the hon. member for LaPoile for a supplementary.

MR. G. WARREN: I yield.

MR. S. NEARY: Do I understand the minister correctly, Sir? Is the minister saying that the government ran an inefficient Fisheries Loan Board, a sloppy operation, did not collect their bills and are now taking it out on the fishermen, putting the boots to the fishermen, not giving them a chance,

MR. S. NEARY: creating hardship because they are demanding all their money in arrears or the boat will be possessed and an ad put in the newspaper? Is that what I understand the minister is saying? If it is, Sir, then that is completely irresponsible. The fishermen should be given a chance.

MR. SPEAKER: (Simms) Order, please! Order, please!
The hon. member has asked his question.

The hon. Minister of Fisheries.

MR. J. MORGAN: Mr. Speaker, there was no question asked about repossession. The question was asked about approving a loan, getting a loan application processed. There was no question asked to me today about a repossession. The question of repossession is a straightforward policy; it has always been the policy of the Loan Board and will be in the future, that like any other system of payments or payments not being made on the loan, action has to be taken. And the question was asked me by the gentleman from Bonavista North (Mr. L. Stirling) about an application that was not processed and he was asking me why it was not processed. And I told him that it was not processed because of arrears in the account. I did not mention any repossession.

MR. SPEAKER: The hon. member for Torngat Mountains.

MR. G. WARREN: Mr. Speaker, my question is addressed to the Minister of Rural, Agricultural and Northern Development (Mr. J. Goudie). It is my understanding that there are areas on the Island portion of the Province that are designated as agricultural land and at the present time many people in Happy Valley - Goose Bay are interested in prosecuting the farming industry and there have been good reports saying that

MR. WARREN:

there is land there suitable for farming, but however there is no land allotted. Does the minister in the foreseeable future, probably a few months down the road, see some land in Labrador allotted for agricultural purposes?

MR. SPEAKER (Simms): The hon. Minister of Rural Development.

MR. GOUDIE: Mr. Speaker, as most members of the hon. House are aware, we are into the third year now of a programme where soil analysis and other studies are taking place to determine the best agricultural land in the Province and that includes Labrador. As a matter of fact we have recently, within the last year, appointed a person to serve out of the Happy Valley - Goose Bay office to deal with agricultural matters in Labrador. That programme is ongoing, the studies are ongoing, and Labrador will be included in that. To this point in time there has not been a section of land in Labrador designated as agricultural, but as the hon. member is also aware I think there are two people in the Happy Valley - Goose Bay area now who have been producing - as a matter of fact, if I could point out, one of the two people involved in agriculture last year made his first commercial sale of potatoes which went into stores on the Coast of Labrador. So there is some effort going ahead and in terms of assistance programmes, they are open to pretty well anyone in the Province. One of the criteria is that a producer must be selling at least \$2,000 worth of product a year in order to qualify for certain programmes.

So we are looking at designation in Labrador, we just have not gotten to that point in the five year programme yet.

MR. SPEAKER: A supplementary, the hon. member for Torngat Mountains.

MR. WARREN: Mr. Speaker, if this programme does come into place in the foreseeable future - and as most of us are aware that the shipping season into Labrador is very short, we only have probably a three or four month shipping season - and the farmers are preparing the land which is already thawed out, all the snow and ice is gone on the land but the shipping lanes are still frozen up and there is no way of getting fertilizer, limestone, the other ingredients necessary for farming into the area, would the government undertake to have supplies stored in Happy Valley-Goose Bay in the Fall of the year for the following Spring when a farmer can avail of the fertilizer, limestone, etc., at a most reasonable price?

MR. SPEAKER (Simms): The hon. Minister of Rural Development.

MR. GOUDIE: Mr. Speaker, as a part of the concerns relating to agriculture in Labrador, that obviously is a very large concern, the storage of fertilizer, of seed potatoes, of lime and so on. Because agriculture, in terms of volume, is on a very small scale in most parts of Labrador yet, we are addressing ourselves to that particular problem. One of the complications coming in when addressing that concern is that government, generally speaking, is not normally in the retail business, so there is a difficulty to be overcome. We are addressing ourselves to that and we will hope to have something in place for this coming season and I would also want to reassure the hon. member for Torngat (Mr. Warren) that as he has concern for his part of Labrador, I also have an equal concern for other parts and for all parts of Labrador, and the difficulty that we have are being addressed right now by the people in the agricultural division.

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

MR. LUSH: Mr. Speaker, I want to direct a question to the Minister of Municipal Affairs, and it is in relation to the

MR. LUSH: Municipalities Act that was passed in this House in the last session and the question is I am wondering if the minister can inform the House as to how municipalities will be affected in this present fiscal year with respect to meeting certain provisions of the act and I specify, for example, that in order to get funds for the installation of water and sewer that a municipality must have a property tax in place. So I am just wondering how that will affect municipalities where there is no property tax in place for this particular fiscal year. Will these councils be discriminated against and get no funding for water and sewer installation?

MR. SPEAKER: (Simms)

Affairs and Housing.

The hon. the Minister of Municipal

MR. N. WINDSOR:

The situation as it relates to the Municipalities Act is that there are a number of provisions in it which will have to be phased in over a period of time. An act that has the implications of that particular piece of legislation could not possibly be brought in per se one hundred percent as of a particular date. There are a number of provisions that will have to be phased in and this will obviously be one of them, the main factor being that we cannot assess all the properties to get property tax in place. It will probably take up to five years to do assessments on all the municipalities that will be required, under this act, to bring in property tax. So that will have to be phased in over a period of time. As it relates to any requests for this year, it will depend on the particular municipality as to whether or not we are in a position to do the assessment to get property tax in place, as to whether or not we will be prepared to provide funding without it. So there will have to be some discretion used for this year. Again, we will also have to consider the financial situation in the municipality. If we felt it was imperative that we had such a resolution, then we may well ask for it.

MR. SPEAKER:

There is time for a final supplementary.

The hon. the member for Terra Nova.

MR. LUSH:

Is the minister saying then that there are municipalities that will not qualify this year for funding because they do not have a property tax in place? The minister did allude to the fact that there could be differences, but certainly there must be some uniformity of procedure somewhere along the line.

MR. FLIGHT:

A new assessment done.

MR. SPEAKER:

The hon. the Minister of Municipal Affairs and Housing.

MR. N. WINDSOR:

Mr. Speaker, the act is quite specific, but all I am saying is that we intend to use a great deal of discretion, particularly for this year and the beginning of this phase-in period, in

MR. N. WINDSOR: applying it. We may well say to a municipality that we would like a resolution that at a period in time you will be prepared to implement a property tax. Without that, we are not prepared to recommend funding simply because of the financial position of that municipality. If they are in serious financial problems right now it would be irresponsible of us to allow that municipality to incur further debt without taking the steps as provided under the act.

MR. LUSH: Yes.

MR. SPEAKER: (Simms) Order, please!

The time for Oral Questions has expired.

I am sure all hon. members would like

to welcome to the galleries today two gentlemen representing the Port Blandford to Jamestown and Winter Brook Rural Development Association, Mr. Ewart Hall, the President, and Mr. R. C. Day, the Co-ordinator.

SOME HON. MEMBERS: Hear, hear!

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, on behalf, if I may say so, of all members of the hon. House, I would like to table the report of the Committee on Remuneration to Members of the House of Assembly and point out that there has been consensus on a number of recommendations that arise therefrom, one dealing with the sessional allowances that members will receive. It is presently at \$13,446 and all members of the House concur with the new sessional allowance to go from \$13,446 to \$19,000, and for there to be some upward escalation in the amount of money paid under Travel Allowances and the per diem rate going from \$46 to \$55 a day and for there to be twelve round trips from St. John's to a central point in the member's district. These are the recommendations contained in the report which have found favour with hon. members. There are other recommendations here which we take under advisement as members and over the next number of weeks and months, further talks with members on this side and with members on the other side will see whether in fact there is consensus on other recommendations. During the Estimates and Budget time

PREMIER PECKFORD: appropriate provision for the escalation on the sessional allowance and on the travel allowances will be incorporated thereto, at which time hon. members can have some opportunity to speak further on it.

On behalf of all hon. members, I table the report here in the House now and outline on a separate sheet those areas on which there has been agreement and on which there will be escalations. Thank you.

o o o

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

MRS. H. NEWHOOK: I wish to table Real Estate Licencing Regulations - 1979 in accordance with Section 48 (2) of the Real Estate Trading Act.

NOTICES OF MOTION

MR. SPEAKER: The hon. the member for LaPoile.

MR. NEARY: Mr. Speaker, WHEREAS it is obvious the Government of Newfoundland have failed to prepare a master plan for the orderly development of a commercial offshore oil discovery; and WHEREAS the impact of such a discovery could

MR. S. NEARY: be devastating to the environment, the fishery and the social and economic life of our people unless the provincial government is prepared to go beyond merely regulating off-shore resources. Therefore, be it resolved that a select committee of the House of Assembly be appointed immediately to examine into all aspects of off-shore developments and prepare recommendations as to how Newfoundland should proceed with these activities, And be it further resolved that in view of the great urgency of this question, the committee be directed to submit an initial report during this session of the House; and be it further resolved that the committee have power to sit in and out of sessions, to send for papers and other documents and, generally, to exercise the powers which may be conferred on commissioners under the Public Enquiries Act, Chapter 314, Revised Statutes of Newfoundland 1970.

ANSWERS TO QUESTIONS FOR WHICH NOTICE HAS BEEN GIVEN

MR. SPEAKER(SIMMS) The hon. the Premier.

PREMIER PECKFORD: Even though there have been no questions, I guess, given yet and technically speaking one cannot therefore provide an answer to which a question has not been yet proposed, I ask leave of the House to just table the expenses incurred in the renovations at Mt. Scio House and the level of maintenance, dollar-wise, that is provided thereto as a result of questions asked in the hon. House in the last session and I hereby table it.

MR. NEARY I have a question about it down on my desk.

PREMIER PECKFORD: Tear it up. I am ahead of you.

PRESENTING PETITIONS

MR. SPEAKER: (SIMMS) The hon. the Member for Terra Nova.

MR. T. LUSH: Mr. Speaker, I beg leave to present a petition on behalf of approximately eleven hundred residents of the city of St. John's. The petition, Mr. Speaker -

MR. E. ROBERTS: The Dorothy Wyatt (inaudible).

MR. T. LUSH: - was initiated by a group known to all of us as MOCHA, a group of concerned citizens who organized themselves

MR. T. LUSH: in recent months in a large part due to difficulties in communicating with the City Council and getting information relating to the public affairs of the city of St. John's. Thus, the group set themselves up as monitors of council activities. The position, Mr. Speaker, was motivated and initiated for two main, salient reasons. One, for the very real apparent deterioration relating to council services in two important areas, the first of which was the council's decision to eliminate the water and sewerage maintenance and repair services which had been done previously for a nominal fee and which now, of course, has to be passed over to private contractors who are obligated to charge excessive and exorbitant fees, especially to the average home-owner of St. John's. I understand it is because of the concern expressed by residents of St. John's that this position has been somewhat modified but still considerably higher than what the rate previously was.

The second factor, Mr. Speaker, was again related to the cruel decision by the council to cut back on snow clearing of streets and sidewalks which has resulted in tremendous inconvenience to the people of St. John's, resulted in accidents and injuries that we have all heard about recently, indeed making the city very unsafe for pedestrians and drivers alike.

The second reason, Mr. Speaker, for presenting the petition in this fashion today, and which explains why I am presenting the petition because the group did not have any intention of presenting the petition through the House of Assembly indeed they wanted to present it in a different fashion and, as I have said, because of the difficulty of this, getting sufficient hearing or given the opportunities to voice their concerns with, one, the city of St. John's itself, the difficulty of meeting with any officials, and secondly, and the reason that I find most aggravating was their difficulty in getting a meeting with the Minister of Municipal Affairs (Mr. Windsor). Now whether the minister denied them the meeting or whether it was

MR. T. LUSH: because of his schedule is something the minister can answer today when he rises to speak to the particular petition, but the point of the matter is, Sir, that this particular group has been denied the right, the privilege, the democratic privilege of voicing their concerns with any officials of the City Council

MR. LUSH:

and the provincial government. The whole matter, Mr. Speaker, of cutbacks in vital public services to the residents of St. John's is further aggravated by the fact that according to the City of St. John's Act, the city must have a balanced budget and all evidence points to a budget with a planned surplus. In view of these factors, Mr. Speaker, in view of the cutback in vital public services and in view of the difficulties by this particular group and by residents of St. John's of opening up some harmonious and compatible lines of communication to advance their grievances and to get their grievances redressed, the prayer of this petition, Mr. Speaker, is that we, the undersigned, hereby petition the Lieutenant-Governor in Council to appoint a commission of three persons to investigate the finances and administration of the City of St. John's. And it is given its legal authority, Mr. Speaker, under section 320 of the City of St. John's Act which provides that any ten rate payers of the City of St. John's may petition the Lieutenant-Governor in Council to appoint a commission of three persons to investigate the city's finances and administration. Mr. Speaker, I ask to have the petition placed upon the table of the House and referred to the appropriate department.

MR. SPEAKER: (Simms) The hon. Minister of Municipal Affairs and Housing.

MR. WINDSOR: Mr. Speaker, I feel obligated to respond very briefly, particularly to the allegation that this group were unable to get a meeting with myself. Admittedly, we did not have a meeting. The request was made to my office the day before I left town, sometime during that morning; I was committed fully that day and left town early the next morning and arrived back eleven o'clock last night. So it has been impossible for me during the last week or two

MR. WINDSOR: to meet with them . I think I did instruct my staff, my secretary, to advise the group that I was unavailable on that particular day and was going out of town and would be only to happy to meet with them as soon as I returned. In the meantime, there are, however, some nine or ten members of the House of Assembly sitting on this side of the House representing the city of St. John's and surrounding area and I am sure any one of those would have been only too happy to receive the petition. Nevertheless, I receive the petition and will certainly take it under advisement.

MR. SPEAKER: (Simms) Another petition. The hon. member for St. Barbe.

MR. NEARY: Mr. Speaker, before we finish with that petition I would like to have a word on it.

MR. SPEAKER: The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, I was extremely interested in the prayer of the petition that was presented by my hon. colleague, the member for Terra Nova (Mr. Lush). I think it was a very timely petition in view of the fact, Sir, that the streets and the sidewalks in the city of St. John's and the services, generally speaking, were never as bad as they are at the present time. I cannot say that I blame this group for becoming very concerned about the way the affairs of the City of St. John's are being managed. One day the City Council say they have no money to clear the sidewalks, they have no money to clear the streets. They make a decision that they are going to charge for digging up sewer lines, and then the next day they reverse themselves. And after telling us they have no money, all of a sudden they come up with \$200,000 to carry on with snow clearing. Now this is absolutely ridiculous, Mr. Speaker, and I do not know if the cure is in that petition or not. Maybe the cure

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MR. NEARY: might be in the next election.

But I believe the time is rapidly approaching when City Hall should be cleaned out. They need a little house cleaning down there, Mr. Speaker. Gut her out. That is the only way to resolve that problem.

MR. NEARY:

They have mismanaged the affairs of this city now long enough. They are acting in such a ridiculous manner that it is time to clean house. I must say that I think it is very timely, this petition. I do hope that the message will go out, whether it goes out through the minister or not, that the message will go out to the people, the elected representatives of the people of St. John's down in City Hall, that generally speaking the people of this Province are disgruntled and dissatisfied with the way they are behaving and the work they have been doing in the last year or so. The policies that they have set down there, Sir, have set the City of St. John's back ten or fifteen or twenty years.

I hope the answer is in the prayer of that petition, but maybe the only way to cure it is to do a little house cleaning down at City Hall the first opportunity the people get to get into the polling booths again.

MR. SPEAKER(Simms): As we are still at Presenting Petitions. I am sorry, there is only one member allowed to speak to a petition aside from the member presenting. We have already had that on that particular petition. The hon. the member for St. Barbe (Mr. Bennett).

MR. BENNETT: Thank you, Mr. Speaker.

MR. NEARY: By leave, Sir. By leave.

MR. SPEAKER: By leave?

MR. ROBERTS: Mr. Speaker, if the hon. gentleman from St. John's Centre (Dr. McNicholas) wishes to speak to this petition presented by my friend from Terra Nova (Mr. Lush), we, for our part, are prepared to give him leave, Sir.

MR. NEARY: By leave.

MR. SPEAKER: By leave?

SOME HON. MEMBERS: By leave.

MR. SPEAKER(Simms): The hon. the member for St. John's Centre.

DR. MCNICHOLAS: Mr. Speaker, I find it extraordinary that this group - I have never heard of them - should go to the hon. member for Terra Nova (Mr. Lush) when they could come to any member for St. John's Centre.

I have been very critical of the city council in some aspects in the past and I would have been only too pleased to look into that matter. I am just wondering why they purposely went outside the members from St. John's itself. I am quite sure it was not felt that we would not look after their interests. We would have been only too pleased.

MR. SPEAKER: The hon. the member for St. Barbe.

MR. BENNETT: Thank you, Mr. Speaker. Mr. Speaker, I rise to present a petition on behalf of 356 voters of Plum Point, Brig Bay, Blue Cove and the Burnt Cove area. The prayer of the petition is as follows:

"We, the citizens of Blue Cove, Plum Point, Brig Bay and Burnt Cove, require better snow clearing. In our area we have one loader. This loader has been broken down all Winter with no hope of repair. Therefore, the grader which clears the main highway must now also clear our area. This is done after it clears the main roads. This area is getting very poor service. We the undersigned demand better service. We request that an operational loader be placed in our area immediately."

Mr. Speaker, I would like to lend strong support to this petition. While we have seen upgrading of our roads, and an increase in the volume of traffic, it seems to me that we have seen a deterioration

MR. BENNETT: of the services that must be upgraded instead of downgraded. As this petition states, 'we have broken-down equipment'. This seems to be the case in many areas, not only in the Plum Point area.

Ten years ago, Mr. Speaker, when a storm was brewing, graders were alerted and graders rolled out on the highroads to make sure the people got through. Today, Mr. Speaker, the reverse seems to be true. Consequently, the main roads become clogged with snow and as a result graders have to place emphasis on main roads and not get into the smaller, outlying communities on the byroads.

It seems to me there should be more effort placed on snow clearing. A few nights ago, on the Northern Peninsula, people stayed in their cars all night. This to me is an indication - with the present policy - that disaster lurks when people are not safe to go over the highways at any hour, especially when emergencies do arise from time to time.

Mr. Speaker, in supporting this petition I ask that this petition be placed upon the table of the House of Assembly and directed to the department to which it relates. Thank you.

MR. SPEAKER: (Simms) The hon. the member for the Strait of Belle Isle.

MR. E. ROBERTS: Mr. Speaker, if there is any member on the other side who wishes to speak, I would certainly - I will not give up my right to speak but I would be quite prepared to stand back and let him or her, as the case may be, have a turn first if that is the wish of somebody over there. The Minister of Transportation (Mr. Brett) regretfully is not here. My friend from Conception Bay South (Mr. Butt) wishes to speak. If I could speak after him, Sir, I would like to support the petition.

MR. NEARY: The member for Evergreen Village.

MR. SPEAKER: The hon. the member for Conception Bay South.

MR. J. BUTT: Mr. Speaker, I am very privileged now to stand here in this House to speak on behalf of the people of Conception Bay South -

MR. NEARY: And Evergreen Village especially -

MR. J. BUTT: - and Evergreen Village especially.

MR. NEARY: - who have been calling me up night after night to have their road cleared.

MR. BUTT: - who gave me a vote of confidence on June 18th.

SOME HON. MEMBERS: Oh, oh!

MR. ROBERTS: Try March 3rd.

MR. J. BUTT: We will take care of Evergreen Village in due time, believe me.

Mr. Speaker, I was very fortunate to have an excellent campaign crew through those many volunteers who gave unselfishly of their time. I am truly grateful. Their dedication and superb efforts played an important role in my victory.

AN HON. MEMBER: What?

MR. J. BUTT: This is the Address in Reply, is it not?

SOME HON. MEMBERS: Oh, oh!

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MR. SPEAKER: (Simms)

Order, please!

MR. J. BUTT:

I am very sorry.

MR. SPEAKER:

Order, please! We are speaking to the petition presented by the hon. the member for St. Barbe (Mr. T. Bennett).

You do not want to speak to that

petition?

MR. J. BUTT:

I am very sorry.

MR. SPEAKER:

The hon. the member for the Strait of Belle Isle.

MR. E. ROBERTS:

Mr. Speaker, I could only suggest that perhaps my friend from Conception Bay South (Mr. J. Butt), some of those volunteers, could go to work in the Highways Department and clear the snow, because I would like to support the petition. My friend from St. Barbe (Mr. T. Bennett) has spoken eloquently and effectively.

Some of these petitioners are my constituents and that is why my friend asked me to say a word to the people in Blue Cove and the contiguous and adjacent community of Pond Cove who find themselves in exactly the same position as do the people in Plum Point, Brig Bay and the communities in which live the people signatory to this petition.

Sir, I simply want to say that it is unfortunate that the Minister of Transportation and Communications (Mr. Brett) is not here today. I have - I will not say 'never' - but I have very seldom, in the years I have been in this House, had more complaints than I have received the last four, five, six days about the quality and the quantity of the snow clearing services available to the people in my district. Now the people in Blue Cove have over the last several months been in touch with me on a number of occasions because, of course, as my friend from St. Barbe South said, the large machine in the area has been out of service for at least three or four months now and repeated requests to the Department of Transportation and Communications produced polite responses but no action. But over the last three or four days - I suspect

MR. E. ROBERTS: it is a combination of two things, the weather has not co-operated with the department, but secondly, Sir, the men and the equipment that have been made available by the government to meet these needs have just been stretched almost to the breaking point and we are now seeing repeated failures of equipment; we are seeing men who are tired almost beyond endurance. The minister has now come and perhaps he could speak on it because we are fast getting to a very serious situation. I would not say it is a crisis situation, but the road to Cook's Harbour has been closed time and time again, children have lost a great amount of time at school, the equipment is being stretched beyond its working capacity and the men, I fear, are being stretched close to the point where they have reached the limit of what they or any human can do. So I would say to the minister that we do have a serious situation developing now in Northern Newfoundland and in Southern Labrador.

The minister - I did not see him, but I gather he was on television one day last week and said that he did not think things were so serious in Northern Newfoundland, but he realized they were serious in the Southern Labrador portion of the Province. All that I can say is I must have had thirty telephone calls from constituents of mine who said they would like the minister to come to have a first hand look and they would come to him except that they could not get out their front driveways because of the snow. Now the severe weather is not anybody's fault. The minister is not to blame for that, but, Sir, he is responsible for the efforts being made to cope with it. In supporting this petition, I would say - and I think my friend from St. Barbe (Mr. T. Bennett) would agree as would my friend from Eagle River (Mr. E. Hiscock) -

MR. ROBERTS: that we do need extra assistance, we need extra machines, we need extra men, to be made available in Northern Newfoundland and Southern Labrador. The service that is now being made available is not tolerable, it is not acceptable and it has got to be improved.

SOME HON. MEMBERS: Hear, hear!

ORDERS OF THE DAY:

MR. SPEAKER (Simms): Unless the hon. Leader of the Opposition (Mr. Jamieson) has another petition to present.

MR. JAMIESON: No. No.

MR. SPEAKER: Motion 1.
Motion, the hon. Minister of Justice to introduce a bill, "An Act Respecting The Protection of Personal Privacy," carried. (Bill No. 1)

MR. ROBERTS: If I might suggest by agreement, there are eleven motions, if the government intend to call them then sobeit, but perhaps we could do all eleven first readings by consent and have them done because then we could begin the Address in Reply, which I understand is their main order of business this day.

MR. SPEAKER: Is it agreed?

SOME HON. MEMBERS: Agreed.

MR. ROBERTS: You can take them all as read if you wish.

MR. MARSHALL: Maybe we can read them all.

MR. W. ROWE: We need to read them into the record.

On motion the following bills read a first time, ordered read a second time on tomorrow.

"An Act Respecting The Protection of Personal Privacy." (No. 1)

"An Act Respecting Elections, Controverted Elections And Elections Financing." (No. 17)

"An Act Respecting The Freedom of Information." (No. 21)

"An Act To Amend The Human Rights Code." (No. 19)

"An Act To Provide For Natural Areas In The Province To Be Set Aside For The Benefit, Education And Enjoyment Of Present And Future Generations In The Province." (No. 12)

"An Act Respecting The Establishment Of A Newfoundland And Labrador Arts Council." (No. 16)

"An Act To Establish A Youth Advisory Council Of Newfoundland And Labrador." (No. 20)

"An Act To Provide For An Advisory Council On The Status of Women." (No. 15)

"An Act To Protect The Environment Of The Province By Providing For Environmental Assessment." (No. 13)

"An Act Respecting Denturists." (No. 14)

"An Act Respecting Dispensing Opticians." (No. 18)

MR. SPEAKER: (Simms) Order 1, Address and Reply.

The hon. the Leader of the Opposition.

SOME HON. MEMBERS: Hear, hear!

MR. JAMIESON: Mr. Speaker, in beginning my remarks today let me hasten to correct an omission in the remarks that I made last Thursday when I failed in one of the traditional courtesies to extend my compliments to the mover and seconder of this motion. Both gentlemen did a very worthy job, and while we on this side may not have as much enthusiasm for the government's actions and records, nevertheless we commend the way in which they spoke and particularly the manner in which they made reference to the needs of their particular districts. I think one of the real advantages of the Speech from the Throne debate or the debate on the Address in Reply, which is probably the more correct way of saying it, is that it does give members the chance, among other things, to be able to highlight perhaps what, in many instances, is the main reason for their being here, namely, to represent and to speak for a particular group of citizens who have sent them here as their elected representatives. So, I do compliment them even though neither of the gentlemen, unfortunately, is in the House at the present time.

MR. ROBERTS: Well, the member for Harbour Main (Mr. Doyle) is here, he is just not in his seat.

MR. JAMIESON: Oh, I am sorry, he is not in his own seat. Forgive me, I did not see him there.

Mr. Speaker, I have now had the opportunity over the weekend to re-examine the Speech from the Throne and to go over it in considerable detail and couple it with the comments made by the Premier in the brief session that followed the formal proceedings on Thursday. Having done so, I can say to the House now that I really see no necessity or, indeed, no reason for changing my assessment of the Speech from the Throne in that, to summarize, there is very little new meat on a very old pile of bones in the sense that virtually everything that was said in one way or another can be discovered in various Speeches from the Throne dating back, indeed, to Wednesday, March 1 of 1972. I do not propose to belabour the House with long excerpts from those speeches. I feel, however, that it is significant and, I think, necessary for the laying of the kind of case that I want to make for me to recall for hon. members just exactly what this government has been saying ever since the first Throne Speech back on the first of March in 1972.

MR. D. JAMIESON:

Let me, for

example, quote from that particular speech and see how relevant it is to what was said on Thursday by His Honour in words put in his mouth, of course, as is always the case, by the government. In 1972 this government said, "My government is primarily concerned with visualizing the kind of Newfoundland that is possible now and in the years ahead." It went on to say, "Reaching these goals requires looking ahead because what Newfoundlanders will be in, say, ten years will be determined by the quality of the decisions made today and in the next few years". Now that was eight years ago, eight of those ten years have past and yet, Mr. Speaker, as we have seen, there certainly has not been any significant improvement. Quite the contrary: If one is looking at the measuring sticks that one can properly and legitimately employ, the rate of unemployment is substantially higher, the cost of living is infinitely higher and the public debt has soared beyond anything that anyone could have contemplated back in those days.

But let me again quote to demonstrate that there has been at the very least a consistency in this government's statement of its good intentions, as I referred to them on Thursday, and its failure to follow through on those intentions. For example, how many lines were written and how much was reported over these past few days as if it were some brilliant burst of new insight that had come from the benches opposite about the upgrading of our raw materials in Newfoundland, as if this was something brand new which this government had decided upon and which was indeed quite creative and imaginative.

MR. D. JAMIESON: Here is what they said in 1972, "My government will immediately embark on a programme to encourage the establishment of additional advanced re-processing facilities for fish within this Province. My government feels that there will be a great many new jobs created by the further processing of our fish products." 1972, You can paraphrase it in the Speech from the Throne of 1980, virtually the same thing, the same Pious hope, the same failure, I suggest by and large over those past seven or eight years to really turn things around in terms of upgrading our raw material. I will have something to say in a moment as to why I think that these honest - and I am not saying that they were deliberately kind of misleading objectives but I think I can explain some of the reasons why there has been such a consistent failure over all of this time. I wish there was time this afternoon for me to go into a whole series of these quotes. I am only in 1972 yet.

But I will just quote one more point which says, "My government is very strong in its unqualified belief", and listen to this, "that the natural resources of this Province and the benefits to be derived therefrom are the birthright of my people. It is with such natural resources that our whole future rests." In other words, once again we see from the very outset an assertion of ownership of natural resources, and if I were to read the total quote you would see that I am talking both about onshore and offshore resources. Back in 1972 the same kinds of things were being said and yet no results of any great significance have occurred in the interim.

MR. D. JAMIESON: Let me move on briefly to the second session - there were two, you may recall, in 1972. In this one, which was just a month or so later, the government said, "It is my government's responsibility to ensure that our social and economic setting is indeed the proper environment within which well planned development programmes can launch our Province into unprecedented prosperity for our people". I ask you to look at last Thursday's Speech from the Throne and you will find a virtually identical paragraph in that one as well. So what we see is a whole series throughout of undoubtedly commendable goals and objectives and an almost absolute failure to make good on any of those commitments.

Very briefly, once again, I will move on to 1973. Listen to this in 1973, "My government has underway an extensive resource development programme and this programme will be accelerated during the coming year so

MR. D. JAMIESON: that resource development can, as quickly as possible, make the maximum contribution to the economy of our Province and the well-being of our people." That, again, is very similar to what was said in the Speech the other day. And if that is not close enough, here is a quote that almost one could say is left standing in print so that whenever this government brings out a Throne Speech all they have to do is trot out the paragraphs. "This year will be the year of action and forward development of our natural resources together with further concentration and expansion of our rural development programme." So that that, Mr. Speaker was back on January 31st, 1973. Now, there are others here and for those who may wish to have their memories revived, I will be more than happy to provide for you the results of what was for me very painful research, I can assure you, in which I plowed through all of the previous Speeches from the Throne to see just how consistent, at least, the government has been with regard to promising great things on the one hand and delivering virtually nothing of what it promised on the other. That is the story, those are the facts of the case as indeed is supported and borne out by every one of those Throne Speeches.

Now, Mr. Speaker, let me move more up to date and talk about something in the Throne Speech which, I must confess, I found extremely difficult to understand. Apart from all of the other things that I have already referred to, there is talk in the Throne Speech of a White Paper on Fisheries as if there was, in some way or other, a total confusion about fisheries. Well, Mr. Speaker, if that is so, if that is the case, then this government must accept the responsibility for it because here we have it - Fish is the Future. When was it brought in - 1978, 1979?

MR. S. NEARY: In 1978, distributed to every household in Newfoundland by Saga Communications.

MR. D. JAMIESON: Distributed to every household in Newfoundland and let me illustrate what it says over a smiling portrait of the late departed, in terms of this House, Mr. Walter Carter, this document says this, "I hope I may be pardoned or at least understood if I express my personal pride, delight and excitement," - excitement! - "over the development programme for the fishing industry." And then he goes on to say, "I am proud not only of the work accomplishment but also of the personnel responsible for it", and so on. And look at this, Mr. Speaker, out of the mouths of those who created it, "The complete regional development strategy is a one thousand page report contained in six volumes. The compilers called it Setting A Course and this title was not only appropriate but prophetic." Mr. Speaker, prophetic!

SOME HON. MEMBERS: Oh, oh!

MR. S. NEARY: Poor prophets

MR. D. JAMIESON: The only thing I can say is that they either lost the chart or the compass was completely out of whack -

MR. S. NEARY: They misspelled a word.

MR. D. JAMIESON: - and there may be a misspelled word in there as well. But in any event, my point is that here less than two years ago we had a thousand page document boiled down to a very specific kind of strategy for Fisheries and if that is not a "White Paper" or the equivalent of a White Paper, indeed it goes beyond a White Paper because it purports to be, at least, the representations and the result of a whole series of meetings with a whole series of people on a whole series of subjects and it covers them all.

So, Mr. Speaker, to now talk about a White Paper on Fisheries strikes me as being the most inexplicable of all of the commitments, if that is the correct word for it, in the Throne Speech. Now, if that were not enough, I refer hon. members to the Budget for 1978. Again,

MR. D. JAMIESON: not so far back that many people will have forgotten it, although, you know, governments are mercifully spared because people have short memories, including, in fact, on many occasions, people in this House. But here in the Budget of 1978 presented by hon. T. Alec Hickman, who I presume it is not offensive to his new dignity to mention, on Friday, March 17th, St. Patrick's Day, a beautiful day to do it, he comes out with, "The Budget Supplement is designed to show the way ahead for the Newfoundland economy over the next five to ten years." And, Mr. Speaker, there are hundreds upon hundreds of pages which spell out in very precise form the strategy for a variety of key and particularly resource industries. Now here you have a blueprint for five to ten years, Fish is the Future in terms of a

MR. D. JAMIESON:

comprehensive statement and all of the quotes that I have given from various and previous Speeches from the Throne, and then if you look at this year's Speech from the Throne it is as if none of this has happened. It is as if there had been a veil drawn and indeed we were, in a sense, starting off from scratch, because that is what the government appears to be doing.

Now, Mr. Speaker, since my time is limited and I hope that I can complete my remarks within the normally allotted time here this afternoon, I want to say that it is not through any lack of enthusiasm for the bills that were in the Throne Speech that I will not make any direct reference to them. I think most of them are quite effective and probably will be very useful, Mr. Speaker, and we will get, undoubtedly, to debating those in a very short time.

I do, however, now want to talk about the emphasis which the Speech from the Throne and various other statements by members opposite have touched upon recently with regard to resource development, because the centrepiece, clearly, of what has been said not only here but also in terms of speeches and various interviews which ministers have given, have all been on resources. And may I say without being in any sense confrontational here myself, and without in any way wanting to be argumentative in what I am saying, that I believe that the people of this province along with me and along with members on this side—and I get the feeling in many organizations and in many groups with whom I meet, I get the feeling that the concern that I am expressing is the same one which Newfoundlanders have, and that is that throughout this speech, intentionally or otherwise, there is a general theme of confrontation.

Wherever one looks in terms of key categories or key sectors of the Newfoundland economy, there is a thrust which suggests that we are embarking upon a period in which we are going

MR. D. JAMIESON: to be, in a sense, reflecting, or the government and perhaps the Premier is going to be posing as or presenting himself as the toughest man on the block type of thing. Now, if you look at the issues, and I am doing this without passing judgement on the merits of the issues themselves, if you look at oil and gas, there is clearly, and has been for some time, a confrontational atmosphere, and by the way not only with the government of Canada, whether it be Liberal or Tory, but also as we are seeing increasingly, there has been and is going to be still greater confrontation with industry, not to mention confrontation with various labor groups and particularly with people in the fishing industry who have very deep-seated concerns. So that is one area in which confrontation seems to be the keynote of what we are likely to see in the immediate future.

Then if you go on to the fishery, well nothing, nothing could be more demonstrative of this confrontational approach than when the Premier of the province has to rise in his place in this House and say that a government of his own persuasion in Ottawa had acted against the interests of Newfoundland in the most fundamental way possible. That was not us saying that, that was not Tories saying it about Liberals or Grits saying it about Tories: It was the Premier of this province talking about the then government of Canada.

And so that front as well as on many more I have no doubt that all of the negotiating skills and the diplomacy of the new Minister of Fisheries are going to be needed if we are not going to have a continuing series of confrontations.

On hydro, we have heard also clearly - and again, remember I said I am not passing judgement on the issues, I hope I will get to that in a moment. I am merely pointing out what is ahead of us - whether it be right or whether it be wrong, we have already the argument with the province of Quebec to which not only has reference been made by the Premier but also by the Minister of Mines and Energy; we have the whole issue, I suppose, of the Lower Churchill and just what implications for confrontation there are there I have no idea, but certainly it is another region, another sector, in which we are going to

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MR. D. JAMIESON: be at daggers drawn with someone
for a very considerable time to come. I will not touch upon others
that certainly

MR. JAMIESON:

could be used as examples because, again, I want to use my time as well as I possibly can, and I will not go into the specifics of these because my colleagues will be doing that during the Throne Speech debate.

Now having said that I was setting aside, a moment ago, the merits or otherwise of these particular sources of potential confrontation, let me go on to say that having reread the Throne Speech, having looked at this voluminous supply of items here in which various commitments of one kind or another have been made, that one would be hard pressed, very hard pressed to say that we could disagree in principle with any of the goals or the objectives that have been outlined. There may be a nuance here and there, but it is fundamentally the objective of getting a better deal on the Upper Churchill. That is a perfectly defensible objective. The objective of getting a better return for our hydro in terms of various industrial users in Newfoundland, that is a perfectly defensible objective. The emphasis on getting a maximum return to Newfoundland from its resources; again, a very commendable objective and we find no fault. I personally commend anyone who says, 'This is the direction in which I wish to go'. But since they have been saying most of it since 1972, since they have been saying it for eight years, then surely it is legitimate to ask, 'Why has not more happened?' Why has it not happened?

Was John Crosbie just bluffing when he said that the power was going to be on from the Lower Churchill in 1969? Was he bluffing? That is to attribute the basest of motives. I suspect he was not. Were the various authors of these documents that I have quoted, were they all saying, 'This is a con job, deliberate?' Again, I do not attribute those kinds of motives. I believe that people by an large, whoever

MR. JAMIESON: was there, whoever was on this side, were genuine in saying, 'We have to settle this Upper Churchill.' Or, 'We have to get more out of ERCO'.

But I think in trying to to analyse why there has been so much talk and so little really significant action, you have to come down to the fact, Mr. Speaker, that sabre rattling by itself is not enough.

Now I know that there are times when you have to rattle sabres, there are many occasions when I am perfectly happy to do it myself, but sabre rattling by itself soon reveals itself for what it is, an empty gesture. And if you have a problem of the nature that I have been outlining, it seems to me there are only three ways in which human beings, short of war, have been able to resolve their problems; either legislative competence - in the first instance there are certain things in which this House is sovereign. Presumably there are limitations, but we will not bother to get into the subtleties of that in terms of the use of certain parts of the British North America Act and the like, but fundamentally there are things which this House can do. If the government wishes to legislate in some of these problem areas they can do it. That is one way.

The second way, if in fact its actions are circumscribed by its limited authority, is by having a good legal case, by putting together the best possible legal case. And I am not going to venture into the quicksands of arguing on Upper Churchill and the like what is a good legal case, I will leave that for my learned friends in this House, but if you have a good legal case you can proceed in that way. That is the second way.

MR. JAMIESON: The third, and so far as I am concerned I know of no others, the only other way in which you can proceed is by way of mutual agreement through negotiation.

Now if there is any other way to go on any major area of confrontation, I do not know what it is. Otherwise, unless you analyze these three and decide which of them you are going to use, then all you will have will be the sabre rattling. And you know those nine or ten Speeches from the Throne have more sabres in them than were carried by the troops at Balaklava.

SOME HON. MEMBERS: Hear, hear!

MR. JAMIESON: There has been a series of sabre rattling from beginning to end. So I want to go now then, and I want to say as a preamble to this that when I talk about offshore oil and gas I am doing so in absolutely a questioning manner. I am doing it to the maximum extent that any human can in terms of an open mind, but against the principle

MR. D. JAMIESON:

which I reflected in my comments the other day and which the Premier supported of saying in effect that we want to maximize the benefits for this Province. Now it is such a big subject that it is very hard, first of all, to know where to start, and once having started it is very hard to know whether you would actually be able to conclude it, not in one hour, but in a dozen hours. And that is why, Mr. Speaker, I want to appeal very strongly and in totally non-partisan fashion to the members opposite to support the motion of my hon. friend for LaPoile (Mr. Neary) today, or some version thereof - we are not splitting hairs over words - but a standing committee to examine all aspects of oil and gas. And I want to tell the House in, as I said, I hope in a non-controversial way why I think that is necessary.

First of all, I would like to begin with a quote which is a particular favourite of mine and which I commend to the Premier, because any man who carries the heavy burdens of office always has to bear it in mind. And that is, "The essence of tyranny is the denial of complexity." For any of us, and I do not exclude members on this side, to tell the public of this Province or to tell Canadians or indeed to tell anyone that something is simple when it is not is tyrannical in the extreme. We are on the edge, it seems to me, and once again I make no exclusions of falling into the trap of conveying to the people of Newfoundland that there is some simple, uncomplicated, rapid solution to this whole terribly complicated issue. If we have this committee - and incidentally I said the other day and I repeat now that if there are certain aspects of it which should be

MR. D. JAMIESON: considered in camera then we would not have any objection to that.

Now let us look at what has come to be called, and I am baffled quite frankly by the use of these words, 'ownership, control, jurisdiction', all being used interchangeably and all meaning, I suggest, substantially different things.

MR. S. NEARY: And 'management' tossed in.

MR. D. JAMIESON: And 'management' may be tossed in as a fourth word, but all being used interchangeably in that way. So I emphasize that I am not quite sure - and I know the Premier said the other day that, really I guess he said in a sense that we really should be sure but I am not sure, and I have searched and read through every conceivable piece of literature that has been prepared on this subject, I am not sure what it is that is being sought.

But, if I may, just to pose, in a sense, a number of questions because of - you might even call it 'ignorance' and I will buy that. I am not prepared to represent myself as having all of the answers on this subject. But it does seem to me that there are two ends to the spectrum if one is talking about offshore. One end, the far end, if you like, on the federal side is that it is wholly owned by the federal government, that it is wholly developed by the federal government, and for all practical purposes, except where they wish to do so or where they may be some kind of overlap, miniature, a small overlap, the whole thing becomes a federal proposition. That is one end of the spectrum.

The other end would be the exact opposite, that the whole thing would be owned, the jurisdiction, the management - to use my friend for LaPoile's (Mr. Neary) phrase - the whole thing would be in provincial hands. Those are the two ends.

MR. D. JAMIESON: Now everyone without exception has rejected both of those, everyone has. So that therefore, it seems to me that we have to ask ourselves is against that principle of maximizing benefits, against the principle of ensuring that we in Newfoundland have the - paramountcy, I believe is the word I used the other day, in terms of determining the social impact and all of the rest of it, where do we go from here?

Now the Premier has been fond - and I do not fault him as a leader or a public figure for trying to reduce this complex issue to a simple phrase

MR. D. JAMIESON: but it is again a phrase that tends to border on deception without really meaning to and that is to say-- and the Prime Minister of Canada was a little bit more circumspect in his words-- to say as the Premier did the other day that it is the same as the trees, that we want the same kind of approach, the same treatment with regard to undersea resources as if they were trees on land. Now it is a beautiful oversimplification because anybody who wants to believe it can do so and say, 'Yes, that makes sense.' But the analogy is faulty because, as the Hon. the Premier knows and I am sure the Minister of Mines and Energy knows, there are distinctions, there are differences, and if there is time I will be glad to go into some of them. But let us set those aside, let us assume for purposes of this debate that it is the same thing, that if you are standing with your two feet on the ground in a stand of timber owned by the Government of Newfoundland, by the people of Newfoundland, on the West Coast of this Province, it is not a shred different than if you are in a dory on the Grand Banks, or better still that we have a drilling platform on the Grand Banks. Let us say for all practical purposes that is the situation. It still does not mean either total management, or jurisdiction, or control, because even with regard to the timber, even with regard to the mines, even with regard to every one of the land based resources that this Province has and to which nobody denies them access and right and ownership, there is still an important Federal presence, and, therefore, we have to think in terms of what kind of a co-operative arrangement there is going to be. Because, for instance, apart from everything else and without again venturing too deeply into the legalities of it in the sense of not being a lawyer, the fact of the matter is, of course, that the trade and commerce power, by no words that I have been able to find uttered by anyone, is likely to be relinquished by any Federal Government and I do not care what particular stripe it is. The trade and commerce power is a very, very comprehensive one apart from everything else. I suggest, unless I am wrong, and I am posing these as questions, I emphasize, because I believe that they are the sorts of things we should be addressing in a

MR. D. JAMIESON: Select Committee. Insofar as the trade and commerce power is concerned even if there was, I repeat, the same kind of ownership on the offshore as there is on land, it is still not possible for the Government of Newfoundland or for this Legislature to do anything other than to bring that resource, whatever it is, ashore in Newfoundland. It cannot on its own move it either to another province, and most certainly it cannot move it overseas to the United States or anywhere else. That is fundamental, that is a fact of the matter. Consequently, therefore, even if we accept the analogy of the same on land as under the water, the truth is that there is a very strong and a very real, and a very large federal presence. Now, I would like incidentally, since the furor over the federal election has disappeared, and I purposely, by the way, did not raise any of these issues during that time because I genuinely believe that this issue is so important for Newfoundland that we cannot play politics with it and I do not want to play politics with it. And I want, I assure you all, and my colleagues want, to do everything we can to make sure that we benefit to the maximum degree possible.

SOME HON. MEMBERS: Hear, hear.

MR. D. JAMIESON: But if you look at the Prime Minister Clark version and the Premier of Newfoundland's version of the exchange of notes, you will find some very very significant differences which I suspect came even more to the fore in the private discussion they had during his visit to Newfoundland to which we were not privy. But, you know, what has not been said, so far as I know up to now, is that there are immensely significant differences between the Premier of Newfoundland's letter to the then Prime Minister of Canada, and I guess he will be for the next fifteen minutes or so -

MR. ROBERTS: No, he is out now.

MR. D. JAMIESON: - immense differences between the letter written and the

MR. JAMIESON:

reply which was returned. Let me just quote a couple to show you. The Premier said, "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." And then in brackets "(insofar as it is consistent with international law)." That is the Premier's version. The Prime Minister of Canada's version, considerably longer, says this, "The Province of Newfoundland should own the mineral resources of the Continental margin off its coast insofar as Canada is entitled to exercise sovereign rights over these resources in accordance with international law." A pretty big significant difference. That is number one. "Such ownership should be"- and here again inserted twice in the same paragraph but not in the Premier of Newfoundland's version -"should be to the extent possible of the same nature as if these resources were located within the boundaries of the Province." "The legislative jurisdiction of the Province should, to the extent possible, be the same as for those resources within the boundaries of the Province."

Now clearly, even a layman like me can see that there is a massive difference. So therefore since, as I said, the dust has now settled, what is to the eternal credit, it seems to me, of the majority of the people of Newfoundland is that they never bought the one line that was put to them with regard to, we as Liberals were going to take it all away and the Tories were going to give it all up to us. That surely is the case.

SOME HON. MEMBERS:

Hear, hear!

MR. JAMIESON:

Now I could quote other

changes but I will leave it to one final one, the fourth

MR. JAMIESON:

paragraph, very significant again. The Premier's letter to Prime Minister Clark, "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." Full stop right there. That was the letter that went to Prime Minister Clark.

Mr. Clark came back, "The above principles 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 where is the full stop? It is not there. Because it goes on to say, "and constitutional change." Oh, the Minister of Mines and Energy shrugs as if to say, that is a mere incidental, we just happened to write that in.

It has been, I repeat, it has been really quite confusing for the public of this Province to have to believe that there was in fact agreement when I could go on to quote at least another dozen examples where the two versions depart tremendously from one another. But, Mr. Speaker, let me go on to something that is even more serious, it seems to me. Now, for all of the years that this offshore issue has been in front of us, one of the most important things which advocates from Newfoundland - and, incidentally, no one should doubt the fact that I was and still am an advocate from Newfoundland -

SOME HON. MEMBERS:

Hear, hear!

MR. JAMIESON:

- for all of those years and all of that time what was the fundamental principle underlying our case? Now there were others. I will not say this was

MR. JAMIESON:

the single point, but the fundamental principle was that the Newfoundland situation was different. Now that was a very key and important point. For the lawyers present and for those with a special interest, you may recall that the reason was that having come in in 1949 when the doctrine of the Continental Shelf had been established, we brought the Shelf in with us, therefore, ipso facto, if that is the legal expression, it was a part of Newfoundland and the mere fact that it was not made direct reference to did not count. Now that was the case.

During this period, Mr. Speaker, we had a situation where the courts ruled against British Columbia. They ruled against British Columbia. We had a situation in which the three Maritime Provinces concluded that they were better off to make a deal with Ottawa rather than to go through the convoluted kind of constitutional route because the weakness of their case was pretty clear in their minds. Now Newfoundland was in a different position and the Newfoundland government, that government over there, did the right thing, in my opinion,

MR. D. JAMIESON: back six or seven years ago when it tried to begin the process of putting together a Newfoundland unique case for presentation to the Supreme Court of Canada. What did Mr. Clark do? No reference, remember, to any of this in the Premier's letter to Mr. Clark, none of this. Mr. Clark, however, in his response said, "Newfoundland feelings on offshore have flowed from its history", No quarrel with that, I just explained why. But he said, "At the same, however, I wish 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". He then went on to say, "All Premiers are interested and will in due time have to deal with it in constitutional discussion". Now, that has never been made public in the sense that the media have taken it fully and put it out and demonstrated to the people what was said. We have got, 'Clark says yes to Newfoundland,' that is what we got.

Now, you come to the next paragraph. 'It will be necessary at some stage,' Mr. Speaker, 'for representative of adjoining provinces to get together with federal representatives to determine mineral resource delimitation' and so on. Then he goes on to say, "Proposals for constitutional change will, of course, need to be considered at an appropriate time", and I want to emphasize these words and they are underlined, "by all governments together in the context of the continuing committee of ministers on the Constitution."

Now Mr. Speaker, clearly and without doubt what has happened, or what would have happened, let me put it that way, and what may now very well happen, I do not know, is that the best case for provincial ownership or control or jurisdiction, the best case under this is lumped in with the worst because

MR. D. JAMIESON: BC has already lost, three provinces have signed. Newfoundland was in that unique position, but if this technique was employed it would mean not only would we have to wait around for all ten to get together, but I presume that without the constitutional kind of an amendment, and perhaps my learned colleagues here present here will have something to say about this at the appropriate time, without that, Mr. Speaker, we can not get anywhere and there would have been no agreement. It really has been, I repeat, a most spurious kind of argument and what I want to see is a Select Committee not to argue with whether the members opposite have a different approach or anything of that sort, but I would like and not just in answer to a question in the House which is truncated and which leaves more queries than it answers - but to have to opportunity, and I will give a personal commitment to any minister or any official who comes before us that it will not be any kind of a stupid witch hunt, it will not be anything of that kind, it will be a thorough reasoned assessment and asking basic, decent, honest questions about some of these issues.

Now, what is the situation?

I have to ask it when I know people like Dr. Eugene Forsey, an intimate, personal friend of mine, a Newfoundlander, when I know high ranking representatives of the Harvard School which I believe the hon. Minister of Mines and Resources knows something about, and some others, I have to be impressed when, during my years in External Affairs, international lawyer after international lawyer, in terms of the two hundred mile limit when it was being discussed, made the case to me repeatedly that the Newfoundland argument was a strong one and made the case to me that we had nothing to lose by at the very least finding out, because, and I am not here now again arguing, I am quoting to you what learned,

MR. D. JAMIESON: internationally learned people have said to me, that if you lose even on a referred reference you still have the political solution to fall back on, you still have the negotiated settlement to fall back on. It may take longer, it may be a more complex one, but it is the only thing that in the long run is going to settle the issue once and for all.

Now, I emphasize that I say to hon. members opposite, and particularly to those who are involved, that it seems to be that we ought to have the right to know why after spending - what was it, the hon. member for LaPoile (Mr. Neary) \$600,000, \$80,000?

MR. S. NEARY: No, half a million, almost \$600,000.

MR. D. JAMIESON: I was thinking perhaps about payments to only one person but in any event we have spent an enormous amount of money - whatever it is - preparing this case, I know it was a lot. So why, why then, is it abandoned?

On the basis of what was, I believe, in the minds of many, many people, non-partisans, a faulty kind of mechanism which was being proposed. And incidentally, let me say it may have been with the best of intentions. I am not going to argue that whatever. I am not going to say that there was anything fraudulent or phony about it, I am simply saying that I think like a great many other things done by the government which today is out of office in Ottawa, they just simply did not think through,

MR. D. JAMIESON:

what it was that they were saying and what they were doing and it was only after the commitment was made that they began to discover where the holes were in it and that is when the fur began to fly between them and hon. members opposite. Now, I have said so much on this subject, but let me just pose a couple of other questions. As I read the regulations, and as I read the guidelines and procedures issued, I presume, yes, 1978 on the petroleum regulations, and I have waded through them at great length, the question that is uppermost in my mind is let us say as we must begin from the proposition, and I gather from what has been said by the Premier and others it looks good, that we have a commercial find and that sometime within the next four to six months, someone is going to come and say, "Mr. Premier or Mr. Minister of Mines" or perhaps they will even have a conclave of all the ministers, we got it". Now, at that point, as I understand it, you transfer from being a permittee on an exploratory basis to be a lessee. It is at that stage, as I understand it, that that happens. I am not sure precisely the technique but you must go that route. Now,

MR. NEARY: You have to make an application

MR. DON. JAMIESON: You make an application.

MR. NEARY: - before you go into production.

MR. D. JAMIESON: That is right, before you go into production; that is what I mean. Now then, we know that it is hundreds of millions of dollars, perhaps billions of dollars if you listen to many of the industry spokesmen from whom we have heard. What is it? and I really ask the question in the most sincere way I know how, What is it that is going to insure that those people will be prepared to spend that money? Is it going to be an act of parliament? Let us say that the current government said, "No quarrel, we will go with this". I question very much, and, incidentally, I do not just question on the basis of my own assumptions, I question on the basis of things that have been said to me by the industry and by some key spokesmen in the industry, I question very much if that is going to be enough. I think that they

MR. D. JAMIESON: will know as every decent and every ordinary person knows who has even rudimentary knowledge about parliamentary procedures, that what parliament can do it can undo, unless it goes beyond into the constitutional route or there is some other kind of mechanism in place. And so consequently I believe it important that this standing committee sit down and say, "Look here, now, here is Mr. Hibernia and here is Mr. Mobil and here is that oil and we want to get going." Now, what is the arrangement? We know by the Throne Speech itself which says the constitutional process is prolonged, we know that, we did not have to have the Throne Speech to tell us, but we did. Consequently therefore, Mr. Minister of Energy Mines and Resources, Mr. Premier anyone who wishes to say so, what is it, because I suggest that that is the point at which the crunch is going to come, that is the point. And I can assure you that it would not have been enough to say to Mr. Hibernia, "Well, I have this letter from Mr. Clark," anymore than it is going to be enough to say "I have that letter from Mr. Trudeau, or from whoever the new Minister of Energy may be". They are going to say quite literally: "It is not worth the paper it is written on!" Now, something else that has never been said publicly to the best of my knowledge but which ought to be said is, of course, that despite all of this talk of recent times Mr. Speaker, what has gone on off the coast of Newfoundland, what has gone on in the Beaufort Sea has not been because of these regulations—they had a part in it and I commend those regulations they are good regulations. It has gone on because of two things: One was the exchange of letters between the then Minister of Mines and Energy of Newfoundland, who is now the Premier, and the then Minister of Energy Mines and Resources which have made for what might be described as a modus operandi for handling these matters. There is such an exchange of letters and there is no good reason, to the best of my knowledge, why they should not be made public. I am not asking now, but I am saying that a standing committee could look at. The second was the depletion allowance, the super depletion allowance. If it had not been for the five cent dollars and the fact as we all know that under that super depletion, whether it was good bad or indifferent, and there were those including the former Minister of Finance, Mr. Crosbie, who were prepared to cut it,

MR. D. FAMILIESON: by the way, prepared to cut it, that super depletion resulted in what was commonly referred to as five cent dollars and in fact you could dig a dry hole and it you could probably turn out to make a dollar on it even though it produced nothing whatever. So while these regulations are very good, and while I have no quarrel, I repeat, with most of them - I want to ask a lot of questions about them - but the truth of the matter is that we have seen this activity for those reasons as well as, and one has to give credit where credit is due, ^{that} I think that the government of Newfoundland has done extremely well in terms of its consultation process and the like up to now, I sense, however, that we are getting awfully close; perhaps the Premier was eluding to it among other things the other day when he talked about the day not being too far off when the crunch is going to come and I suspect that it may well come

MR. JAMIESON: when we get a clear signal that Hibernia is commercial and then we start getting into what I might describe as the nitty-gritty or this fine print or whatever. Those are just some questions, I repeat, that I would like to ask. If there is a clear-cut, unmistakable way which is logical and sensible, through which we can abandon or get rid of the uncertainty that I believe is going to be very worrisome for the companies, very worrisome for, obviously, all of us in Newfoundland, if there is a way to get rid of that, then I think the best way in which we can know about it and the people can know about it and we can, by the way, be helpful with regard to it, is to have a Standing Committee in which we can discuss these matters because it is important. I emphasize once again, since the Minister of Mines and Energy (Mr. Barry) is in the House, that if he thinks, if he thinks that an exchange of letters or the kind of legislation implicit in what the Prime Minister of Canada wrote is going to settle the minds of the oil industry, then he must be talking to different people than I am, that is all I say. I invite him at some point to answer some of these inquiries of mine.

Now, there are a couple of things -

MR. BARRY: The oil companies have a tendency to play off the parties against each other rather well.

MR. JAMIESON: I have not the slightest doubt of that, and a very good reason for having a Standing Committee, or whatever formula the hon. members want, is so that there is not the capability on their part of playing one side off against the other, about saying that the government is being too unreasonable and asking us, in a sense, to try to carry the can for them. I can assure you that I have had as much to do with these multi-nationals as anybody in this House, and I am perfectly well aware that what you are saying is absolutely true, which brings me really to two points in the time that I have left that I would like to touch on because, once again, they are of absolutely vital importance, absolutely vital importance.

MR. JAMIESON: One is what I come to call the local preference part of the regulation, and the second is the provision for provincial participation. Now, on the local preference, one would have to be an idiot not to agree that Newfoundlanders should maximize in every way they can, or should be permitted to maximize in every way they can, through employment, through purchases, all of the other things that any kind of development is likely to bring. You would have to be idiotic not to say that as a fundamental principle, but we also cannot delude ourselves, and I am sure that the Minister responsible for Manpower (Mr. Dinn) will know of what I speak, that there is a down side to it and we must be exceedingly careful about how we proceed. I think that the technique that was suggested by my hon. friend from Terra Nova (Mr. Lush), and I may very well have heard it from others as well, of making sure that other provinces understand our reason, making sure that they are sympathetic, is of immense importance. When you see Nova Scotia moving yesterday in also the direction of exclusivity, you can see what the potential problems are, and I speaking only of oil and gas at the moment. The same thing, if there is time, I will refer to with regard to the fishery. But let me just illustrate a couple of places in the guidelines and procedures where, again, I would like some answers because, you know, on the one hand we say that jobs must go to Newfoundlanders - 100 per cent in agreement with that - but look at some of the subtle problems one runs into when we start talking about research and development and education and training. I will not take the time to go through or find the precise quote, but let members accept my word for it, that there are a number of places in the guidelines where it says, for example, Newfoundlanders might be sent to Nova Scotia or might be sent to other parts of Canada in order to be trained to acquire additional skills, to move up from being just a handyman to the expert. There is a certain incompatibility, I suggest, in that, with the idea of saying that there is no way that we are going to have anyone from anywhere else. I suggest in all seriousness

MR. JAMIESON: again that, particularly when it comes to research and development and when it comes to training, that perhaps some kind of an inter-provincial agreement is going to be necessary, some kind of an exchange agreement as we have in a variety of other ways, because I can see, and you gentlemen and ladies opposite, I am sure, can see that there will come times when there is someone working in Newfoundland, who is a Newfoundlander, and who may for all kinds of valid reasons say, 'I would like to go to Nova Scotia.' Now, if Nova Scotia has a set of regulations which say "No way", in the long run I would suggest both provinces, and I am only using two examples here now, both provinces will tend to suffer. So, therefore, there is the need to carry

MR. JAMIESON:

out this Newfoundland preference with a good deal of understanding and with a good deal of discretion. And I believe that can be done. I am not particularly concerned about it as long as we are not in this confrontational approach all the time. I believe that we can get others to understand it. As long as we have 15 per cent or 14 per cent unemployment, obviously, we cannot be welcoming enormous hordes of people from other places in here. And I am quite sure, by the way, that there are precedents for it even though I saw somewhere the other day a story saying that there were not. In fact there is a requirement with regard to the Alaska pipeline which I recall we got involved in when I was in federal politics indicating a level of local employment and so on. So it is not all that bad, it is simply a matter of the way it is presented.

Now much more important to me, and here I confess to wanting very much to be informed, is this whole question of provincial participation. There is a reference in the regulations, first of all, and then it crops up again in the guidelines, and then it is in the statement which was made by the now Premier, who was then the Minister of Mines and Energy, with regard to this 40 per cent which Newfoundland gets in a development field. I may be using the wrong words in terms of development field and the like, but hon. members who are familiar will know what I am talking about. In other words, essentially what it boils down to is that there will be for Newfoundland, as I understand it, a 40 per cent interest. I think they call it a carrying interest at one stage.

MR. ROBERTS:

Well, it is called participation.

MR. JAMIESON:

Participation. 40 per cent

participation. Now that is commendable. That is good. It

MR. JAMIESON: makes sense to start right from day one and to say, 'Look, we are going to get our pound of flesh,' if you like, 'or we are going to get out percentage.' What is very unclear, and what I would like a standing committee to examine, is whether or not the comment is correct when the then Minister of Mines and Energy made the point, he said, "It is very important, Mr. Speaker, to note that the Province will not have to pay out a cent for its 40 per cent share." Now that was in a statement for the record of May 25, 1977. Now that it pretty clear cut, it is pretty unequivocal; 'will not have to pay our a cent for its 40 per cent share'. I hope that it right. But I would like some explanation of two other things which show up here. One is in the guidelines and procedures of 1978 which say that the permittee will transfer a 40 per cent interest in the lease to the Newfoundland and Labrador Petroleum Board, a provincial Crown corporation and so on, much the same thing. But then, in yet another place in the regulations, it suggests, at least, that in some way or other this Newfoundland and Labrador Petroleum Group is going to have to buy in at some stage. Because it talks about reimbursing, for instance, for finders' fees, it talks about not having to pay anything until there is a two and a half times return on, I believe it is called net return on investment by the companies concerned so that it is not clear just exactly what this 40 per cent actually means.

There is also a case where it says - I am quoting from the regulations - that it is in addition to normal taxation, it is in addition to normal royalties, a whole range of things of that sort.

Now, one would get the impression from the then Minister's statement of May 25, 1977, that we were really going to get 40 per cent off the

MR. JAMIESON: top, no payment, no anything, and I hope that is right. I personally do not think it is. I think if one looks all the way through the procedures you will discover that what we ultimately wind up with is this NLPD, or whatever the initials are, being, in fact, an equity holder of some kind.

Now, there are dangers in that and this is, again, why I suggest that the public, and particularly this House and particularly members on this side, at least, deserve to have a thorough explanation.

I have had a good deal of experience working with Crown corporations. And even if one is in the private sector one knows that if you hold 40 per cent, it is not only 40 per cent equity, at the same time it is 40 per cent responsibility. And if, for example, as happened - and I do not need to use an analogy here, I can give you a specific case. Pan-Arctic, which is a bit of a conglomerate of this kind in which the federal government holds a very substantial share, Pan-Arctic's private partners at one stage said, 'We want to open up a whole new development phase and you, Government of Canada, through Pan-Arctic, you own whatever the percentage is, your cost

MR. JAMIESON:

is going to be \$500 million or \$600 million. Pan-Arctic in turn as being wholly owned by the government had to come to the government and say, 'Boys, we have got to have the dough, either that or we have to relinquish a part of our percentage.' It is as simple as that. It is a normal, everyday kind of procedure. Now what I am asking, and I am just simply asking it, is whether or not it is envisaged at any point that this company, which I presume we will be asked to approve during this session, whether or not it is going to ultimately wind up in the position of a full scale Crown corporation which holds equity on behalf of the government and the people of Newfoundland, because I make the point very much on target. I would invite anyone opposite to tell me, with one of two exceptions, when a government owned Crown corporation has ever paid a dividend to its shareholder, namely the people, whether they are the people of Canada or the people of a province.

What invariably happens - and you can look at Air Canada and you can look at Canadian National until very recent times - you can look at a whole range of Crown corporations and what they become is a power onto themselves and the net result is that when you say, 'Look here, boys, is it not about time that we started getting some dividends out of this?' They say, 'We have got to go into a new field. We all are very excited about a new kind of development.' And how, to what extent, for example, are the people of Newfoundland and is the Government of Newfoundland going to be in a sense responsible for whatever commitments this organization may possibly make? I will hope, I emphasize once again, Mr. Speaker, that it is as the simple statement puts it that we get forty per cent at no cost. I simply

MR. JAMIESON:

cannot imagine that that is the case but I would certainly, and I believe we all will, want to know what exactly we are going to have to pony up in order to get what is admirable, I emphasize, if it turns out right and that is the ability to own a big slice of this. Incidentally, I am not at all certain, by the way, that 40 per cent is much better in a way than 25 per cent if one is talking about exerting influence or whatever the case might be. Why 40 per cent? Sixty per cent still outvotes 40 per cent and it may very well turn out to be the case. And we have a right again to ask these kinds of questions. What is the optimum place at which the ownership ceases to be beneficial and starts to be a drag on the economy in general? Mr. Speaker, with your indulgence -

SOME HON. MEMBERS:

Hear, hear!

MR. JAMIESON:

- with your indulgence I just

will finish in one or two minutes. I want to re-emphasize and I only wish - and there will be other opportunities when I will go into it in more detail - but what I want to say here is that we are playing in the big leagues, in the biggest kinds of leagues. The hon. Minister of Mines and Energy is no longer in the House but he said, "You know what the multinationals are like." I certainly do and many of us do. And a step wrong here, a failure to even anticipate could put us in a very serious position and could in many respects wipe out a lot of the benefits that could come from anything of this sort that happens. I emphasize once again that I hope that the government has been sufficiently wise and all-knowing to have anticipated most of the problems concerned. But there is no question about the fact that when we get into, as a population of 500,000 or so people with what is apparently a rather distressed treasury at the

MR. JAMIESON:

present time, that in our anxiety to go for the big dollar that we do not in fact overlook something which a few years from now - some others may be talking as members opposite are fond of talking now, about the poor deal that was made with regards to Churchill Falls or whatever the case might be, so let us be sure that the Throne Speech's emphasis is on crossing all the "t's" and dotting all the "i's" is borne out.

MR. ROBERTS:

Hear, hear!

MR. JAMIESON:

I wish that there was time to talk about such things as the fishery and various others, but obviously I have more than exhausted my time now. I am grateful to the House for its patience.

MR. BARRY:

I wonder if the hon. member would permit a question?

MR. JAMIESON:

Of course if hon. members are willing, yes.

MR. SPEAKER (BUTT):

The hon. Minister of Mines and Energy.

MR. BARRY:

Is the Leader of the Opposition of the opinion that Mr. Trudeau's proposal with respect to management of the offshore would be as beneficial to this Province as the proposal of Mr. Clark?

MR. JAMIESON:

If it is not then I certainly would not agree with it. I want to make that clear. I do not know. First of all I do not think - I could reverse it and say, does the hon. member know precisely what either Mr. Clark or Mr. Trudeau might have by way of a specific proposition? I said earlier that I think they are both so hazy at the present time that I do not think that you are going to be able to peg anything on them. What I do say, and I repeat,

MR. JAMIESON:

is that I would look for - and I do not know the legalities, the hon. members who are lawyers will know this, I do not know those. But I know that I begin from the proposition that what I would do is say, 'What is it that gives us the biggest return, what is the one that gives us the biggest benefit?' And when you start from that, then you back away from that and then you come down with it.

MR. BARRY: Joe Clark's.

MR. JAMIESON: The hon. member has asked me, then he says, "Clark's". Well, you know, it really is a most innocuous kind of statement. And unless the hon. member knows a heck of a lot more about what was behind the letters, if he is asking

MR. D. JAMIESON: me to believe him on the basis of the letters then I do not believe that is the case. But I do say, however, that whatever is best for Newfoundland is something we should all fight for, we should all argue for and I have no problem with that, I have no problem. If you say to me, 'This is what will turn in the biggest dollar, this is what will give us control and the like over our social and all that kind of thing -

AN HON. MEMBER: (Inaudible).

MR. JAMIESON: The hon. member, if he had not been flitting in and out of the House he would know that I said most of those things this afternoon. So that is my answer. I do not know what the proposal of a new government is going to be. I know what the previous one was; I did not think it was as hot as the member did.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Butt): The hon. the President of the Council.

SOME HON. MEMBERS: Hear, hear!

MR. W. MARSHALL: Mr. Speaker, I had intended to get into the Throne Speech this afternoon but after hearing the speech of the Leader of the Opposition (Mr. Jamieson) I feel constrained so to do. Because, Mr. Speaker, let me say first of all, reiterating what the hon. Leader of the Opposition said the other day in his opening remarks, I have no doubt whatsoever that the hon. member is thoroughly a Newfoundlander; he has as much the interest of Newfoundland at heart as any other Newfoundlander who had lived in the past and I daresay will live in the future. But I say, Mr. Speaker, the speech which I have just heard heralds a very, very sad day, a sad day indeed for the people of Newfoundland and for the interests of Newfoundland itself.

SOME HON. MEMBERS: Hear, hear!

MR. W. MARSHALL: The thing that I wish to address myself mainly to is the obvious - I do not say deliberate attempt. It was not an attempt, it was what was done - an attempt to confuse the basic and prime issue which is before the people of this Province and threatens indeed the very future existence of this Province itself.

SOME HON. MEMBERS: Oh, oh!

MR. W. MARSHALL: Now, Mr. Speaker, I listened to the hon. gentleman and this side listened to the hon. gentleman and I would trust we would have the same courtesies.

MR. SPEAKER (Butt): Order, please!

MR. W. MARSHALL: I had hoped to hear the hon. Leader of the Opposition (Mr. Jamieson) get on his feet when addressing the issue of oil and gas and our rights to oil and gas, and lead us into an explanation of how, as very often happens from time to time, there is and was a divergence between the Provincial Liberal Party and the Federal Liberal Party and to indicate exactly where the Provincial Liberals were going to stand. The hon. gentleman instead of - and I would have hoped because I think that, I sincerely believe it is in the best interest of Newfoundland for the stand which was enunciated in the Throne Speech with respect to our ownership of our offshore resources is very clearly ownership and jurisdiction to the same degree as ownership and jurisdiction on the land that I had hoped that he would get up and endorse this as being the policy of the Provincial Liberal Government - or the Provincial Liberal Party.

SOME HON. MEMBERS: Oh, oh!

MR. W. MARSHALL: There will be no Provincial Liberal Government for many years to come. But I had hoped that he would have endorsed this and gone against the statement of the Leader

MR. W. MARSHALL: of the Federal Party - we do not know truly what the full policy of the Federal Government is going to be on this but as enunciated it is certainly different - in the same way as this particular government when it saw the interest of Newfoundland being at the paramount took a different issue with their federal counterparts on the Northern cod.

But instead, Mr. Speaker, we have an attempt to confuse and this attempt to confuse cannot be allowed to stand before the people of this Province for not one moment, one hour or one day or one week or for any length of time at all. This vital issue before the people of this Province today, as the Premier indicated in his speech which I think is self-evident, is if there is going to be any money in the future for the development of this Province, if we have any hope to exist in the future through our resources, to develop socially and economically in every way we have to get more revenue. And the revenue which is going to be derived has to be derived through the offshore.

Now what I take issue with and I take strong issue with is the attempt to confuse and to say that the courts of the land must decide who has ownership and at the same time to turn around and say it is impossible for the two parties, that is, the two

MR. W. MARSHALL: governments, the Federal Government and the Provincial Government, to agree irrespective of the courts as to who has the ownership. The hon. gentleman talks about a court case that is on going and attempts to give the impression, and I believe he is repeating what he sincerely believes but at the same token he is completely and absolutely and definitely wrong in his assessment that there needs to be a court case in order to resolve this issue.

Mr. Speaker, let me take you back and take us back to years before we were in Confederation in matters relating to Canadian affairs. Let me take you back to the day when Rupert's Land became the Province of Manitoba, and this was in the 1800's. They got a certain amount of land, a certain area of land. In 1912 it was decided to give to the Province of Manitoba extra land extending up to the Hudson's Bay. How was this done? The land then, that particular land, was given to the Province of Manitoba and today forms part of the Province of Manitoba. Did they require a court case to determine who should get it? No, they did not require a court case. Did they require a constitutional amendment, Mr. Speaker? No, they did not require a constitutional amendment. I believe anyone wishing to can look at the British North America Act and find that in the 1870's or 1880's there was an amendment then passed to the Act allowing the extra territory to be added to the provinces, further ownership given to the provinces, therefore further jurisdiction. Mr. Speaker, I read now from an act which was enacted by the Federal Government, and I tell you that this addresses itself to the extension of the boundaries of the Province of Manitoba, to the extension of the jurisdiction of the Province of Manitoba and its ownership up to the Hudson's Bay. And I quote the preamble to the act. This was an act assented to on April 1, 1912 and it is an act of the Federal Parliament, the Parliament of Canada. And it says, "Whereas, on the thirteenth day of July, one thousand nine hundred and eight, the House of Commons resolved that the limits of Manitoba should be increased by the extension of the boundaries of the Province

MR. W. MARSHALL: northward to the sixtieth parallel of latitude, and northeastward to the shores of Hudson Bay, as in the said resolution is more particularly set out, upon such terms and conditions as may be agreed to by the Legislature of Manitoba and by the Parliament of Canada." Now you notice 'upon such terms and conditions as may be agreed upon between' what? All the Provinces of Canada? No. Requiring a constitutional amendment, then through Westminster? No, Mr. Speaker, not as being bruited about. Was it required to be determined by a court case of the Supreme Court of Canada, and then the Privy Council of Canada? No. Mr. Speaker, the way in which the boundaries of Manitoba were extended, they were extended by an act of the Legislature of the Province of Manitoba and by this particular act which I have here, which is an act of the Dominion of Canada. Now why should there be any difference between the Province of Newfoundland in 1980 and the Province of Manitoba in 1912?

SOME HON. MEMBERS: No reason.

MR. MARSHALL: Research will also indicate, Mr. Speaker, for those who which to look, that similar extensions were given with respect to other provinces, I believe the Province of Quebec was one of them, But I am just concentrating now on -

MR. L. BARRY: What about James Bay?

MR. W. MARSHALL: - Manitoba. As the Hon. Minister of Mines and Energy indicates the Province of Quebec went up to James Bay as a result of it. Now the operative part of this act says, paragraph 3, "The limits of the Province are hereby increased so that the boundaries of the Province shall be," and it goes to describe it. Well, why, Mr. Speaker, can we not look forward to and why is not this Province now entitled to an act from the Federal Parliament of Canada saying that its boundaries, the boundaries which we claim we already have but if they want to confirm it to us so that there will be no doubt whatsoever, why cannot the Government of Canada bring in an act today in this session in 1980 to say that the boundaries of the Province of Newfoundland will be

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Tape 56

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MR. W. MARSHALL:
offshore resources?

extended to include its

SOME HON. MEMBERS:

Oh, oh!

MR. W. MARSHALL:

There is absolutely -

We stand ready, Mr. Speaker, I say

we stand ready to bring in an act of that nature in this Legislature.

AN HON. MEMBER:

Hear, hear!

MR. W. MARSHALL:

- and I wonder whether the hon.

gentlemen there opposite

MR. MARSHALL: - I would assume that when this enactment is brought before this House that the hon. gentlemen there opposite will enthusiastically endorse it as well as certain members of the Liberal Party. It is, Mr. Speaker, as I say, in view of this situation - the hon. gentlemen have chosen instead to put their own political interests in the forefront, to agree with their brethren who now form the Government of Canada. If the hon. gentleman wishes any further authorities for it again, this problem in the Province of Manitoba also extended to the rights which the Federal Government had at that time with respect to lands within its boundaries. The lands were acquired by the Federal Government from the Hudson Bay Company and they were held by the Federal Government, and it was a real source of concern right from the time of the entry of the Province of Manitoba into Confederation. It was also, I might say, a real source of concern when the Provinces of Alberta and Saskatchewan entered into Confederation, this business of the ownership of lands. It was then popularly known as the 'lands question', and the provision with respect to the rights to these lands, as I say, was an authority issue all the way through. Now, this was settled in the 1930's as between again the Government of Manitoba and the Dominion of Canada. It was said that it is desirable; the acts that were passed said it was 'desirable and just that such adjustments be made between the Dominion of Canada and the Prairie Provinces with respect to natural resources as will give full recognition to the principle that in this respect they are entitled to be placed in a position of equality with the other provinces of Confederation.' Now, I will not go into the reasons for that because the time will not permit, but there was a real difference and distinction between the manner in which the Prairie Provinces entered into Confederation and the considerations that were given to the four founding provinces, that is, Ontario, Quebec, Nova Scotia and New Brunswick, as well as Prince Edward Island when it came in a few years later.

MR. MARSHALL: It goes on to say that the Government of Canada will negotiate an agreement with the Prairie Provinces with the above object in view, such agreement to be subject to ratification. Now ratification, Mr. Speaker, by whom? Ratification by the court? No. Ratification by a constitutional change? No. But ratification by the Government of the Parliament of Canada and the governments of the parliaments of the respective legislatures concerned. I say, Mr. Speaker, that there is no confusion. The only confusion is what was thrown before the people of this Province in the last election campaign. There are no impediments -

SOME HON. MEMBERS: Oh, oh!

MR. MARSHALL: - there are no impediments, Mr. Speaker, in the way if the Government of Canada has the will of giving to us the offshore jurisdiction and us to receive the offshore jurisdiction in the same way as the Prairie Provinces, and specifically the Government of Manitoba, received extra territorial jurisdiction in 1912, extra jurisdiction, extra ownership and the legal rights to same.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: And we are not asking also, Mr. Speaker, to change the modus operandi as to the operation on the offshore of the application of federal and provincial laws. The hon. gentleman says we need a Select Committee to be able to determine these issues, and we can tell him that we are quite clear in this. We are not asking, we are not asking for considerations such as environmental considerations which will remain that of the Federal Government, but we want exactly the same rights to the offshore which is as much our land as

MR. W. MARSHALL: the homesteads of Manitoba were.

Look, when Manitoba and the Praire Provinces were settled, Mr. Speaker -

SOME HON. MEMBERS: Oh, oh!

AN HON. MEMBER: We all want that.

MR. W. MARSHALL: Yes, you all want it but the hon. gentlemen are engaged in a very sticky wicket, a very sticky political course that is going to end up - which could very well end up in this being denied to us because of their own political viewpoints and wanting to follow the masters in Ottawa rather than standing up here in this House as Newfoundlanders and saying that we have the right to these particular resources.

SOME HON. MEMBERS: Hear, hear.

MR. W. MARSHALL: They may want it but they do not know how to get it. We know they know how to give away resources, Mr. Speaker; we have seen up in Labrador how the hon. gentlemen gave away resources in times past.

SOME HON. MEMBERS: Hear, hear

MR. W. MARSHALL: So we have little reason to have any graat confidence in the judgement of the hon. gentlemen as to how to safeguard the interests of the people of this Province and future generations.

SOME HON. MEMBERS: Oh, oh.

MR. W. MARSHALL: Now, Mr. Speaker, I get up to make this point because I think it is really against the interests of Newfoundlanders. And I do not say the hon. gentleman, as I say, is against the interest of Newfoundlanders deliberately -

MR. S. NEARY: (Inaudible)

MR. W. MARSHALL:

-because, as I say, the hon. gentleman is as much a Newfoundlander as anyone here, but I say inadvertently. The hon. gentleman through obviously not understanding the implications and the import of what he said is very much jeopardizing the interests of the people of Newfoundland by raking the type of speech and

MR. W. MARSHALL: the type of references that he made in that speech, to the necessity of a court case to determine the situation and to the necessity of having Select Committees to look into something which, in his mind, is confused but in the minds of people who have a knowledge of what is going on and the people of Newfoundland is very much crystal clear.

AN HON. MEMBER: Hear, hear.

MR. W. MARSHALL: Now, Mr. Speaker, what do we want in this? We talk about - the hon. gentleman also talks about the Throne Speech as being one of confrontation, and this is about all I think that the hon. gentlemen and the few people who wish to detract from this government can really say but they can not say that with any force either; They talk about confrontation. Well, first of all, I am glad to be in a government of this Province which, for the first time in the history, post-Confederation history, is prepared to confront the real issues which face the people of this Province.

SOME HON. MEMBERS: Hear, hear.

MR. S. NEARY: What about Term 29?

MR. W. MARSHALL: I make no apologies, Mr.

Speaker, for confronting other people in the interests of the people of Newfoundland. But I would prefer to call this not a document of confrontation but really a document, Mr. Speaker, of confidence, a document of confidence in the future of the Province of Newfoundland, a document which indicates how, by adopting the measures and the procedures and the philosophies and the ideas and the ideals which are so evident throughout this Speech can safeguard the future of the Province of Newfoundland for generations yet to come.

As to the situation, Mr. Speaker, that is put from time to time about, you know,

MR. W. MARSHALL: confrontation - What is in the hon. gentlemen's minds? What are they going to think up there on the mainland of Newfoundland, what are they going to think of these strange Newfoundlanders who, for the first time in thirty years, are actually asking for their rights? What are they going to think of them? Are they going to do anything for us, are they going to take away the equalization payments? Are they going to do something to us that we can not exist in the way we did before? - that is the philosophy behind this kind of thinking. We have no apologies and we will never make apologies, Mr. Speaker, for confronting and standing on our own feet for the people of the Province of Newfoundland to safeguard their own interests -

SOME HON. MEMBERS: Hear, hear.

MR. W. MARSHALL: - as far as I am concerned, now another statement, Mr. Speaker, that has been mooted around by the Liberal party, and this is a great canard, probably the greatest canard of all - it was used during the election campaigns and I saw traces of it coming before us - is to the fact that the Liberals are going to give us the rights to the offshore, the present Government of Canada would give us the right to the offshore until such

MR. MARSHALL: time as we become a have Province. In other words, Mr. Speaker, what they are saying when they make that statement is that they are prepared to allow us to use our resources until such time as the bulk of the people of this Province get off welfare, and then they are going to take the cream off. Not for us, Mr. Speaker, not for us, as far as the Liberal philosophy, to have the same rights as the Province of Alberta and the Province of British Columbia. Not for us to have that. The leader of the Federal Liberal Party has the audacity to come here and accuse us of being selfish at a meeting out at

Memorial University.

AN HON. MEMBER:

He did not.

SOME HON. MEMBERS:

Oh, oh!

MR. MARSHALL:

We heard it ourselves.

Mr. Speaker, all we are asking, we are as much Canadians as any other Canadians, but all that this government is asking is for the same privilege as other Canadians have. And now, with the possibility of increased resources in this Province, to have not only the desire but the right and the obligation, which we do willingly perhaps to pay equalization payments to other provinces such as Nova Scotia, New Brunswick Prince Edward Island and, yes, even Manitoba which is still a have-not province.

So that is what we are asking. It is not a selfish position, and it is just as true Canadian as any other Canadian position that can be given by the Mainlanders.

SOME HON. MEMBERS:

Hear, hear!

MR. MARSHALL:

Now as far as I am concerned the statement that they will let Newfoundland have resources to the stage that it becomes a have not Province is made by those who are either ignorant and I mean ignorant, not knowing facts. I do not mean basely ignorant,

MR. MARSHALL: but I mean stupid - they are either stupid or they are playing politics. And in either event, Mr. Speaker, it is not in the interest of the people of this Province.

Now, as I say, I had not intended, Mr. Speaker, to participate in this particular debate but I think that it is obviously, as I say, with a great disappointment that I heard the hon. the Leader of the Opposition enunciate his position, enunciate the policy of the gentlemen there opposite to the effect that there is some confusion. And, as I say, there is no confusion. We are not steeped in Canadian history in this Province. As a matter of fact, very few of us know too much about the history prior to 1949.

SOME HON. MEMBERS: (inaudible) flag (inaudible).

MR. J. CARTER: I am willing to talk about it.

MR. MARSHALL: It was not in the curriculum of the schools prior to our entry into Confederation and there are many people, many middle-aged people who have more of a knowledge of British history than they do of Canadian history because of circumstances. But the fact of the matter is, and it should be rung loud and clear, that the boundaries of other Provinces of Canada have, in times past, been extended; that extra jurisdictions over areas of land have been given to other provinces; that ownership has been given to other provinces; that the right of management over additional land has been given to other provinces without court cases, without constitutional amendments, but merely through an act of the Parliament of Canada and an act of the legislature concerned.

As I say - I know I can say this without any hesitation whatsoever - as far as this government is concerned, and I know I can speak from the government's point of view, we stand ready, willing and

MR. MARSHALL: able to introduce in this
Legislature an act extending the boundary, the ownership,
jurisdiction of our offshore - not extending it, because
we do not use the word 'extending'. Because do not
forget, Mr. Speaker, we already have it.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: Let not any member on the
other side of the House doubt that, ^{or} any Newfoundlander
doubt it. We already have it as a result of our own
historic rights.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: But confirming, further
confirming our rights, if the confirmation is, in fact,
necessary, if there is any doubt in the minds of
industry, which there will be no doubt in the minds of
industry, because I guarantee you, Mr. Speaker, industry
will not

MR. MARSHALL:

operate on the offshore of this Province except under the regulations of this Province, of the people of Newfoundland.

SOME HON. MEMBERS:

Hear, hear!

MR. MARSHALL:

And if that is confrontation, Mr. Speaker, would that there had been more confrontation with Jean Lesage some years ago when the Churchill Falls -

PREMIER PECKFORD:

And John Doyle.

MR. MARSHALL:

Or John Doyle.

PREMIER PECKFORD:

Or John Shaheen.

MR. MARSHALL:

Or John Shaheen or any of the rest of them that the hon. gentlemen are steeped in. But the fact of the matter is, Mr. Speaker, as I say, let there be no doubt that there is a precedent in Canadian history. And why should there not be a precedent? Anybody knows if there is a dispute between two people that both of them can agree as to the determination of that dispute before it goes to court. You do not need to have a court case to determine what both people agree on. It is absolutely crazy. And there can be an agreement and that agreement can be embodied in legislation.

Now, as I say, I had not intended to get into this debate at this stage but I got up because at once I was disappointed with what the Leader of the Opposition (Mr. Jamieson) had said. I was disappointed, Mr. Speaker, by the fact that they thought that, be they Liberals or what they be, that Newfoundlanders, elected Newfoundlanders could stand in the public forum of Newfoundland and indicate that our basic rights, our rights to our resources, the rights which we own, which we are entitled to, that we should put them in a position where they may be wrestled away from us. And I am afraid that

MR. MARSHALL:

the federal party that the hon. gentleman belonged to have indicated and are in the throes of attempting to wrestle away the birthright from the people of Newfoundland.

Now I had hoped, Mr. Speaker, that their attitude would be exactly the same as with respect to the -

MR. FLIGHT:

They do not believe you.

MR. J. CARTER:

Feeding time at the zoo.

MR. FLIGHT:

They proved they do not believe you on the eighteenth.

MR. MARSHALL:

The eighteenth had nothing to do - if the hon. gentleman says -

MR. FLIGHT:

Total rejection of the offshore.

MR. MARSHALL:

Now, here you go, see. Now the hon. gentleman says -

MR. J. CARTER:

Give it all away. Give it all away.

MR. MARSHALL:

The hon. gentleman on the one hand says, "Total rejection on the offshore". We have elected, the Province of Newfoundland, elected five Liberals -

SOME HON. MEMBERS:

Hear, hear!

MR. MARSHALL:

- so there was rejection on the issue of the offshore. That is on the one hand. On the other hand they attempt to say they are at one with us. So what does it mean? Do they mean that they were running in this Province on the basis that the federal government owns the jurisdiction on the offshore? Is the hon. gentleman indicating that? You cannot have it both ways. And if the hon. gentleman is in fact indicating that, if he is gloating over that fact that the Federal Liberal government won an issue on the basis of taking away our offshore rights, perhaps

MR. MARSHALL:

he might like to go on radio and television and inform the people of Newfoundland that that is the provincial Liberal position.

SOME HON. MEMBERS:

Hear, hear!

MR. MARSHALL:

Now, Mr. Speaker, this

is too serious an issue to be allowed to lie the way it was when the hon. Leader of the Opposition sat down, you know, total and absolute confusion. As I have said, this party, it did not wish to but this government as we know took a different view from the Federal P.C. government at the time with respect to the Northern cod because we put the interests of the people of Newfoundland before political interests.

SOME HON. MEMBERS:

Hear, hear!

MR. MARSHALL:

I now call upon, Mr. Speaker,

the next spokesman of the Liberal Party, the next designate of the Leader of the Opposition to get up and speak and say that he is going to put the interests of Newfoundland ahead of the Federal Liberal party and support us entirely in the offshore -

SOME HON. MEMBERS:

Hear, hear!

MR. MARSHALL:

- which will involve, Mr.

Speaker, and there is no confusion between the two letters, which will involve the hon. Leader of the Opposition using his considerable influence with the Prime Minister of Canada and saying to the Prime Minister of Canada, "please bring in legislation in the Federal Parliament confirming the letter given by Prime Minister Clark" and we will do exactly the same thing. Anything less,

MR. MARSHALL:

Mr. Speaker, is not the action I have to say - not with intentions, I do not impute intentions but anything less, Mr. Speaker, is not really in the interests of Newfoundland.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER: (Simms)

Order, please!

The hon. the member for LaPoile.

MR. NEARY:

Mr. Speaker, unfortunately, I am not in a position at the moment to deal with the case that the hon. gentleman referred to in Manitoba when an act was brought in and passed by the Parliament of Canada and in the Legislature of Manitoba back in 1912 to extend the boundary. I cannot deal with that now but I will be able to deal with it tomorrow when I continue with my few remarks because I will still have twenty minutes left tomorrow. But it would seem to me, Mr. Speaker, it would seem to me-and the hon. learned gentleman should know better-that if it is not the law of the land of Canada at the present time to get the unanimous agreement of all the other provinces before you can change the boundaries, certainly it is customary to do so. It is a custom that has grown up over the years, and no Prime Minister or no government of Canada today would dare change a boundary or extend a boundary without the unanimous consent of all the provinces of Canada. And Mr. Clark himself, Mr. Clark had nine months, had nine months in Ottawa in which to pass an act of Parliament giving the offshore ownership to this Province, but he did not do it.

SOME HON. MEMBERS:

Why? Why? Why?

MR. NEARY:

And that is the question: Why did Mr. Clark not do it when he had the opportunity? Why did, Mr. Speaker, why did the Premier of this Province not bring in an act into this Legislature last session and the session before? We could have done it, we could have passed an act, except that the Premier of this

MR. NEARY: Province and his ministers felt that it was a complete waste of time, that there was no way the Parliament of Canada - and I do not care what party is in power in Ottawa - will pass an act granting another province ownership of offshore resources or extending boundaries unless they have the unanimous consent of the other provinces.

MR. W. MARSHALL: You are losing your senses.

MR. NEARY: No, Mr. Speaker, I am not. Mr. Speaker, if there was ever a time in Newfoundland's history, if there was ever a time when we must exercise common senses, it is now. Mr. Speaker, the hon. gentleman talked about playing politics. Well, the hon. gentleman just gave us a classic example of how the government are doing fancy footwork with Ottawa and with the offshore resources that will be to our detriment if we do not watch ourselves. The hon. gentleman talks about playing politics. Well, I remember during the election campaign, the federal campaign that we just came through, when I was over at the university listening to the Leader of the Liberal Party, who is now Prime Minister of Canada, who just took over an hour or so ago and named his Cabinet, I happened to be in that audience of 5,000 or 6,000 people, including 3,000 or 4,000 students, and I was never ashamed of anything in my life as I was when it came to the question and answer period. When I looked out and saw it, I could not believe it, and saw the henchmen, the hatchetmen, sent down by the Premier down at the university with their chin whiskers -

SOME HON. MEMBERS: Shameful, shameful!

MR. NEARY: - to try and embarrass, to try and embarrass the Prime Minister of this country.

AN HON. MEMBER: Heroes, they are all heroes.

MR. NEARY: They are all heroes, all right. They showed the calibre and the low class of the Premier of this Province, sending down these hatchetmen, sending them down to the university to try to embarrass, to try to stir up trouble, to try to stir up

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Tape No. 61

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MR. NEARY: trouble, to try to agitate and aggravate
the Leader of the Liberal Party who made one of the finest statesman-like
speeches I have ever heard him make, and he has made some

MR. S. NEARY: pretty good ones. But the Premier sent down his flunkies, sent down his hired guns to the university; two; one his executive assistant and another one a minister's executive assistant. 'Go over to the university', he said, 'and try and embarrass Mr. Trudeau, Leader of the Liberal Party'. And they got up and made fools of themselves and I hope that was reported back to the hon. gentleman. Then the member for St. John's East (Mr. Marshall), the minister without portfolio, now gets up and tells us to stop playing politics with the offshore resources.

Mr. Speaker, I will deal with the Manitoba situation tomorrow when I have an opportunity to do my research. Mr. Speaker -

MR. J. CARTER: (Inaudible)

MR. S. NEARY: Mr. Speaker, the hon. gentleman got his comeuppance out in Port aux Basques when he was told by the representatives of the local out there of the Brotherhood of Railway Clerks to go back to St. John's, he said, 'You towny, go back to St. John's, do not be wasting the taxpayer's money going around this Province trying to get a new flag!. Do not waste your time and effort, go back', he said, 'to St. John's, you big towny! Do not be wasting your time'. Travelling around the Province at the taxpayers expense. And the hon. gentleman was told to go home and I think that is where he should stay because out in that same community, Sir, the hon. gentleman visited only a week or ten days ago, the hon. Premier just cut off their grant that they were getting out there for an industrial development office, a committment that was made to the Government of Canada. Just cut off their grant. They have an industrial development officer out there and an industrial development office and the hon. Premier whose predecessor made a deal

MR. S. NEARY: with the Government of Canada to fund that office and to fund that industrial development officer, just reneged, double-crossed Ottawa and cut them off. And is it any wonder that the people out there would tell the Chairman of the Select Committee on the Flag (Mr. Carter) to go back to St. John's and save the money and put it to a better use.

AN HON. MEMBER: (Inaudible)

MR. S. NEARY: Mr. Speaker, on the Throne Speech you can talk about anything under the sun. You can even talk about the big galoot!

SOME HON. MEMBERS: Oh, oh!

MR. S. NEARY: And so, Mr. Speaker, while the Premier and his ministers are playing these very dangerous games with the offshore resources, dragging red herrings into the offshore ownership question and playing political games, cheap political games with the offshore question, while they are doing that, Sir, they are completely ignoring - and this was evidenced by the Throne Speech - completely ignoring what is happening offshore. The hon. gentleman promised in the last session of the House that we were going to have a thorough debate on the dangers of polluting the environment and the threat to the fishery in this Province. We were promised on two occasions in this House by the hon. gentleman in the last session of the House and in the session before that, the hon. gentleman said it is getting urgent, it is urgent, we were soon going to have to have a debate because we are reaching a critical point in the offshore development, and that debate never took place. And the only references, the Leader of the Opposition (Mr. Jamieson) indicated today in the regulations protecting the environment and protecting the fishery is that some vague industry standard would apply. What does that mean? What does it mean?

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Tape No. 62

DW - 3

MR. S. NEARY:

Mr. Speaker, I have, since the House last met, set out to do some research on these industry standards and what I am discovering,

MR. NEARY:

Sir, is frightening. It is frightening, Mr. Speaker, absolutely frightening.

I wrote the Coast Guard
I wrote the oil companies, I wired the oil companies,
I wired the Coast Guard -

AN HON. MEMBER:

Did you wire John Doyle?

MR. NEARY:

- and I have been in touch with Ottawa and I have asked for hard evidence, hard evidence. And the Premier thinks that is very funny. I thought he was sincere when he said that we have to improve the decorum of this House and we have to stop personalities. Well, if the Premier wants to get back to personalities all he has to do is sit there and grin at the big galoot from St. John's West (Mr. Barrett) and I will give him all the personalities he wants.

SOME HON. MEMBERS:

Hear, hear!

MR. NEARY:

And I have a few that I can give him too, I will guarantee you that. If he wants them he will get them.

But getting back, Sir, to this serious problem of pollution. So far I have not had one reply in writing from any of the agencies or any of the people that I have contacted. Not one!

AN HON. MEMBER:

They are too afraid of you.

MR. NEARY:

No, Mr. Speaker, they are not afraid of me, they do not have the information. Because they know, Mr. Speaker, that it is virtually impossible to cope with a major spill, or even a minor spill, in the frigid cold waters off the coast of Newfoundland. If we have a blowout or a major spill from a tanker -

MR. JAMIESON:

Breakup.

MR. NEARY:

- a breakup of a tanker, there is no way they can cope with it.

MR. NEARY: Mr. Speaker, that is one matter, one aspect of the offshore situation that is being shoved into the background. The government have been so preoccupied with playing cheap political games with Ottawa. And the Premier is governing the Province and handling this situation by calling a press conference every Friday and hashing and rehashing the situation over and over again and waving his arms, wild-eyed, in a belligerent fashion, in an atmosphere of confrontation like the hon. gentleman is on the verge of a nervous breakdown of some kind and the press just sit there and they lap it up. Every Friday phone calls go out.

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

AN HON. MEMBER:

Phone it in.

MR. SPEAKER(Simms):

The hon. the President of

the Council.

MR. MARSHALL:

Mr. Speaker, I move that the House at its rising do adjourn until tomorrow, Tuesday, at three of the clock, and that this House do now adjourn.

MR. JAMIESON:

Could I ask the hon. House Leader what the business will be? Will we continue with the Throne Speech?

MR. MARSHALL:

We will be continuing the Throne Speech, yes, Mr. Speaker.

On motion, the House at its rising adjourned until tomorrow, Tuesday, March 4, 1980, at 3:00 p.m.

I N D E X

ANSWERS TO QUESTIONS

TABLED

MARCH 3, 1980

MOUNT SCIO HOUSE STAFF .

| | |
|----------------------|--------------|
| Four Security Guards | \$ 44,100.00 |
| One Housekeeper | \$ 9,600.00 |
| One Domestic Worker | \$ 9,100.00 |

MOUNT SCIO HOUSE REDECORATIONS

| | |
|--|---------------|
| Furniture | \$ 33,389.63 |
| Appliances | 6,181.47 |
| Carpet | 14,070.23 |
| Drapes | 14,191.06 |
| Silver, China, Dinnerware, Crystal | 7,130.00 |
| Housewares, Linens | 3,938.79 |
| Removal of old Vinyl and installing new | 4,732.00 |
| Sanding floor - Hallway and Library | 546.00 |
| Supplying and installing - 3 sets French Doors | 1,600.00 |
| Supplying 20 linear feet Shelving in Library | 2,262.00 |
| Plumbing Upgrading | 5,350.00 |
| Electrical Upgrading | 1,524.32 |
| Building Materials | 3,261.85 |
| Miscellaneous Items | 4,014.15 |
| Department of Public Works and Services Staff | 16,429.75 |
| | <hr/> |
| TOTAL | \$ 118,621.25 |

HOUSEKEEPER'S APARTMENT

| | |
|--------------------|-------------|
| Furniture | 1,925.00 |
| Appliances | 1,297.48 |
| Housewares, Linens | 274.88 |
| | <hr/> |
| TOTAL | \$ 3,497.36 |

GRAND TOTAL \$ 122,118.61

Department of Public Works and Services estimate \$ 124,276.24

Department of Public Works and Services Project No. 117903001

Minute of Council No. 802-79 authorized \$125,000.00