

VOL. 3

NO. 22

THIRD SESSION OF THE
THIRTY-NINTH GENERAL
ASSEMBLY OF NEWFOUNDLAND

PRELIMINARY
UNEDITED
TRANSCRIPT

HOUSE OF ASSEMBLY
FOR THE PERIOD:
3:00 P.M. - 6:00 P.M.
WEDNESDAY, APRIL 11, 1984

The House met at 3:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER (Russell): Order, please!

STATEMENTS BY MINISTERS:

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, I just want to inform this hon. House that about two months ago the government embarked upon a two-tiered initiative as it related to the question of the offshore, and over the last three or four weeks the negotiating team for the government has been briefing most of the editorial writers in the Province, and we had embarked in the Province upon, as everybody knows, a small ad campaign and I have as leader been speaking on the issue around the Province extensively over the last three weeks.

The second part of the programme began a few days ago, which is the national programme, and the negotiating team is presently meeting with all the editorial boards of major publications from here to Vancouver. Secondly, there will be, and has been worked on for several weeks now, a fairly extensive ad campaign on the Mainland and starting next Monday I shall be speaking to a group in Moncton, and then in May speaking in Ottawa, Montreal, Toronto, Calgary and Vancouver. So we hope that by the end of May or early June we will have covered most of the country in as many ways as we can to try to get across to Canadians the fairness and reasonableness of our position on the offshore, and I thought I should inform this hon. House. Later on this afternoon I shall be distributing more details to hon. members.

MR. SPEAKER (Russell): The hon. member for Mount Scio.

MR. BARRY: Mr. Speaker, the Opposition welcomes this long-awaited and overdue initiative on the part of the Premier and government. We would express two concerns: Number one is the image which will be projected by the Premier and government. The image that has been projected to date by the Premier will have to change if he is to convince citizens in other provinces of the fairness and equity of our case. And the other thing we regret, Mr. Speaker, is that the Premier would not

MR. BARRY:

accept the recommendation that there be a nonpartisan, two-party representation on the Committee. Nor, Mr. Speaker, have the Premier and government, apparently, accepted our recommendation.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Russell): Order, please!

MR. BARRY: - that there be representatives from the general business community, trade unions, the university community and the general public of the Province which would make it a more credible campaign and there would be a more credible message transmitted in that case.

ORAL QUESTIONS

MR. BARRY: The hon. member for Mount Scio.

MR. BARRY: Mr. Speaker, I would like to direct a question to the Minister responsible for Energy (Mr. Marshall). I would like to ask the minister whether in the offer recently conveyed by the province of Quebec did the government of Quebec offer to supply sufficient power to enable a recall of 800 megawatts from the Upper Churchill?

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

MR. MARSHALL: Mr. Speaker, that is a detail of the negotiations and it is the hope of this government that negotiations can continue. We are doing everything we can to see what possibly can be done to continue the negotiations. For that reason I do not care to answer that question at this particular time because it is a detail of the negotiations.

MR. SPEAKER: Mr. Speaker.

MR. BARRY: With respect to other details then , Mr. Speaker, I would like to ask the minister whether Quebec offered to make available to Churchill Falls(Labrador)Corporation additional revenue from the sale of power to Hydro-Quebec? I would like to ask the minister whether the province of Quebec offered to co-operate in the development of any of the rivers flowing from the Labrador portion of Newfoundland to the province of Quebec? And I would like to ask whether the offer contained an offer to help finance the Lower Churchill and agreement to permit the wheeling of power across the province of Quebec?

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

MR. MARSHALL: Mr. Speaker, once again that is a detail of the negotiation, to answer which would be to bring the negotiation into the public realm and to negotiate in public, and, whatever chances there may be, the chances would be very much diminished, so consequently, for that reason I will not respond to the question.

MR. BARRY: A final supplementary, Mr. Speaker.

MR. SPEAKER: The hon. the member for Mount Scio.

MR. BARRY: I would like to ask the minister whether the Province has not put forth these elements as important elements of any settlement package and whether the Province of Newfoundland has considered making a counter-offer to the Province of Quebec which would respond to each of these elements of what was probably contained in the Province of Quebec's offer?

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

MR. MARSHALL: Mr. Speaker, I said nothing about any elements that were in any negotiations so I am not going to respond to that. All I can tell the hon. gentleman is what this Province is doing in initiating the negotiations, seeking to continue them, and in pursuing them we will at all times act in the best interests of the people of Newfoundland and Labrador.

MR. NEARY: A supplementary, Mr. Speaker.

MR. SPEAKER: The hon. the Leader of the Opposition, a supplementary.

MR. NEARY: Mr. Speaker, a couple of years ago, the hon. gentleman indicated to the House that the Churchill Falls Corporation might be headed for financial difficulties. Now, if the administration there opposite

MR. NEARY: had not nationalized the Churchill Falls Corporation, they would have had a profit this year of \$10 million as a result of the sale of power to Quebec-Hydro. But because they nationalized the Churchill Falls and in view of the escalation, the increase in the cost of operating Churchill Falls and so forth, could the hon. gentleman tell the House what the financial status of the Churchill Falls Corporation is in this current fiscal year?

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

MR. MARSHALL: I find it rather difficult to follow the hon. gentleman's mental gyrations that he is presenting to the House with respect to the alleged aggravation of the condition of CFLCo as a result of the nationalization. As to the financial condition of Churchill Falls, the hon. gentleman, I think, is aware of it. It is a matter of public knowledge that the agreement that the hon. gentleman's administration permitted to be negotiated with the Government of Quebec not only was deficient in rentals to the extent

MR. MARSHALL: that today, now, we only get between \$6 million and \$8 million a year while Quebec is netting about \$780 million, not only does it mean that we have to fight to try to reclaim the power that was given away without any reopeners, but also, Mr. Speaker, the hon. gentleman and his colleagues there opposite, when they negotiated, negotiated an agreement in such a way that the financial position of Churchill Falls (Labrador) Corporation is deteriorating over a period of time and I think that is a matter of public knowledge.

MR. NEARY: A supplementary, Mr. Speaker.

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

MR. NEARY: Mr. Speaker, is the hon. gentleman aware that the government's lawyer, Mr. Leonard Martin of Corner Brook, who represents the Province at the Water Reversion Rights court hearing, that Mr. Martin, the solicitor for the administration there opposite, told the judges of the Supreme Court of Canada that the government did not negotiate any agreement or any contract? Is the hon. gentleman aware of that? If he is aware of it, then how can he stand in this House and make such silly, nonsensical statements as the one he just made?

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

MR. MARSHALL: Mr. Speaker, I am not aware of any statements that Mr. Martin made. All I am aware of is what happened. I am aware of Mr. Philip Smith's book, BRINCO, as well where he indicated that - you know, I think this is profitless in the present time when you are inquiring what is going to happen, but since you asked the question - that the administration there opposite was very much involved in that Upper Churchill contract, that there were conversations

MR. MARSHALL: between Premier Lesage and Premier Smallwood at the time, and obviously so. I mean, the hon. gentlemen there opposite have shown their consummate stupidity over the years in any event, but they are not so inordinately dense that they would have permitted a contract of that nature to be negotiated without being aware of its terms. The only problem, Mr. Speaker, lies in their consummate lack of any perception whatsoever and their lack of realization of where it plunged this Province financially in the years to come. We are feeling the results of it now and we see the results in the budget that the Minister of Finance (Dr. Collins) had to bring before the House this year, which was an exercise, and continues to be an exercise in real management of our finances despite the inordinately bad position that we have been plunged into by actions of the hon. gentlemen there opposite.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: Mr. Speaker.

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

MR. NEARY: The hon. gentleman is really nasty today. I do not know where he was for the last couple of days but he must have taken his nasty pills before he got back into the House.

Is the hon. gentleman also aware that Mr. Crosbie, when he was Minister of Energy for this Province, also stated that the government did not negotiate the contract? And is he aware of a brochure put out by Newfoundland Hydro and a statement made by

MR. NEARY:

the present Premier in this House, that the government of the day did not negotiate the contract or the agreement. Is he aware of these facts? Now, Mr. Speaker, if he is let him say so. Let him not try to continue the big lie that they have been perpetrating on the people of this Province for the last few years.

Now would the hon. gentleman also tell the House if it is correct that over here at Holyrood at the thermo-generating plant that because of a take or pay contract that Newfoundland Hydro have entered into with the oil company that oil has to be burned off in order to make room to take delivery of oil that they have contracted for, that oil has to be burned off without generating a kilowatt of power, that several hundred thousand gallons of oil every year is used at the oil refinery, burned off, so that the tankers can come in and refill the tanks? Could the hon. gentleman confirm or deny that?

MR. SPEAKER (Russell):

The hon. President of the Council.

MR. MARSHALL:

Mr. Speaker, I cannot confirm or deny, you know, what goes on in the hon. gentleman's mind. The hon. gentleman is obviously shellshocked over the years and the sooner the hon. gentleman gets into the Senate of Canada the better it will be for the hon. gentleman, for the people of this Province and everybody concerned. He shows it by his type of question. That is the type of question, Mr. Speaker, you can float up in the Senate because the good old senators are so aged and infirm that they would not realize the import of it, but do not try to put such silly questions before the people's House in this Province.

MR. SPEAKER:

The hon. member for Torngat Mountains.

MR. WARREN: Mr. Speaker, I have a question for the Minister of Social Services (Mr. Hickey). I understand, according to the Planned Parenthood organization last year there were some 300 births to mothers under the age of fifteen; in fact, there were two births to children of eleven years of age. This information, I understand, Mr. Speaker, comes from the Planned Parenthood organization of Newfoundland and Labrador which is trying to deal with this problem and others. I understand that this organization came to the minister's department asking for financial help to deal with this problem. Could the minister advise whether his department has or has not given financial help to the Planned Parenthood organization?

MR. HICKEY: What was the 300?

MR. WARREN: There were some 300 births during the past year to teenagers under the age of fifteen. And I am just wondering why has not the minister given this Planned Parenthood organization some financial help to help them probably to educate teenagers.

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

MR. HICKEY: Mr. Speaker, I am not aware that the Planned Parenthood Association has come to me in recent times for money to do something about 300 births which have taken place to mothers under the age of seventeen.

MR. WARREN: Fifteen.

MR. HICKEY: Fifteen. I can tell the hon. gentleman that the process by which the issue of teenage pregnancies, which is what the hon. gentleman is talking about, can be addressed and should be addressed.

MR. WARREN: I cannot hear him, Mr. Speaker.

MR. TULK: Speak up.

MR. HICKEY: It is not to be found in my providing money. It is a very great process that has to be put in place, such as sex education, number one, parental involvement, number two. The answer is not to be found necessarily in dollars to Planned Parenthood: That is one of the factors that have to be put in place. Now, if the hon. gentleman is going to charge me with responsibility for 300 births to mothers under the age of fifteen and expect me to solve the problem overnight, I am sorry, I cannot accept that responsibility.

MR. WARREN: Mr. Speaker.

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

MR. WARREN: If the minister refuses, as he has just done, to help the Planned Parenthood organization to deal with this problem their way, is he willing to start a programme of public awareness aimed at out youth explaining basically the facts of life in a way that might encourage them to have second thoughts when making decisions about subjects like this, and when threatened with modern

MR. WARREN: day pressures to succumb to the hypnotic seduction of the mass media? I understand a lot of these cases result from attention to the mass media, such as magazines, T.V., radio and so on. I am asking the minister if he is not prepared to help the Planned Parenthood organization, could he tell us what his department is doing to solve the problem?

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

MR. HICKEY: Mr. Speaker, I have great trouble keeping the hon. gentlemen on track as my shadow over there, you know. Surely he has been around the House long enough in the last number of years to know that in fact this controversial issue of Planned Parenthood, in dealing with the problem that he refers to, is not even within my mandate to deal with, but rather in the Department of Health. He surely should also be aware of the fact that the Department of Health, my colleague, the Minister of Health (Mr. House), with the blessing of this administration have taken a number of initiatives in this particular area and has addressed this issue to whatever extent we can. The hon. gentleman is surely aware of that.

MR. ROBERTS: Mr. Speaker.

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

MR. ROBERTS: Thank you, Mr. Speaker. I would like to ask a question or two of the Minister of Public Works (Mr. Young) about some space at Atlantic Place. I wonder if we could begin by asking him whether he would confirm that all or a part, and if it is only a part, which part, of the Petroleum Directorate of the Energy Department is moving into Atlantic Place? Are the provincial government opening offices in Atlantic Place for the Petroleum Directorate? I know they have been there. Are they expanding them?

MR. SPEAKER: The hon. Minister of Public Works and Services.

MR. YOUNG: Mr. Speaker, the Petroleum Directorate has obtained 6,000 square feet in Atlantic Place.

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

MR. ROBERTS: Could the member - the minister, I am sorry, who is also a member of course - tell us when this will be ready and could he tell us whether it has been booked or bought or rented, whatever the correct verb is, as a result of the public tender process?

MR. SPEAKER: The hon. Minister of Public Works and Services.

MR. YOUNG: Mr. Speaker, I could not give the exact date when it will be ready. The space is rented and renovations are being done by the tenant.

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

MR. ROBERTS: Thank you, Sir. I asked the minister, he may not have heard me - or one of his more ignorant colleagues may have interrupted in an effort to be funny, but without any success - but I know the minister takes his departmental duties seriously and I respect and accept that, Could he tell us whether the rentals were done as a matter of public tender or not?

MR. SPEAKER: The hon. Minister of Public Works and Services.

MR. YOUNG: I could check into that. I do not think so, Mr. Speaker. I think it was negotiated. But probably the hon. member is getting confused with the space that has been rented by the federal department, which we saw in the paper quite recently, and has nothing to do with the Department of Public Works and Services or this government.

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

MR. ROBERTS: I am not asking about space the federal government may or may not have rented, that is their problem, But the minister has told us his department has taken an extra 6,000 square feet, I think he just said, Perhaps he could check it and let us know, then, the results of negotiations, He confirms that it was not by tender, and he could check that too, This is not an exam, we are interested in information. Would he also either tell us, or, if he does not recall

MR. ROBERTS:

the detail, would he undertake to get for us how much we are spending for rent, obviously, but also how much in renovations?

MR. SPEAKER (Russell): The hon. Minister of Public Works and Services.

MR. YOUNG: I understand, Mr. Speaker, that the space is being rented at \$18.00 a square foot, space already accommodated, you know, will be done by the tenant as compared to what we are renting there now at \$11.75 per square foot where we have to do our own renovations.

MR. ROBERTS: Mr. Speaker.

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

MR. ROBERTS: So we are paying \$18.00 a foot and the landlord is doing the renovations. Could the minister tell us how much is being allowed by the landlord as a renovations allowance? And more to the point, will that cover the renovations which are to be carried out?

MR. SPEAKER: The hon. Minister of Public Works and Services.

MR. YOUNG: Mr. Speaker, I can get these details. But I know that it is fixed up space for \$18.00 a square foot.

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

MR. ROBERTS: Thank you again, Mr. Speaker. Then the minister will get the detail, and as part of that, I understand, he will find out whether we have to spend anything over and above the \$18.00. Well, he says, no, and

MR. ROBERTS: if that is the answer, fine, but he can check that. And would he tell us how long the Petroleum Directorate are going to be at Atlantic Place? And perhaps, as part and parcel to that, what is the term of the lease?

MR. SPEAKER (Russell): The hon. Minister of Public Works and Services.

MR. YOUNG: Mr. Speaker, I could not tell you the right term but I believe it is on a year to year base or for a three year period. I could not say for sure. I will get the details for the hon. member.

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

MR. ROBERTS: I appreciate the hon. gentleman's undertaking and, of course, will await the results. The final question, at least for the moment, is are the Petroleum Directorate-or is the Petroleum Directorate if it is a corporate entity-to move into the extension, or whatever we are going to call it, here at Confederation Building? Does the minister know whether that is envisioned or not?

MR. SPEAKER: The hon. Minister of Public Works and Services.

MR. YOUNG: The Petroleum Directorate will not be moving, I do not think, into Confederation Building extension.

MR. CALLAN: Mr. Speaker.

MR. SPEAKER: The hon. member for Bellevue.

MR. CALLAN: Mr. Speaker, I have a question for the Minister of Public Works (Mr. Young)

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MR. CALLAN: as well. It concerns the renovations and so on to the Whitbourne Boys' Home. Could the Minister of Public Works (Mr. Young) inform the House when public tenders will be called for the renovations and whatever is going to be done to the Boys' Home?

MR. SPEAKER (Russell): The hon. the Minister of Public Works and Services.

MR. YOUNG: Mr. Speaker, I am sorry I cannot, because it is only recently we appointed consultants and when this is worked out with the Department of Social Services and the necessary consultants bring in their report, tenders will be called.

MR. CALLAN: Mr. Speaker.

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

MR. CALLAN: Mr. Speaker, let me ask the minister, Is it possible that a lot of the work will not be going to public tender at all but will be done through the Department of Social Services and other government departments as far as actual employment is concerned? I know that electrical and all of that has to go to public tender, but is it the intention of the Department of Public Works to hire people who are on social assistance to do a lot of this work?

MR. SPEAKER: The hon. the Minister of Public Works and Services.

MR. YOUNG: My understanding is, Mr. Speaker, that it will go to public tender.

MR. NEARY: Mr. Speaker.

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

MR. NEARY: Mr. Speaker, I have a question for the Minister of Municipal Affairs. I wonder if the minister could tell the House how many requests there have been, and from where these requests have come, for assistance to municipalities who are finding themselves, as a result of the government restraint programme, having to increase taxes and are showing deficits in their budgets? Could the minister tell the House how many complaints have been recorded about

MR. NEARY: the government's restraint programme, the decreasing of assistance to municipalities and how many requests have been received for assistance from the minister's department to cover deficits in municipalities throughout the Province?

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

MRS. NEWHOOK: Mr. Speaker, there have been no requests to cover deficits in municipal budgets for this present year. I have received one concern from the Humber Joint Councils. That was not a request, it was not a complaint, it was just a concern and they were bringing their concern to my attention.

We do get requests from municipalities once in a while for

MRS. NEWHOOK: emergency assistance and these are for maybe some kind of repairs or something that has happened and they do not have the money or they have not budgeted for it. But these are regular, ongoing, small amounts where we assist municipalities and we have been doing that for years, Mr. Speaker.

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

MR. NEARY: Mr. Speaker, could the hon. minister inform the House if there has been any dialogue, any correspondence or communications or any meetings between the minister and the Newfoundland Federation of Mayors and Municipalities concerning the announced policy that was included in the Budget Speech when it was read by the Minister of Finance (Dr. Collins); has there been any outcries, any protests, any meetings about the retrogressive policy concerning municipalities that was announced by the Minister of Finance?

MR. SPEAKER: The hon. Minister of Municipal Affairs.

MRS. NEWHOOK: Mr. Speaker, no, I have not heard from the executive of the Federation of Municipalities except what the president has said over the air and I have read his comments in the newspaper. But I do meet with the executive of the Federation on a quarterly basis and I would think perhaps when we have our next meeting that matter may be brought up.

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

MR. ROBERTS: Thank you, Sir. As my colleague the Leader of the Opposition (Mr. Neary) says, I have no doubt that that matter will come up when the minister next meets with the liaison committee. I would like to ask a question, if I could, to the Minister of Justice (Mr. Ottenheimer), who has been having a quiet afternoon over there so far. We are all distressed, of course, to learn of the illness of Chief Roche of the Royal Newfoundland Constabulary and I know the minister

MR. ROBERTS: was asked some questions and made some responses here in the House a week or so past. He may have heard the Chief on the radio the other morning, it was on CBC, The Morning Show, being interviewed by a reporter and the Chief said that he was seeing his doctor and that really until he saw his doctor he, of course, did not know how long he would be off on sick leave. And that is a pretty good answer to a pretty good question.

I wonder if the minister could tell us has he heard anything more from the Chief? In other words, can he bring us up to date on this situation? Can the minister tell us, for example, how long the Chief expects to be on sick leave and when we might expect to have him back on the job?

MR. SPEAKER (Russell):

The hon. Minister of Justice.

MR. OTTENHEIMER:

Mr. Speaker, the latest information we have was conveyed by a letter from the gentleman's physician to the effect that sick leave was still required. We expect another report with respect to his health, the medical situation around the middle of May.

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

MR. ROBERTS: Mr. Speaker, neither I nor the minister is trying to become involved in the Chief's private, medical affairs, that is not the point. But the minister, to build on his answer, I know will concur that there is a state of some uncertainty about a very senior public service position, the Chief of the RNC. I wonder if the minister could tell us whether there is any indication how long the Chief will be away from work? I gather from the minister he has had one medical report and he is expecting a second in roughly a month. Is there any indication as to long the Chief will be away from his duties?

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

MR. OTTENHEIMER: I would certainly expect, Mr. Speaker, that I would be in position to give a definitive reply after we receive the report we are expecting around the middle of May.

MR. ROBERTS: Mr. Speaker.

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

MR. ROBERTS: I thank the minister and obviously we will have to await the event. Could I ask of him an assurance that he will, obviously within the knowledge he has at that point, give us a definitive reply as to whatever the situation is? If the House is not meeting, and I gather that the government's lack of a programme may mean that the House will not be meeting in mid-May, as astonishing as that may seem, could the minister assure us that he will make a public statement? He is not normally reticent, so I am sure he is willing to give the information.

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

MR. OTTENHEIMER: Mr. Speaker, certainly as soon as

MR. OTTENHEIMER: I have definitive information myself I will communicate it publicly in the House or however appropriate if that is not possible.

MR. ROBERTS: Thank you.

MR. NEARY: Mr. Speaker.

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

MR. NEARY: Mr. Speaker, I wonder if the Minister of Labour and Manpower (Mr. Dinn) is yet in a position to tell us what the deficit is going to be at the Workers' Compensation Board this year? In 1981 the hon. gentleman is aware there was a surplus of \$4 million, in 1982 a deficit \$9 million and we heard during the Committee meetings on the Estimates that the deficit would be approximately \$10 million. Could the hon. gentleman inform the House, Mr. Speaker, if indeed the deficit this year will be around \$10 million?

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

MR. DINN: Mr. Speaker, I am sure the hon. member is not deaf. He was down at the Estimates Committee meeting, he asked the same question down there and I answered the question down there. The answer to the question is the same answer to that same question that I gave in the Estimates Committee, which was in the paper, it was widely publicized, covered by the press very well, full coverage by the Daily News, who attended the committee meetings. But basically the hon. the Leader of the Opposition (Mr. Neary) would also know that Workers' Compensation Boards throughout Canada have had grave difficulty over the past few years

MR. DINN: with workers' compensation. The One out in B.C., as an example, is subsidized substantially by the provincial government to keep it afloat. Our Workers' Compensation Board is probably the best run Workers' Compensation Board of any province in Canada.

SOME HON. MEMBERS: Hear, hear!

MR. DINN: The Workers' Compensation Board has had some deficits in the past and some surpluses in the past, but these things have to be taken into context: By surplus or deficit does it mean that there is not enough money in the reserve fund to take care of the insurance needs of the Board for future requirements? Well, Mr. Speaker, we know that in 1982 there was an actuarial study done on the reserve fund of the Board and that report indicated that the Board was in excellent financial condition.

MR. SIMMS: That is only 1982.

MR. DINN: That is in 1982. Now, 1983 just passed, so in 1984 we are due to have another actuarial study on the Workers' Compensation Board and at that point in time I will be in a position to give the hon. member more detailed information as to the capability and the viability of the Workers' Compensation Board. What happens if, for example, the actuarial indicates that we are \$1 million shy with respect to the reserve fund? What happens then is the assessment -

MR. HODDER: Why do you not (inaudible).

MR. DINN: The hon. the member for Port au Port (Mr. Hodder) is interrupting when I am trying to give the hon. the Leader of the Opposition (Mr. Neary) a fairly detailed answer to a very good question.

The fact of the matter is, if the actuarial study indicates that there is a shortage in the reserve fund, then what happens is the assessments

MR. DINN: are increased. If it indicates that it is in a surplus position, the assessments can be decreased. And that is how the operation of the Workers' Compensation Board is operated. It is operated on the basis of very good financial information.

Now, it is true, as the hon. member indicated, there was a surplus in 1981 of \$4 million. Well, you have to also look at in that year how much money was transferred from the assessments collected that year into the reserve fund, and that year there was a substantial amount of money, so along with the \$4 million surplus there was a substantial amount of money transferred into the disaster reserve, etc., and the other three funding situations, and that is quite available to the hon. member in last year's report that I gave to the House of Assembly.

Now, last year

MR. DINN: there was a substantial amount of money also transferred into the disaster reserve and the other two funding categories of the board. There was a \$9 million deficit. So you take the \$4 million surplus that you had the year before, the \$9 million deficit, if one cannot subtract 4 from 9, it means that over the two year period then it was \$5 million deficit.

MR. NEARY: \$13 million.

MR. DINN: It was a \$5 million deficit. The hon. Leader of the Opposition (Mr. Neary) adds when he should subtract. You see, when you have a surplus, and then you have a deficit, you subtract the surplus of one year from the deficit of the next and you find out that indeed there is a \$5 million deficit -

MR. SIMMS: Clear as a bell.

MR. DINN: -over the two years. Now if we continue that on into the next year, which is not reported yet, but in trying to supply the hon. Leader of the Opposition with all the information that is available to me - and, of course, being a responsible minister we have to, I mean, we have to check and make sure that these boards are operating very well in the Province; and I go down occasionally to the Worker's Compensation Board and meet with the board and get the information from the board, and in my quest to make sure that all the information is provided to these members of the committee, especially those members who show up at the committee meetings - then I indicated to him that, based on the information that I had at that point in time, it appeared as though there may be a deficit this year of \$10 million. But does that mean that no money will be transferred into the reserved funding or no money will be transferred into -

MR. NEARY: Do you know what is going on?

MR. DINN: Well, if the hon.

Leader of the Opposition (Mr. Neary) does not want the answer, Mr. Speaker, you know I cannot help that. But the hon. Leader of the Opposition asked the question so I am endeavouring to give him the answer. If he does not want the answer, well, Mr. Speaker, I will sit down and wait for another important question.

MR. SPEAKER (Russell): Order, please! The time for the Question Period has expired.

Before we proceed, I would like to welcome to the galleries a delegation from the Twillingate, New World Islands, Change Islands Development Association, with their president, Mr. Albert Canning, Mr. John Noel, Mr. Wayne Anstey, and Mr. Malcolm Anstey.

SOME HON. MEMBERS: Hear, hear!

REPORTS OF STANDING AND SPECIAL COMMITTEES:

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

MR. STEWART: Mr. Speaker, the Resource Committee on Estimates have met and considered the following heads: Development, Head VI; Mines and Energy, Head VII; Fisheries, Head VIII; Forest Resources and Lands, Head IX; Rural, Agricultural and Northern Development, Head X; all passed without amendment.

SOME HON. MEMBERS: Hear, hear!

ANSWERS TO QUESTIONS FOR WHICH NOTICE HAS BEEN GIVEN:

MR. MARSHALL: Mr. Speaker, I have the answer to question number 27 appearing in the name of the hon. the Leader of the Opposition.

ORDERS OF THE DAY:

MR. SPEAKER (Russell): It being Private Member's Day, we shall proceed with Motion number 5 on the Order Paper to be moved by the hon. member for Mount Scio.

The hon. member for Mount Scio.

MR. BARRY: Mr. Speaker, I expect that we will see unanimous support of the House for this motion. It is a very straightforward motion and the substance of the motion is that 'it be resolved that this House condemn the Provincial Government for weakening our bargaining position through its approach to the offshore issue: AND BE IT FURTHER RESOLVED that this House demand that the Provincial Government return with the Federal Government to the bargaining table immediately.'

Now I do not think members will have any difficulty in supporting that. It is the

MR. BARRY: only way, Mr. Speaker, that we are going to see this great resource developed for the benefit of Newfoundland and for the benefit of the country as a whole.

Now, Mr. Speaker, I would like to start at the beginning. The first 'Whereas' is: 'WHEREAS the Supreme Court of Canada has recently decided in favour of the Federal Government concerning ownership and jurisdiction of offshore resources.'

Now, I am sure that hon. members would have no difficulty in accepting that that is the position as laid down by the Supreme Court.

I think it should be pointed out that this was first raised - and the Minister of Justice (Mr. Ottenheimer) should listen to this - this was first raised in a legal forum by the Newfoundland Workers' Compensation Board. The statement has been made by members opposite that it was the federal government that first brought this issue into play. Well, Mr. Speaker, it was the Workers' Compensation Board of Newfoundland which brought this issue first into a legal forum.

I was happy to hear the member for Stephenville (Mr. Stagg), in his comments on this, acknowledge, Mr. Speaker, acknowledge and confirm that this was a matter which I had raised as a matter of concern. It was a matter that, I had pointed out to government, need not have been put to the Newfoundland Court of Appeal at the time it was; this has been confirmed by the member for Stephenville, that government was aware of the possibility of the federal Court of Appeal deciding on purely labour law issues, as they in fact ended up doing, and not on the offshore issue. But, of course, by the time the federal court decision came down, the Province had

MR. BARRY: already put it before the Newfoundland Court of Appeal, so the legal process was underway which led to a decision adverse to this Province's interests.

Now, Mr. Speaker, that has had the result of weakening this Province's bargaining position. The only thing that we can conclude from the position of the Minister responsible for Energy (Mr. Marshall) and the Premier, that they will not return to the bargaining table, seems to be a lack of confidence in their ability to negotiate a deal that would be acceptable to the people of this Province, and they are taking the safe way out. Rather than be accused of making a mistake, they are taking the safe way out by doing nothing. Well, Mr. Speaker, the people of this Province will condemn members opposite for putting all unemployed in the position of despair, no hope, no promise for the future, of putting, in fact, probably an entire generation through unnecessary economic hardship and uncertainty. Mr. Speaker, this is something that the people of this Province will keep in mind. Members opposite will not get away by doing nothing for fear that they may make a mistake. The people of this Province are aware of the unnecessary hardship to which they are putting our people by their refusal, their stubborn refusal, despite many invitations from the federal government, to sit down and deal like reasonable individuals with this issue.

Mr. Speaker, that deals with the second recital that:
'WHEREAS this followed a decision of the Newfoundland Court of Appeal which was brought prematurely to the Court and was not properly prepared;'

MR. BARRY:

The next recital is:

'AND WHEREAS the Premier of this Province has indicated that he intends to keep on fighting until there is a change of government in Ottawa rather than now returning with the Federal Government to the bargaining table;

'AND WHEREAS the present Leader of the Federal Progressive Conservative Party has refused to commit himself to provincial ownership and jurisdiction of offshore resources and our Province's two Progressive Conservative Members of Parliament have made conflicting statements on this important issue;

SOME HON. MEMBERS:

The polls! The polls!

'AND WHEREAS' - this is what the members were waiting for. The polls change, Mr. Speaker, and they will change again. There has been a new poll out since this went on the Order Paper.

'AND WHEREAS recent polls create doubt whether the

MR. BARRY:

'Progressive Conservative Party will form the Government of Canada after the next election.' And we saw, Mr. Speaker, the polls narrowed to where the Conservative Party, in a time of no leadership, from the Liberal Party had fallen down nationally to a twelve point spread. Now, Mr. Speaker, I take a position of neutrality in this federal politics. I am a provincial member of the House of Assembly. I take a position of neutrality. I will be looking with great interest, Mr. Speaker, as to what happens. But I would suggest to member opposite that if the polls have narrowed to twelve points at a time when one of the parties was leaderless, let us watch and see what happens after there has been a leadership convention and a new leader elected. Let us wait and see what the polls are at that point in time. And, Mr. Speaker, my point purely and simply is that it is a very risky proposition for members opposite to put all their eggs in the basket of seeing a Progressive Conservative government returned in Ottawa, particularly, Mr. Speaker, when one considers the position recently taken by Mr. Mulroney following last weekend's policy conference when he comes out and sits down and tells the press -

AN HON. MEMBER:

He is coming here.

MR. BARRY:

Okay, he is coming down here later this month or in a couple of weeks. It was supposed to be the middle of April but it is now several weeks time. So maybe it will be the end of April that he will be down, or maybe it will be May. Maybe he will not be down at all. But what is he going to say when he comes down, Mr. Speaker? I hope members opposite

MR. BARRY: were watching his casual statement to the press where he spoke about a couple of new wrinkles, a couple of new wrinkles developing since Mr. Clark was prepared to sign on the dotted line, Despite being undermined by the Premier in the election, Joe Clark was prepared to sign on the dotted line. Mr. Mulroney, however, is now saying, 'Oh, there are two new wrinkles, There is the Supreme Court of Canada decision and there is the new amending formula under the constitution,' and, he said, 'we might be waiting quite a long time if we had to wait for a constitutional amendment.' To that I say, rubbish, rubbish, Mr. Mulroney. If the Premier has not yet, the Premier should very quickly, this afternoon or tomorrow, send off to Mr. Mulroney the concurrence which the Premier tells us he had obtained from the other Premiers of Canada. Now if we have, Mr. Speaker, the concurrence of all of the provincial governments of Canada, as the Premier indicates we have, this should be pointed out to Mr. Mulroney, so that if he does become Prime Minister, in that eventuality, and he has the concurrence of all ten premiers for a constitutional amendment, then it will be only in Mr. Mulroney's hands as to whether or not the constitution is amended. So, Mr. Mulroney should not be let off the hook by pretending that this amending formula is now going to create great difficulty in his doing what the Conservative Party had earlier committed itself to do.

Now, Mr. Speaker, I would like to get back to the telex of the Minister responsible for Energy (Mr. Marshall), sent to Mr. Chretien January 24, 1983. I have two or three points, Mr. Speaker,

MR. BARRY: to indicate, Mr. Speaker, that this side of the House stands foursquare for Newfoundland beyond any shadow of a doubt on matters of principle relating to the control and management of the resource and on seeing this Province get a fair share of revenue. But what we are against, and this, Mr. Speaker, will come out despite these misleading propoganda ads that are being circulated, I hope not at government's expense, I hope at private expense - not that last one, surely not that last one, at government expense! I think there is an ad that comes out that shows last week's resolution, Mr. Speaker, but fails to point out the amendment. It does not mention, I do not believe, the amendment; does not mention the amendment proposed by this side of the House that says that these matters should not be set forth as preconditions.

MR. SIMMS: The House defeated it.

MR. BARRY: Yes, it was defeated. The amendment was defeated by members opposite. In other words, Mr. Speaker, members opposite are in favour of setting these preconditions. They are in favour of not sitting down unless you have the other side agree to a list of I think it is seventeen preconditions we have here. And imagine, Mr. Speaker, what is being set forth as matters of principle.

MR. SIMMS: Eighteen you said yesterday.

MR. BARRY: Is it eighteen? Who is counting them?

Mr. Speaker, I went through the first four or five. We are in favour of true joint management which would see some form of dispute resolution so that the final say is not necessarily with one side or the other.

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

MR. BARRY: Mr. Speaker, I would like to have a little silence. I know it is a hot issue, a red hot issue -

MR. SPEAKER (Aylward): Order, please! A point of order by the hon. member for Placentia.

MR. PATTERSON: If the hon. member is so much in favour of the position taken by our Premier, why is he sitting opposite?

MR. YOUNG: Right on! Hear, hear!

MR. BARRY: Mr. Speaker, to the point of order.

MR. SPEAKER: Order, please! To that point of order, the hon. member for Mount Scio.

MR. BARRY: Mr. Speaker, I think that becomes quite obvious from the vote on the amendment last week, when the member for Placentia (Mr. Patterson), together with other members, got up and shot down an amendment which would say we should not set forth preconditions to negotiation. Members know that they will never get a negotiated settlement if they are going to set preconditions.

MR. SPEAKER: Order, please! To that point of order, I rule there is no point of order, merely a question to the hon. member.

The hon. member for Mount Scio.

MR. BARRY: So, Mr. Speaker, what we have again is an example of a total lack of awareness of what is involved in negotiating. Members opposite do not know how to negotiate. They have never had to negotiate. They do not know how. Now, if I can go through these points, the first point is we agree with true joint

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MR. BARRY: management, with a dispute resolving mechanism. We do not understand what all this emphasis is on who employs the staff, as long as there is a proper secondment. As long as there is proper direction given to the staff of the Board, who cares who is the ultimate employer?

MR. PATTERSON: Who hires and fires? You do not think it is important who hires and fires?

SOME HON. MEMBERS: Oh, oh!

MR. BARRY: Mr. Speaker, do I have to shout the member down?

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

MR. BARRY: Mr. Speaker, on the second point, with respect to 'the Federal right to determine the pace of development up to the point of national energy self-sufficiency and security of supply,' - fine! 'There will be meaningful protection afforded the Province against the unreasonable or capricious use of that power,' - what does that mean? What does that mean, Mr. Speaker? We want clarification from the Minister responsible for Energy (Mr. Marshall). We are not trained seals, Mr. Speaker, that will vote for anything. We want clarification of what is meant by this.

MR. RIDEOUT: Do you not know?

MR. BARRY: No, Mr. Speaker. No. It has never been explained. The Premier got up there, stood up in this House and said, 'Oh, the Opposition is using terms like 'reasonable'. They say that they want a 'reasonable' settlement.' And he said, 'That is nonsense using words like that.' So the Premier and the Minister of Energy sent up a Telex to Mr. Chretien saying that they were against, 'unreasonable exercise of federal power.' Well, we put the Premier's words back to him, 'What does this general language mean?'

Mr. Speaker, 'In the development plan approval process, if there is disagreement at the Board and Ministerial levels, the provincial plan will have paramountcy unless through an objective process it can be proven that the plan unreasonably delays or interferes with the achievement of national self-sufficiency and security of supply.' No problem! Again, it is a question of what type of objective process. It is general language since we do not know what form of objective process they are talking about

MR. BARRY: here.

Mr. Speaker, the next point is they are talking about the objective process being through 'a mutually agreeable independent body'. What type of body? They have not said, we do not know.

Item (d), Mr. Speaker, 'That there will be an objective means of determination of national energy self-sufficiency and security,' again, 'by a mutually agreeable independent body.' We do not know what that independent body is. Get up and tell us. Get up and have the government tell us, Mr. Speaker.

MR. RIDEOUT: You know. You know. You were in caucus with all of us.

MR. BARRY: The member opposite will have his chance to enter into this debate and he can tell us all the things he has learned since he joined the other party.

MR. RIDEOUT: You know the answer, who was suggested.

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

MR. BARRY: Mr. Speaker, Item (e), 'That the Province's contribution to national energy self-sufficiency and security of supply will be commensurate with other oil producing provinces or areas.' That Mr. Speaker, seems to be all right.

Item (f), 'That the fiscal regime setting the basic and sliding scale royalties and crown share applicable in respect of resource revenue will be set out in the mirror legislation.' Well, we may not have any need for mirror legislation now, it will not be possible without a Constitutional amendment. Why would we need mirror legislation if we have a proper Constitutional amendment?

'Provincial Retail Sales Tax and Corporate Income Tax will apply offshore.' Mr. Speaker, that is only another way of getting the revenue. Whether that is done or whether the revenue comes to the Province in another

MR. BARRY: way is not a matter of principle, it is a matter of getting the proper share of government take.

Item (h) 'A revenue floor when we reach a certain level of wealth which will never be less than the initial share of the Total Government Take accruing to the Federal Government.' Again, no problem, Mr. Speaker.

'Per capita earned income will be significantly reflected in the revenue trigger point in addition to the fiscal capacity of the Province.' Mr. Speaker, now this is where we get into the nitty-gritty of negotiation and this is an example of where the Province is trying to set a precondition. Before they sit down to the bargaining table, they are trying to have the federal government agree to all matters by Telex. I mean, they actually think that they can get an agreement by an exchange of Telexes, Mr. Speaker. It shows you why we have not had

MR. BARRY: progress in this Province over the last five years, which shows you why we have the level of unemployment, the acknowledged level at 23 per cent, God knows what the real level of unemployment is.

Mr. Speaker, Item (j): 'That the provincial Government would receive 75 per cent of the Total Government take at the start including, if necessary, the PGRT,' The Petroleum Gas Revenue Tax.

Mr. Speaker, this is the point that was being made by Mr. Chretien in his statement last week, that as long as we look at total government take the province will end up in a better position as long as we are getting, instead of the federal government, the benefits of this PGRT. Now, it is still just a matter of looking at the total government take and how it will be divided between the province and the federal government. And whether you take it through provincial tax, or provincial corporate income tax, or through the federal government passing over the PGRT, does it matter? What matters is the amount of money that will be available to this Province to use for the benefit of our people.

Mr. Speaker, again the next item. That there will be no artificial reduction by reducing P.I.P. grants and so forth, again we can accept that. 'That there be fair and equitable sharing of Crown rights,' we accept that. 'An orderly phase out of equalization not less favourable than the provisions contained in the the present Fiscal Arrangements Act', which says that it can only reduce by 15 per cent in any one year, and Mr. Chretien, in the statement he read last week, went further than that and said he would enter into the type of agreement on equalization, which members opposite apparently know nothing about, that he has with the Province of Nova Scotia where there is less than a dollar for dollar

MR. BARRY: reduction as part of a special deal on the offshore.

Now, the government and members opposite should find what the details of that Nova Scotian agreement are.

MR. NEARY: Have they a copy of that statement over there?

MR. BARRY: I do not know if they have a copy of Mr. Chretien's statement. Now, there are things in Mr. Chretien's statement; He slides too easily over this joint management, he wants the final say. That is a matter for negotiation. That is a matter on which we would not tell the provincial government to accept Mr. Chretien's statement. There are matters there where we can negotiate a better deal than he has offered.

Similarly, when he talks about 'We will be almost as rich as Alberta, and richer than Ontario', it depends on what he means by the definition of 'rich'. And we do not think that he is taking into consideration per capita earned income, and, again, that is a matter where we think a better deal can be negotiated from Mr. Chretien than he has offered so far. But the only way of getting that better deal, Mr. Speaker, will be if the provincial government sits down at the bargaining table and negotiates it.

MR. SPEAKER (Aylward): Order, please!

The hon. member's time has elapsed.

MR. BARRY: There are just four more points, Mr. Speaker. I am sure we can have our position by leave on those to show that there is no real opposition in principle, Mr. Speaker, just on matters of detail, just on the process of negotiation.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS: Oh, oh!

MR. BARRY: They do not want the people
to know, Mr. Speaker, They do not want the people to
know,

MR. SPEAKER(Aylward): Order, please!

MR. BARRY: They want to hide behind a
cloud of propaganda.

SOME HON. MEMBERS: Sit down, boy.

MR. SPEAKER: Order, please!
Does the hon. member have

leave to continue?

SOME HON. MEMBERS: By leave,

SOME HON. MEMBERS: No, no leave.

MR. SPEAKER: Leave has not been granted,

MR. ROBERTS: No leave?

MR. SPEAKER: Before I introduce the next
speaker,

MR. SPEAKER (AYLWARD): I am sure you wish to join me in welcoming to our galleries the Mayor, three Councillors, and Clerk from the Town of Spaniard's Bay.

SOME HON. MEMBERS: Hear, hear!

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

SOME HON. MEMBERS: Hear, hear!

MR. CARTER: Perhaps members should not applaud me because I was thinking of moving a motion of no confidence, a motion of no confidence in the Opposition. There is a procedural problem there, because if there is a motion of no confidence moved in the government and the motion is lost, then the government loses and becomes the Opposition, so if a motion of no confidence is voted on in the Opposition and is sustained, then presumably the Opposition becomes the government. It gets awfully tangled so I thought I would stay away from that.

Mr. Speaker, when the hon. member for Mount Scio (Mr. Barry) first crossed the floor, I was looking forward to an increase in the general level of intelligence of the Opposition and I think we were all looking forward quite genuinely to very hard, trenchant debate; the debate from now on would be largely a matter of ideas and not just of words. But I think we have all been sadly disappointed. The member for Mount Scio, especially in regard to this particular resolution, has been involved in the negotiations for a number of years, he is very knowledgeable, he is I think very well versed in all these matters both from a legal point of view and from a political point of view because of his experience. And I was hoping that we would get a very good, if somewhat biased, analysis of the present offshore position. And I for one would have

MR. CARTER: been more than happy to have granted him leave to carry on for most of the afternoon, I think other members here would have agreed with me, had he been interesting and analytical, and serious. I really think I speak for every person on this side when I say that it would have been no trouble, he might have had to ask a couple of times, but it would have been no trouble for him to have gotten unanimous consent to carry on for the whole afternoon. Because I think the hon. member did start off by being sincere, and I would like to make this point, sincerity is the important thing in political life; once you can fake that you have it made.

 On the matter of the motion as it is made, now this is the one that deals with the six remaining Supremes, the ones that I inadvertently referred to as Liberal hacks, Mr. Speaker, the last time I was speaking, and for which I have apologized and cannot apologize too often. It was wrong to call them Liberal hacks. They are not Liberal hacks. They may be Liberals but they are not necessarily hacks.

MR. CARTER: So the point is that the Supreme Court of Canada has made, unfortunately, a decision that certainly prejudices any negotiations with Newfoundland. And, you know, there is really something very unfair about this House of Assembly and I think it is a good time for me to bring it up. The Opposition can ask questions of the ministers of the government - they can ask all kinds of questions; a half an hour a day is devoted to it. Sometimes they are given leave to ask even more questions - but we are not allowed to ask questions of the Opposition. Now, I agree that individual members should not be allowed to ask questions of individual members of the Opposition but, surely, the Leader of the Opposition (Mr. Neary) has, he has told us many times, Cabinet rank, and if he has Cabinet rank, he should therefore to some extent have Cabinet responsibilities. After all, if the government changes he would become Premier; although the phrase 'Premier Neary' sort of sticks on my tongue.

SOME HON. MEMBERS: Hear, hear!

MR. CARTER: Several times I have attempted to phrase a question for the Leader of the Opposition and each time it has been disallowed by the Speaker, in spite of the fact that I have quoted citations which I think would support my attempt to ask the Leader of the Opposition some questions. But now that I am speaking and he is in the House, I do have two questions for the Leader of the Opposition, two very important questions. They are the following: Has John Doyle read the Mifflin report or has he not? Two questions: He can answer them now.

SOME HON. MEMBERS: Hear, hear!

MR. CARTER: To get down to the matter at hand, I am convinced, and I think most of us here are convinced, that a deal is possible and that philosophically, perhaps, the federal government and the provincial government are not all that far apart. I think the day will come when a deal will be made. I think it will be long and hard and I do not think it will be easily come by. The negotiations will not be simple and the technological developments that have to be perfected are certainly going to hold things up. But it is rather - perhaps I should argue by analogy - it is rather like my saying that I am going to give a salesman a car to do his work with. Now, who could disagree with that? What salesman would say that it was wrong for me to give him a car to do his work with? - a perfectly reasonable position. But now, when you get down to the fine points, and you look at the car and you find that it is a twenty year old car, you find that the tires are all flat and you find that the body is rusting away and there is no insurance on it; you have to look at the shape of the car, then you realize that it is not enough just to make general statements of good will, it is the fine details that are important. And later on in this debate, people who are far more knowledgeable than I am will get up and talk about the details that they could not agree with.

MR. NEARY: They will be embarrassed over there then.

MR. CARTER: Now, the cry keeps going up, 'Why can we not sit down and negotiate?' Well, I am sorry that the hon. member is not in his chair because, I would say, I will give him another example; I will offer him \$1,000 for his house. Now, his house is worth far more than that, but this is a serious offer, I will offer him \$1,000 for his house.

MR. CARTER: And if he will not sit down and negotiate, what is the matter? If he does not like that offer why does he not sit down and negotiate? I might give him \$1,100. That is the kind of deal we have with Ottawa.

MR. STAGG: I would say they will give you \$1,000 today and if you do not negotiate they will give you \$900 tomorrow.

MR. CARTER: Yes, the member's point is well taken.

Now, a little earlier, when speaking in Interim Supply, I believe, I pointed out how something over \$1 billion a year comes out of Newfoundland pockets and goes to the federal government and something like - and I am quoting figures from the budget - something like \$750 million comes back in equalization and established program financing payments. So we pay out \$1 billion - rather more than \$1 billion, that is a conservative estimate. It is implicit in the budget figures, any member may check it, and we get back something like \$750 million. Now, if we get any oil revenues, those revenues - not all of them, apparently; I am willing to concede the point to the member for Mount Scio (Mr. Barry) - not all of those, no matter what deal is made they would not do it dollar for dollar.

MR. CARTER:

Not all of the money we would get for oil would go against our payments, but most of it. We would be very little better off. So our equalization payments would go to zero, our oil payments might be a little better than that. We might end up with a net profit of \$50 to \$60 million, a few pipe yards and perhaps a head office or two. So it is not very much and I think we can hold out for much better, much, much better.

Now, the member for Mount Scio (Mr. Barry) says that we are doing nothing. Well, is it not better to do nothing than to give it all away? Is it not better to wait them out? I would like someone to respond to that. It is far better for us to be doing nothing at the present time. We are causing unemployment? Well, what would we do? Sign a deal that would ensure all kinds of employment for people other than Newfoundlanders. Why should we do that? We want to sign a deal that will ensure that Newfoundlanders get first crack at any employment in the offshore. And this unnecessary refusal to sit down, why should we sit down with them when they continue to insult us by their offers?

Now, the member for Mount Scio suggested that our federal leader, Mr. Mulroney, is soft on ownership. But as far as we are concerned, management is the important thing. And in any case, as the Opposition know, opposition parties should not get too specific, they should always paint with a broad brush. And I am rather disappointed that our erstwhile member for Mount Scio is now sitting down with the likes of Mr. Trudeau. Would they have us try and make

MR. CARTER: a deal with Mr. Trudeau? Would they have us try and make a deal with Mr. Chretien or Mr. MacEachen? Or how about 'Forger' Fox? I wonder what kind of a deal you could make with him? That is the kind of people you have to talk to up-along, so I think we will wait them out .

MR. NEARY: Frank Moores will straighten them all out.

MR. CARTER: Now, to go over the actual resolution. It starts; " WHEREAS the Supreme Court of Canada has recently decided in favour of the Federal Government concerning ownership and jurisdiction of offshore resources." Well, that is not bad, but by the time you reach the next clause, it starts to get slimy." AND WHEREAS this followed a decision of the Newfoundland Court of Appeal which was brought prematurely to the Court and was not properly prepared." Now that is just slimy. There is no question about that.

MR. SIMM: The member for Mount Scio (Mr. Barry) said the opposite.

MR. CARTER: Right. "AND WHEREAS the Premier of this Province has indicated that he intends to keep on fighting until there is a change of government in Ottawa rather than now returning with the Federal Government to the bargaining table." That is just dirty, and so on, and it gets from dirty to filthy. And the last two resolutions are quite unacceptable.

So, Mr. Speaker, I have composed an amendment. And in my amendment I suggest to delete all the words after the second "WHEREAS" and to substitute the following. "THEREFORE BE IT RESOLVED that this House condemn the Federal Government for weakening our bargaining position through its approach

MR. CARTER: to the offshore issue;
AND BE IT FURTHER RESOLVED that this House demand that the Federal Government reconsider its present position on the offshore question." And I think that is a very sensible reformation of the resolution and I think that this is the way we should approach it rather than put up with the slime that the hon. gentleman has put in his resolution.

MR. STAGG: Excellent. It does not negative it all. Does it?

MR. CARTER: No, it expands it.

MR. SPEAKER (Aylward): I rule that this amendment is in order.

MR. CARTER: Thank you.

MR. SPEAKER: The hon. member has five minutes left.

MR. NEARY: A point of order.

MR. SPEAKER: The hon. Leader of the Opposition on a point of order.

MR. NEARY: Mr. Speaker, I believe when you move an amendment on a Private Member's Resolution there has to be a seconder.

MR. NEARY: I did not hear the hon. gentleman name a seconder, Mr. Speaker. So I would submit that the amendment is completely out of order.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Aylward): Order, please!

Is it correct that there is a mover and a seconder?

MR. NEARY: No, there has been no seconder.

MR. CARTER: Mr. Speaker,

MR. NEARY: It is too late now.

MR. ANDREWS: Mr. Speaker, I second.

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: Your Honour has already ruled.

MR. WARREN: That is right.

MR. SPEAKER: I ruled that it was in order because it was understood that there was a mover and a seconder, and the hon. Minister of Environment (Mr. Andrews) has said that he is the seconder.

SOME HON. MEMBERS: Oh, oh!

MR. CARTER: There are plenty of seconders on this side.

MR. NEARY: Mr. Speaker, my point of order, I raised the point of order, Mr. Speaker, because Your Honour ruled on an amendment that had not been seconded. And I believe the whole procedure is completely out of order, Mr. Speaker. You cannot say that something is in order if it is not in order, and then, after the fact, have somebody get up and second it, Mr. Speaker. I would submit that the whole procedure is completely out of order.

MR. OTTENHEIMER: Mr. Speaker, to the point of order.

MR. SPEAKER: To that point of order, the hon. Minister of Justice.

MR. OTTENHEIMER: Mr. Speaker, permit me to go back on what happened. The hon. member for St. John's North (Mr. Carter) moved an amendment which was then submitted to the Chair. And the Chair ruled that it was in order; in other words it was not a direct negation, it was not irrelevant to the subject, it was not whatever other things would put it out of order. The Chair ruled that it was in order, then agreed with the hon. Leader of the Opposition (Mr. Neary) that a seconder was necessary, and then the House was informed who the seconder was. So I think all of the criteria have been met. I would submit to the Chair that the criteria have been met.

MR. WARREN: No.

MR. OTTENHEIMER: The first ruling was it being in order from the point of view if it was irrelevant, had nothing to do with the subject, if it was a direct negation, whatever, those things, that it met all of those criteria. And then the Chair quite properly said a seconder is necessary; and then the hon. member who seconded it informed the Chair that he did in fact second it.

MR. SPEAKER (Aylward): To that point of order:
When the Chair heard the resolution and viewed the substance of the proposal from the hon. member for St. John's North, the substance of the proposal did not negate the main motion, so therefore it was ruled to be in order in substance. It was pointed out by the hon. Leader of the Opposition (Mr. Neary) that a seconder is necessary, which is correct, I have no doubt. And the Chair was informed that it was seconded by the hon. Minister of Environment (Mr. Andrews). So, therefore, I rule that the amendment is in order.

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

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

MR. NEARY: Under the rules of this hon. House, Mr. Speaker, when somebody moves an amendment to a private member's resolution, he has to state 'It is being moved and seconded' Now up to that point the hon. gentleman did not have a seconder, Mr. Speaker.

MR. DINN: That is exactly the same point of order. You are questioning the Chair!

MR. NEARY: No, it is not the same point of order. I am stating what the precedents are in this House, what the rules of this House say: That when a member moves an amendment to a private member's resolution he has to state "Moved and seconded by". Now the hon. gentleman did not do that, Mr. Speaker. And I would submit to your Honour that the whole procedure was completely out of order.

MR. HOUSE: Where are your authorities?

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

MR. SPEAKER: To that point of order, the hon. Minister of Justice.

MR. OTTENHEIMER: I would submit, Mr. Speaker, that in terms of the time sequence or the procedure for a seconder, there is no doubt that a seconder is necessary. There is no doubt about that.

MR. NEARY: That is right.

MR. OTTENHEIMER: Now very frequently when a person moves an amendment, they will say, 'I move the following amendment, and I am seconded by the hon. member from So-and-So.' The hon. member from So-and-So does not say anything, just nods his head, and by doing that the hon. member preserves his right to speak on the amendment. Because even if you get up and say, 'I second the amendment,' you have spoken on the amendment. Now the hon.

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MR. OTTENHEIMER: Minister of Environment (Mr. Andrews) seconded the amendment, and the procedure here, or the process, the methodology was different. Instead of the hon. member for St. John's (Mr. Carter) saying, 'The amendment is seconded by the hon. Minister of Environment, and he sitting in his Chair and nodding and thus perserving his right to speak

MR. OTTENHEIMER:

on the amendment, a different process was done and the hon. Minister of the Environment (Mr. Andrews) got up and said, "I second the amendment." He has obviously fulfilled the requirement of having a seconder -

MR. NEARY:

No.

MR. OTTENHEIMER:

- but it means he cannot speak on the amendment. He can speak on the original question but he cannot speak on the amendment. So I would suggest, Mr. Speaker, that in a sense there are two - there may be other ways, I do not know - but two ways of the Chair being informed of the seconder of an amendment; one by a proposer indicating that it is seconded by So-and-So, and if So-and-So has not already spoken, because if he has he cannot second it, if So-and-So has not already spoken and nods his head signifying yes, he is seconding it, then that is the way the seconder is communicated. If an hon. member does not wish to reserve his right to speak on the amendment, it has nothing to do with the original motion but on the amendment, then it may be signified to the Chair by the hon. member getting up and saying, "I second the amendment." So I would submit - and I do not know really if there is much difference between this point of order and the previous one - that the requirement of having a seconder has been met. It has been met by the hon. member getting up and saying he seconds it, rather than having a proposer inform the House who in fact is seconding it. The hon. member did it himself.

MR. NEARY:

Further to that point of order, Mr. Speaker.

MR. SPEAKER:

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

MR. NEARY: Mr. Speaker, I would submit that this is a very, very serious matter indeed. We cannot allow the House to function in this way. You cannot run the House like you were having a meeting downtown somewhere in a tavern. The rules are there. The rules are clear, Mr. Speaker, that the hon. gentleman moved an amendment and did not have a seconder. Now Your Honour cannot give the House time for the hon. gentleman to go around and say, "Will you second this?" Obviously the hon. gentleman did not have a seconder when he moved his amendment, Mr. Speaker. And I hasten also to point out, by the way, that the Minister of Justice (Mr. Ottenheimer) is absolutely correct, the Minister of the Environment (Mr. Andrews), if Your Honour allows the amendment to stand, removes himself from being allowed to speak on this amendment because he stood in his place after. But, Mr. Speaker, this is all after the fact. The rules of the House clearly state that the member who moves an amendment must have a seconder, except in certain debates, certain amendments that are made. But in this particular instance, when you are moving an amendment to a private member's resolution, Mr. Speaker, you cannot do it after the fact. When the amendment is sent to Your Honour in the Chair, the member who is moving the amendment says, "I have moved, seconded by So-and-So", Then Your Honour examines the content of it and decides whether or not it is in order or out of order. But do not then say, "Well, can we have a seconder?" Mr. Speaker, Then you are having a free for all. The House cannot operate that way.

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

MR. SPEAKER (Aylward): Order, please! To that point of order, the hon. Minister of Justice.

MR. OTTENHEIMER: Mr. Speaker, I think I have some actual authority now as well as people's various views. Standing Order 32 says, "All motions shall be in writing, and seconded, before being debated or put from the Chair."

MR. NEARY: Right on.

MR. OTTENHEIMER: Now the motion was in writing.

MR. NEARY: Yes.

MR. OTTENHEIMER: It was seconded "before being debated or put from the Chair."

MR. NEARY: Before it was put by the Chair.

MR. OTTENHEIMER: No, it has not been debated or put by the Chair.

MR. NEARY: That is right.

MR. OTTENHEIMER: There is another one as well which is probably clearer and that is Beauchesne, page 99, Paragraph 304, and it is right under the heading, "SECONDING OF MOTIONS", it could not be more germane. "The Member who makes a motion may," not must, shall, may, permissive, "The Member who makes a motion may give the name of his seconder who will, if necessary, indicate his consent, and the seconder will then be allowed to speak on the question. But if the seconder should rise and say only a word or two, for instance, 'I second the motion', if he should do that, "he is precluded from again addressing the House."

MR. NEARY: That is before, Mr. Speaker.

MR. OTTENHEIMER: So it is quite clear in Section 304 of Beauchesne, that that is an option. It is quite clear. I will read it again without comment because it is so clear. My comments may make it less clear. "The

MR. OTTENHEIMER: Member who makes a motion may give the name of his seconder who will, if necessary, indicate his consent, and the seconder will then be allowed to speak on the question. But if the seconder should rise and say only a word or two, for instance, 'I second the motion,' "-what is the result? - "he is precluded from again addressing the House."

The result is not that the motion is not properly seconded. So I think this is straight on and the authorities are quite clear.

MR. NEARY: Mr. Speaker.

MR. SPEAKER (Aylward): The hon. the Leader of the Opposition to that point of order.

MR. NEARY: (32) of our Standing Rules, Mr. Speaker, is perfectly clear. It is clear and I will quote it again, "All motions shall be in writing, and seconded, before being debated or put from the Chair."

MR. NEARY: Now, Your Honour had put the motion.

MR. SIMMS: No, he had not.

MR. WARREN: He did so.

MR. SIMMS: You cannot put the motion until you vote on it.

MR. NEARY: Mr. Speaker, Your Honour had put the motion and the hon. gentleman was ready to continue with his debate when I interrupted with a point of order. Now, Mr. Speaker, that is contrary to the rules of this hon. House, and unless we are going to make rules here on the floor here today, which we cannot do, we cannot change the rules without a two-thirds vote in the House -the whole procedure is completely out of order. And I am not challenging Your Honour's ruling at this point in time. I may have to do it, but I would like Your Honour to take the matter under advisement and probably take five or ten minutes to do a little research. Because, Mr. Speaker, I think Your Honour should look at Hansard, see what happened, see what the procedure is. Because we do not want to create a very dangerous precedent in this House. And I would suggest to the Chair, and I am not telling the Chair what to do, that I believe there should be a few minutes taken on this because the whole thing was completely out of order.

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

MR. SPEAKER(Aylward): To that point of order, the hon. the member for St. John's North, the final argument on this point of order.

MR. CARTER: Mr. Speaker, this is frivolous and vexatious and just designed to delay the time of the House. I think there is a latin legal maxim that covers this point quite nicely, 'De minimis non curat lex,' the law does not concern itself with trifles.

MR. SPEAKER(Aylward): Order, please!

With the initial ruling on the text of this amendment, I ruled that this wording would be in order. If the hon. member had to start his debate on this amendment, had to continue to debate the amendment without a seconder, obviously then it was out of order and it was brought to my attention at that time. By the hon. member not continuing to debate, the point of order was raised that there was not a seconder, the seconder who ordinarily would have been mentioned by the mover of the motion stood and stated that he was seconding it, therefore eliminating any possibility that he may speak to this motion, and by his seconding it before it was debated made the motion to be in order. Therefore I rule that this amendment is in order.

The hon. member's time has now elapsed.

MR. NEARY: Mr. Speaker, I move that we appeal Your Honour's ruling.

MR. SPEAKER: Order, please!

Is it the pleasure of the House that the Speaker's ruling be sustained? All those in favour 'aye'

SOME HON. MEMBERS: Aye.

MR. SPEAKER: All those against 'nay'.

SOME HON. MEMBERS: Nay.

MR. SPEAKER: In my opinion the 'ayes' have it.

The time of the hon. the member for St. John's North(Mr. Carter) has elapsed.

MR. CARTER:

A final -

MR. NEARY:

A point of order, Mr. Speaker,

MR. SPEAKER (Aylward):

The hon. the Leader of the

Opposition on a point of order,

MR. NEARY:

Your Honour has informed the

hon. member that his time has elapsed, he is persisting in violating the rules of the House, he wants to carry on with debate, and Your Honour should ask the hon. gentleman to take his seat or name him and have him removed from the House.

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

MR. SPEAKER (Aylward): To that point of order, the hon. the member for St. John's North.

MR. CARTER: Mr. Speaker, as a matter of fact I was rising to a point of order, but I did not have a chance to say it before the Leader of the Opposition (Mr. Neary) got up on a point of order. But to that point of order, which is the same one, I did understand Your Honour to have said that the hon. member's time was up and I was going to rise and ask you if in fact that was what you said, it is what you said and therefore I accept it. The only point I would like to make is that I think that my time has been used up in frivolous, mischievous and vexatious argument and ordinarily I would ask for leave to continue but I do not think I would get it.

MR. SPEAKER: Order, please!
To that point of order, I rule there is no point of order.

The hon. the member for Bellevue.

MR. CALLAN: Mr. Speaker, I do not have a copy of the amendment, so I cannot very well debate it I suppose if I do not have a copy, That is another mistake that the member for St. John's North (Mr. Carter) made.

MR. SIMMS: What?

MR. CALLAN: He should have made some copies and at least distributed them. in anticipation of his amendment being accepted.

But anyway, Mr. Speaker, as I remember from what he had to say when he introduced his amendment,

MR. CALLAN: the whole thing is still in the same realm as far as debating points go. What we are talking about here, Mr. Speaker, is the reason why this Province and the offshore negotiations are in the stalemate that they are in today. And, of course, inherent in all of that we are also talking about why the Premier - today at his press conference and earlier here the House - why the Premier has decided to spend the next couple of months travelling across Canada trying to win back what was lost in the courts. That is what it amounts to. The Premier admits it in his statement here. He says in his statement, 'The bottom line, however, is that the legal case on the offshore, through no fault of ours, is lost.' That is on page 2 of the Premier's statement today. But of course there is something wrong with the statement. That part about the legal case on the offshore is lost, that part is correct, there is no arguing that, it is lost. The other part, of course, where the Premier says, 'through no fault of ours' now that is not correct. If there is one person in this Province, Mr. Speaker, who must accept responsibility for the offshore being lost it is the Premier. So how that man can say 'through no fault of ours' is of course a good question. It is the Premier's fault because the case should never have gone to the courts in the first place.

MR. CARTER: That is rubbish.

MR. CALLAN: It is not rubbish. It is factual. It is true. And as I said last week, when we were debating a similar resolution put by the member for St. Mary's - The Capes (Mr. Hearn) regarding the offshore and the legal

MR. CALLAN: case that was lost and all the ramifications that are part of that whole mess, as I said last week, nobody in this Province is more responsible for what happened than the Premier because he knew, as he went to the courts he knew, even though he fooled the people of this Province and called an election on it and used it for three weeks in an election, telling the people of this Province, 'We have all of the facts in our favour; we have an excellent court case. We are going to win it in Newfoundland, we are going to win it in the Supreme Court. And, if I did not think we were going to win it,' he said, 'we would not be going to court today. But we have put it into the courts.' And then the Premier called a snap election on that very issue. And the fact that the case was lost in Newfoundland, and the fact that the case was lost in the federal courts, of course, Mr. Speaker, the proof is there for anybody to see that the Premier - I cannot say he lied to the people of this Province.

MR. CARTER: Would you like to say it?

MR. CALLAN: I would love to say it. But the fact of the matter is, Mr. Speaker, that the Premier betrayed the people of this Province. That word, I think, is in order, Mr. Speaker, and I think it is appropriate as we approach the Easter season and we think of another gentleman who was betrayed. The Premier betrayed the people of this Province.

The Premier says, 'The legal case is gone, is lost through no fault of our own.' What nonsense! But in the next sentence, the Premier, on page two of his statement today, says, 'The moral case, on the other hand, has only just begun.' Now, what nonsense, Mr. Speaker! What nonsense!

MR. CALLAN: As I stood here in the House yesterday, the 10th of April, I wore my rose marking the third anniversary of the winning of the Bellevue by-election. I remember the next morning, the 11th of April, three years to this very day - I remember the Premier on the airwaves the next morning admitting, as he admits here, 'The district of Bellevue is lost to the Tory Party,' but in the next sentence he said, 'However, we had a moral victory in Bellevue.' 'We lost the election in Bellevue, but we had a moral victory.' The Premier is using the same kind of stupid logic here as he was using back on the 11th of April in 1981. What can be achieved, Mr. Speaker? If you lose something, what does it matter? It does not matter a row of beans whether you were morally right or wrong. The fact that the Premier and the P.C. Party won a moral victory in the district of Bellevue in the by-election, did that give them a P.C. member in the House of Assembly? Did it? Of course it did not! Moral victories, Mr. Speaker, are not worth very much. The district was lost just as the legal case was lost.

Let me point out to this House, Mr. Speaker, what the Premier is really doing. What is the Premier really doing with this two month speaking tour across Canada? I will tell you what he is doing, Mr. Speaker. What the Premier is really doing is he is going to be going across the country and he is going to be talking about, of course, our offshore case and so on and how Newfoundland brought it into Confederation and if we had not joined Confederation in 1949, of course, it would not belong to Canada. But what is the Premier really doing? The Premier is really campaigning.

MR. PATTERSON: Will the hon. member permit a question?

MR. CALLAN: The member for Placentia,

MR. CALLAN: Mr. Speaker, will have his chance, he will have half-an-hour.

Mr. Speaker, what is the Premier really trying to do? What is his real motive in this two-month speaking tour? What is it? He says it is to convince the rest of Canada that we have a good moral case.

MR. PATTERSON: On a point of order, Mr. Speaker.

MR. SPEAKER (Russell): The hon. member for Placentia,
on a point of order.

MR. PATTERSON: I am delighted to hear that
the member is so active here today speaking on this offshore
question. I wonder if he were issued an invitation
would he go along with the Premier, since his cohort on the
other end there said he would support that?

MR. CALLAN: I am coming to it.

MR. SPEAKER: That is not a point of order.
The hon. member for Bellevue.

MR. CALLAN: Mr. Speaker, as the member
for LaPoile (Mr. Neary) the Leader of the Opposition has so
often pointed out, 'Oh,' he says, 'we are in the House of Assembly,
we are not down in a bear pit down on Water Street somewhere,'
You cannot be getting up on spurious points of order, which, of
course, are nothing, are not points of order.

Mr. Speaker, what is the
Premier's real purpose for this cross-country tour? What is
it? What is the real purpose? Mr. Speaker, what he
hopes to do is have what he thinks will be an influence as
far as the Liberal leadership contenders are concerned, and he
is hoping that he can persuade them to change their views and
perhaps to offer something better to this Province.

MR. STAGG: The hon. gentleman cannot do
it.

MR. CALLAN: But, Mr. Speaker, he has another
purpose as well. What the Premier is really trying to do, Mr.
Speaker, is make some amends to Mr. Mulroney, because the Premier
went to Ottawa during the PC Leadership and made a fool of
himself supporting John Crosbie with his shirt sleeves rolled up,
and insulted Mulroney. But what he hopes to do now is make
amends, and he is hoping that if Mulroney does win the next

MR. CALLAN: federal election that he will be able to say to him, 'Well, Brian, you know, I did not support you in the leadership, but you notice all of the support I gave you during the recent federal election?' That is what the Premier is really up to, hoping that he can take some credit for a victory that he hopes that the PC Party will have in the next federal election. That is what he is really trying to do, Mr. Speaker.

Mr. Speaker, when the member for Mount Scio (Mr. Barry) spoke earlier, he talked about what has happened in this Province for the past five years that the hon. gentleman has been Premier. What have we done? What has been accomplished in this Province, Mr. Speaker? I have said it before and I will say it again today, that anybody who really wants to look at what has been happening in this Province will realize that there has been no progress. The only bit of progress that we have seen in this Province, Mr. Speaker, was a deal renegotiated with ERCO Industries at Long Harbour. Who renegotiated that deal, Mr. Speaker? It was the very man who now sits on this side of the Legislature, the member for Mount Scio. That is who renegotiated the ERCO deal. The Premier tries to claim credit. In his Tory Blue brochures that he sends out to the liquor store and to the schools and so on, he talks about people say we cannot negotiate, but look what we have negotiated. And he talks about the negotiations that have been finalized by the Minister of Forest Resources and Lands (Mr. Power), who, of course, admits that he is doing his part for the government. And he talks about the ERCO deal, which was negotiated not by the Premier but by the member for Mount Scio when he was the Minister of Mines and Energy.

But outside of these couple of deals that have been made, Mr. Speaker, there has been no progress in this Province.

MR. CALLAN: And is that what you would expect, Mr. Speaker? What political party is in power in this Province and has been for the last twelve years or so? It has been, Mr. Speaker, a Progressive Conservative Party. Is it not fair to expect progress from a Progressive? What has been progressive about this Province? Where have we progressed, Mr. Speaker? I said what the real PC stands for four or five years ago and, of course, Mr. Speaker, it is becoming more and more evident with each day that passes. On the weekend The Evening Telegram headlines, "The Premier says no more negotiations with Ottawa. We are going to wait until the next federal election."

MR. TOBIN: If you are going to quote from the papers quote it accurately. And that did not say the Premier said anything as such.

MR. CALLAN: It was said here in the legislature on Friday. I heard it in the legislature and I read it on the front page of the Evening Telegram. What exactly the wording was is totally immaterial, but the fact of the matter is -

MR. DOYLE: So accuracy does not mean anything.

MR. CALLAN: I am saying it is accurate, the wording.

MR. NEARY: The people of Bell Island are looking for accuracy now.

MR. DOYLE: If you had done as much for the people of Bell Island as I have, you would still be over there.

MR. CALLAN: What we have had in this Province for the last twelve years, Mr. Speaker, is procrastinating Conservatives, procrastinating, putting it off until tomorrow and the next day and the next week and the next month. And now this government, this very government has said openly and publicly, inside of this legislature and out, has said we are

MR. CALLAN: not going to try to do anything within the next couple of years, we are going to wait until a new government is formed in Ottawa and then we will negotiate, hoping, of course, that the new government will be a Tory government. But what happens, Mr. Speaker? And this question is the question that every Newfoundlander must ask him or herself: Why was there not a deal struck when we had a Tory government there from May of 1979 until February 18, 1980? Nine months Joe Clark was Prime Minister of this country, and who was in power in this Province? The very same gentleman, Mr. Speaker. He got his mandate on June 18, 1979. A month after Joe Clark became Prime Minister this gentleman won his first election as Premier. He inherited Frank Moores' job for a couple of months but then he went to the people on his own merit and won. And did he get an offshore deal with the Tory government then? Of course he did not. All he did was insult James McGrath, the Minister of Fisheries, 'Romeo Leblanc was a better Fisheries Minister'. All he did was insult Joe Clark, chasing him over the Confederation Building steps on television, trying to get a written commitment from him.

AN HON MEMBER: He got it.

MR. CALLAN: Did he get it from Mulroney? Has he got it from Mulroney?

MR. DOYLE: Time will tell.

MR. CALLAN: Nonsense, Mr. Speaker.

The Premier did not want a deal anymore in 1979 when Joe Clark was Prime Minister than he wanted one in 1980, 1982, 1983 or 1984. The Premier is getting all kinds of political mileage out of this and, of course,

MR. CALLAN: he is going to stick with it. And, Mr. Speaker, hon. gentlemen opposite, and ladies, are quite happy with that position because, you see, even though the Premier says to us that we are smarting, hon. ladies and gentlemen opposite are not smarting. They have their cushy jobs. Practically every gentleman over there is either a full Cabinet minister or a half Cabinet minister. They are getting their

MR. CALLAN: little cushy jobs on the side, special committees set up on food prices and so on, so the people who are not in the Cabinet will get their extra \$3,000 or \$4,000 or \$5,000 a year and, of course, the Premier himself, an extra \$500 a month from the Tory Party, Frank Ryan delivers it to him every month on top of his other luxuries, a free apartment, two cars, dining room. These are facts. 'Let the Province smart, we are not smarting, we can afford to wait another year or two years,' that is what the Premier is saying to the people out there on welfare. But the time is coming, Mr. Speaker, and it is fast coming when things are going to change in this Province. The people who swallowed hook, line and sinker back on April 6, 1982, the Premier's betraying statement 'That it is in the courts and it is ours because we are going to win the court case!', the people of this Province now realize, Mr. Speaker, how they were betrayed by the Premier and how they were duped by the Premier and the time for change is not that far away.

Mr. Speaker, on the weekend I attended a function where I was asked to bring greetings and I was very happy as I stood to explain that the member for St. John's North (Mr. Carter) back in 1982, when we were reduced to eight on this side, the member for St. John's North nicknamed us Snow White and the Seven Dwarfs. And I brought greetings from Snow White and the Seven Dwarfs on Saturday night past and I mentioned, Mr. Speaker, that during the past year - because it was a year ago that I also attended a similar function and brought greetings - I said, 'Since I brought you greetings last year we had a small accident in Terra Nova and we were reduced to Snow White and the Six Dwarfs but then, I explained, we had another accident in Mount Scio and again we were back to Snow White

MR. CALLAN: and the Seven Dwarfs. And',
I said, 'I even have to correct that statement because no longer are we Snow White and the Seven Dwarfs, because we have a couple of giants among these dwarfs.' And, of course, the other giants, Mr. Speaker, in the Liberal Party are out there waiting. They are waiting for the next election, Mr. Speaker, when they can turf out this Premier and when they can knock off of his coattails a lot of the members who came in on a free ride back on April 6, 1982. You see, Mr. Speaker, all this Premier has ever done - and this is the whole issue here, this is what this resolution is all about, and this is what the amendment is all about, it stinks of politics, it is all political. The Premier has never played an active role in trying to administer this Province as the First Minister, all the Premier has ever done is play petty politics. Now, of course, he is going to the ultimate, he is going across Canada. If the Premier wanted to travel across Canada, Mr. Speaker,

MR. CALLAN: he should have done it in March and April of 1982, Instead of calling that foolish election and putting our case into the court, the Premier if he were loyal and really cared about the people of this Province, instead of betraying them the Premier would have kept our case out of the courts, because he knew then that we did not have a strong case, he would have kept it out of the courts and then was the time for the Premier to announce to the people, not that he was calling an election two and a half years into his four or five year term, wasting the taxpayers' dollars -

MR. STAGG: Three years.

MR. CALLAN: It was less than three.

MR. STAGG: Thirty-two months.

MR. CALLAN: It was less than three,

June 18, 1979 to April 6, 1982 is not three years, and we had at least a month there of campaigning, so you might as well take off that month as well.

MR. STAGG: Thirty-four months.

MR. CALLAN: If the Premier had then said to the people of this Province, instead of announcing an election, "I have decided to travel across Canada try to convince the rest of Canada that we should be given a better deal by Ottawa," then the Premier would have been making a wise decision, and then, of course, the member who was the Minister of Mines at the time would have struck a deal, and he would have had the sympathies of all Canadians with us. And it would have been a lever that he could have used on the Liberal Government in Ottawa in April and May of 1982.

MR. CALLAN: But no, no. The Premier did not want to do the sincere and the honest thing. The Premier decided, "I can win an election on this issue." Unfortunately he was delayed. He was going to call it in February and the Ocean Ranger sank, and then he waited.

MR. NEARY: He should call it now.

MR. CALLAN: And he did another poll and he waited.

MR. SPEAKER (Russell): Order, please! The time for the hon. member has expired.

The hon. member for Stephenville.

MR. STAGG: Thank you very much, Mr. Speaker. I note the enthusiasm on our side of the House to get up and get on the record on this motion, and certainly on the amendment, and I have no doubt that the member for Burin-Placentia West (Mr. Tobin), who now occupies the seat which was previously occupied by the mover of this motion, the former member for Placentia West, who is the present member for Mount Scio (Mr. Barry), he held that seat from 1972 until 1975, and was responsible for one of the greatest political resurrections in modern day politics, the resurrection of Paddy Canning, taking Mr. Canning from defeat in 1972 up to a 1500 majority in 1975. So I expect that we will see a similar reincarnation of some old politico in the next election to come, and I expect that motions similar to the one that the hon. member has moved here will in no small part contribute to his second political decline.

Now, Mr. Speaker, I commend my colleague from St. John's North (Mr. Carter) on the amendment

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MR. STAGG: that has been placed before
Your Honour, and, I suppose, to some extent we must extend
a certain amount of gratitude to the member for Mount
Scio for at least being consistent. Since he has gone
across the floor he has acted in the way that we have
become accustomed to noting Liberal politicians act,
and that is to disregard the obvious,

MR. STAGG:

disregard principle, and to take the path of what they consider to be least resistance. But it is obviously a short-sighted route and it is one that is destined to result in political failure for the party and political failure for the members. So it is certainly something that we are grateful to see. The hon. the member for Mount Scio (Mr. Barry) who, by the way, having moved the motion has not been in the House since, presumably he is in the precincts somewhere, but it would be appropriate for someone who would move a motion of considerable importance to the Province, to at least stay and listen to the debate so that we could have some indication of where he stands, but instead, he has vacated the premises. Well, I have got him back in the House. Very good! Very good!

Now, Mr. Speaker, I would like to say a few words about the Supreme Court of Canada decision and the referral of this matter to the Supreme Court of Canada. This matter came before the Supreme Court of Canada by a rather circuitous route. It was brought upon us by the attempted expansion of the SIU case by the federal government in February 1982. The member for Mount Scio knows that, he was part of our caucus at the time and participated in the caucus decision, the unanimous decision to refer the question to our own Supreme Court of Newfoundland.

Now, Mr. Speaker, this whole matter, to a certain extent, has to be considered in the realm of the politics of the day. I do not think it is any secret that we consider that the government in Ottawa, the Liberal Government in Ottawa is no friend of Newfoundland on this matter. They have been given every

MR. STAGG: opportunity to confirm the position so valiantly and courageously taken by Joe Clark and John Crosbie and Jim McGrath in September 1979, when in the exchange of letters between the Premier, Prime Minister Clark and all of the other Premiers of Canada it was graphically and concisely, precisely set out what our position was and what our position would be and what the position of the government of Canada was. It is one of the great items of consistency that has ever come before the political process in Canada, when Mr. Clark's position before the election and his position after the election were absolutely the same. And how was that thwarted? Well, it was thwarted by hon. members opposite to some extent, but it was mainly thwarted as a result of the election of February 1980 when through happenstance and one of those accidents of history, where unfortunately Canada instead of taking one step forward took a couple of steps backward, there was a five year backward step that we took in February 1980. And one of the great backward steps for Newfoundland was the repudiation by the Trudeau government and the subsequent energy ministers, Mr. Chretien and Mr. Lalonde, or Mr. Lalonde and Mr. Chretien, in that order, of this most Canadian proposal and scheme which was in effect between Mr. Clark and Premier Peckford. They repudiated it, Mr. Speaker, and continued with their own reference of the Hibernia matter to the Supreme Court of Canada in May 1980. It was a direct reference to the Supreme Court of Canada, they were not going to wait for the Supreme Court of Newfoundland's decision to be given. And, as you recall, we had a day of mourning in 1980 and, Mr. Speaker, that day of mourning was scorned by hon. members opposite, it was not popular in certain quarters. I maintain that it

MR. STAGG: was an historic day and it
was an appropriate reaction to a despicable act on the
part of the federal government.

MR. STAGG: They were attempting to accelerate the process of getting a legal decision because they knew that once the electorate of Canada had another crack at them that there was a very good chance that they were going to be turfed out of office, and they hoped that by getting a quick decision from the Supreme Court of Canada in their favour - and they had a sneaking suspicion that the Supreme Court of Canada would come down in their favour; we all had a sneaking suspicion that the Supreme Court of Canada would come down in their favour. We hoped otherwise, Mr. Speaker, because, as has been put forward by our legal advisors, we have a very good case, and it is more than a moral case that we have on the offshore. But it was rejected in total by the Supreme Court of Canada. Our position was rejected by the Supreme Court of Newfoundland as well, but at least the Supreme Court of Newfoundland indicated that Newfoundland did have some integrity as a political entity in 1949 and that we were in fact more than a colony. But the Supreme Court of Canada decision will rank with the worst decisions ever made by a Canadian court. It is not a decision that is going to be considered to bind this country together. It is a decision that comes down foursquare on the part of the Centralist theme that unfortunately has pervaded the Supreme Court on matters of this type.

So we are indeed disappointed, we are distressed.

MR. NEARY: You are sailing pretty close to wind there now.

MR. STAGG: Sailing pretty close. The hon. member is talking about contempt. I would love for the Supreme Court of Canada to take me before the Bar and say that I was contemptuous of them, because I am

MR. STAGG: contemptuous of this decision, Mr. Speaker. I am contemptuous of it. Any group of individuals who would indicate that Newfoundland did not have any political integrity before 1949, I think one can only have contempt for it, and I do have contempt for it. I would love to be called before the Bar of the Supreme Court of Canada to elucidate further on it.

The Supreme Court of Canada says that if there were Continental Shelf rights in 1949 then no claim would be necessary to obtain them. Our Court of Appeal, on the other hand, said the only reason we lost was because we did not make a formal public claim prior to 1949. The Supreme Court of Canada says that Newfoundland did not have any rights to transfer to Canada, that they were transferred from Britain to Canada, if indeed they were transferred. That is a neocolonialist attitude, Mr. Speaker, that really decries the issues that were before the Canadian public and from 1946 to 1948 at the national referendum. It was a national referendum, a national convention. Mr. Speaker, it was not a provincial or a colonial referendum or colonial convention that we were having, it was a national referendum and a national convention. And there was no doubt about it that the Fathers of Confederation, the gentlemen who signed the Terms of Union, did not go there feeling in the least subservient, that Canada and Newfoundland were on anything but an equal footing, and we joined as equals. But the Supreme Court of Canada in this decision has, in effect, denigrated the framers of the Terms of Union and have put us in the position of being a mere colony having no political or territorial integrity, and I have contempt for that

MR. STAGG: position, Mr. Speaker.

The only way now that can be turned around is in the court of public opinion, the great court of public opinion. The Supreme Court of Canada, supposedly the bastion of all that is good and right, has failed us in this matter. We look for justice in the big 'J' or the small 'j' or whatever. We looked for justice before the Supreme Court of Canada and we got contempt for Newfoundland as a political and economic entity. That is all we got. That is all that decision is. It really sloughs off Newfoundland. There is no possibility of Newfoundland seeing anything in that decision other than contempt for it as it stood in 1949.

Now, Mr. Speaker, I have contempt for that decision and I would love to have the opportunity to

MR. STAGG: be called to account for that, because I am sure that I would have quite a legion of people who would be cheering me on in that regard, but I doubt whether that opportunity will ever present itself.

MR. TOBIN: I would say you could be the Leader of the Progressive Conservative Party in Canada.

MR. STAGG: Yes, indeed.

What the Premier is doing now is he is going across this country of Canada, which is comprised of ten provinces and two territories, and he is going to the great court of public opinion. And the member for Bellevue, (Mr. Callan) with all his political warts, does occasionally come across with a few gems of truth. Yes, the Premier is going to assist the federal Leader of the Opposition, Mr. Mulroney, in winning the next federal election, let there be no mistake about that. The campaign is on. We are determined to put seven Tories up in Ottawa; we are determined to put 284 Tories in the House of Commons in Ottawa if we can possibly do it. Because we believe that that is where justice -

MR. CALLAN: Praise the Lord! We believe!

MR. STAGG: The hon. gentleman was formerly almost a man of the cloth and he displays contempt for that kind of belief. All I expect from Liberals, anyway, is contempt, and I guess to a certain extent that reflects my attitude towards Liberals. I do have a lot of contempt for Liberals in this Province, Mr. Speaker.

The Premier is going across this country and he is going to tell the people of Canada as many times as it is necessary, that Newfoundland has been

MR. STAGG: shafted, Newfoundland has been betrayed by the Liberal Party both federally and provincially, and we are looking for justice.

MR. CALLAN: Who is paying for it?

MR. STAGG: I do not care who is paying for it. I hope the people of Newfoundland are paying for it, because the people of Newfoundland are to be the great beneficiaries of this mission.

SOME HON. MEMBERS: Hear, hear!

MR. STAGG: This is a divine mission that the Premier is on at the present time.

SOME HON. MEMBERS: Hear, hear!

MR. STAGG: What else is there for us? They have precipitated this matter into the Supreme Court of Canada, into a friendly court. It was obviously a friendly court. There could be no more contemptuous look at Newfoundland than that Supreme Court of Canada decision, absolute contempt for Newfoundland as a political and economic entity.

MR. HISCOCK: On a point of order, Mr. Speaker.

MR. SPEAKER (Russell): Order, please!

The hon. the member for Eagle River on a point of order.

MR. STAGG: There is no point of order,

Mr. Speaker, absolutely no point of order!

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

MR. HISCOCK: Mr. Speaker, here you have a member of the House of Assembly who belongs to the law profession stating that the Supreme Court of Canada was stacked and unfriendly. Is he saying the same thing about the Newfoundland court? I think the member for Stephenville should withdraw that statement.

MR. STAGG: To that point of order,

Mr. Speaker.

MR. SPEAKER (Russell): The hon. the member for Stephenville to that point of order.

MR. STAGG: I have been going to great pains here, Mr. Speaker, to outline my contempt for the decision of the Supreme Court of Canada and I have no intention of withdrawing it.

As far as the Newfoundland Court of Appeal is concerned, they made a decision with which I disagree; they indicated that Newfoundland had to make a formal claim for the offshore prior to 1949 and did not make it, but they came down on all the other points. They agreed that Newfoundland had territorial integrity, they agreed that Newfoundland was in fact a country, and all of the other things about it they agreed with. Certainly, I disagree with them on their ultimate decision but I certainly applaud them on the other findings that they made. They fell one step short. So maybe the hon. member's point of order is - well, I will let the Speaker rule on it anyway.

MR. SPEAKER: To that point of order. Certainly the Chair is not of the opinion that the hon. the member for Stephenville was casting aspersions on the judges of the Supreme Court. Certainly, I feel it is the prerogative of any hon. member to maybe disagree with a decision made by any court and that, in essence, is what the hon. the member for Stephenville was doing.

SOME HON. MEMBERS: Hear, hear!

MR. STAGG: Yes, Mr. Speaker.

Anyway, I want to get back to my original train of thought, my original argument, Mr. Speaker, because I do not expect I have much time left.

MR. STAGG: I am talking about the Premier's mission, the divine mission as far as Newfoundlanders are concerned, of going across Canada and educating Canadians.

Canadians are good people. We have an innate faith in the good nature and the sense of justice that Canadians have. Unfortunately, by certain elements of the national press, they have opted for a position of considering Newfoundland to be uppity or uncaring or greedy, all of these

MR. STAGG:

adjectives, which are completely untrue. And there is a curious blindness, Mr. Speaker, that is exhibited by people in power when they are confronted with a person who may be weak, politically weak or physically weak, who has the right point of view. And when that point of view is to upset the status quo, they quite often they look for other ways of discrediting that person's point of view. And they never deal with the issue, they deal with form rather than substance.

Well, the Premier is going across this country. He is going to deal with substance and he will deal with it in his own inimitable style. And I will maintain that it will be of considerable benefit as a corollary, it will be of considerable benefit to the overall national movement we have towards the Progressive Conservative Party in Canada. The Premier of Newfoundland has not yet started to campaign in this federal election. And we have a great lead in the polls, and this, curiously, forms part of the hon. member's motion where he says, 'And WHEREAS recent polls create great doubt whether the Progressive Conservative Party will form the Government of Canada over the next election'.

Well, the hon. member, I believe, studied mathematics in university. He had a certain reputation in that regard. But obviously his ability in mathematics deserted him quite sometime ago, because the latest polls indicate that even with Mr. Turner, the messianic, Mr. Turner -

MR. CALLAN:

On a point of order, Mr. Speaker.

MR. SPEAKER (Aylward):

A point of order, the hon.

member for Bellevue.

MR. STAGG:

- leading the way.

that the Tories are going to sweep this country and it is going to be similar to John Diefenbaker in 1958,

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER (Aylward):

Order, please!

A point of order, the hon.

member for Bellevue.

MR. CALLAN:

Thank you, Mr. Speaker.

Mr. Speaker, on a point of

order. The hon. gentleman is not intentionally trying to mislead the House I am sure, but the hon. member knows that this resolution was put on the Order Paper at least a month or more ago and refers to polls in existence at that time. And for the hon. member to talk about polls of yesterday or the day before, it is totally immaterial and he is misleading the House.

MR. SPEAKER:

Order, please!

To that point of order.

There is no point of order. It is merely a difference of opinion.

The hon. member for Stephenville.

MR. STAGG:

Mr. Speaker, again when you

start getting close to the quick, or hitting close to where you want to hit these individuals they squirm.

MR. STAGG:

And the member for Bellevue

(Mr. Callan) is a well-known squirmer.

'Poles are for dogs', said Mr. Diefenbaker, and certainly the latest poll will dog Mr. Turner and Mr. Chretien and it will certainly dog the member for Mount Scio (Mr. Barry) who, I am sure, must have had quite a problem coming in here today to read a motion saying, "And WHEREAS recent polls create great doubt whether the Progressive Conservative Party will form the Government of Canada after the next election".

MR. CALLAN:

Do you with Mr. Diefenbaker, there

was no need to have taken the recent poll?

MR. STAGG:

This is before the case for

Newfoundland, the case for the court of public opinion in Canada

MR. STAGG: is put before the public of Canada. Our case on the offshore and our case for equality and our case for a good deal in Canada, all of the things we have been saying since 1981 specifically ; they are all going to be put forward by the Premier. Hon. gentlemen opposite may look forward to another election on the basis -

MR. CALLAN: This Fall I hear.

MR. STAGG: Well, maybe this Fall.

MR. CALLAN: That is what I heard.

MR. STAGG: It cannot be too soon to rid this Province of hon. gentlemen opposite -

MR. CALLAN: That rumour came out of Trinity - Bay de Verde.

MR. STAGG:

- and their antiquated, centralist leanings. So, Mr. Speaker, I know my time has expired, you have been very lenient. I look forward to some more diatribe from hon. members opposite. I see the member for the Strait of Belle Isle (Mr. Roberts) is in his seat, hopefully we will hear from him and see how he can dance around this issue. I look forward to it.

MR. ROBERTS: Mr. Speaker.

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

MR. ROBERTS: Mr. Speaker, I was going to deal with the arguments put forward by the gentleman from Stephenville (Mr. Stagg), but I made the mistake of listening to his speech and so I do not need to try to deal with him at all because he did not say anything worth dealing with. Let me, therefore, come to the heart of the issue. It is not a new issue in this Chamber, we have debated it in one way or another over the last five or six or seven years on twenty or thirty occasions, and I have no doubt we will do it on a number of other occasions from here on in because, of course, this issue is the pith - and I do not have a lisp - the pith and the substance of such political programme and such political philosophy as hon. gentlemen and ladies opposite espouse. The Peckford administration came into power on the backs of the offshore issue. The Premier cleverly, and, in my view, deceitfully, but deceitful or not -

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

MR. SPEAKER: A point of order, the hon. the member for St. John's North.

MR. CARTER: Mr. Speaker, I have been reading Beauchesne lately, it is very instructive, and it says that any reference to deceit on the part of any gentleman is an unparliamentary remark and should be withdrawn, and, in my

MR. CARTER: opinion, withdrawn humbly.

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

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

MR. ROBERTS: Mr. Speaker, there is nothing that warms the cockles of my heart more than the knowledge that the hon. gentleman from St. John's North (Mr. Carter) is reading Beauchesne. I hope he will understand it, and, even more than that, I hope fervently that he will follow it. If my remark was unparliamentary, of course, I shall withdraw it without any hesitation. In my view it is not unparliamentary to accuse or to observe that any hon. member, including the Premier, has engaged in a deceitful campaign, but if it is unparliamentary, of course I will withdraw it. I have no desire to breach the rules of this House and I certainly have no desire to do anything that Your Honour rules I should not.

MR. SPEAKER: Order, please!

To that point of order, there are occasions when certain words would be ruled unparliamentary and other times, depending on the context, when they could be accepted. In this case I rule there is not a point of order.

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

MR. ROBERTS: Thank you, Mr. Speaker.

As I was saying, the Premier vaulted into power in 1982 and resumed his lease on power - he, of course, was Premier before the election - on a very cleverly orchestrated campaign which centered about the offshore and which was founded on false premises, whether he knew they were false or not. And that set in train a chain of events which led us to where we are today, and led us to the resolution

MR. ROBERTS: which is before the House this afternoon.

MR. CARTER: A very good resolution.

MR. ROBERTS: Yes, the resolution is a very good one. The amendment is very weak but the resolution is a very good resolution and I hope that my friend from St. John's North (Mr. Carter) will vote for it. I also would ask of him the courtesy he seldom shows in this House and that is simply to restrain himself. Instead of proving he is stupid, let him keep quiet and let us simply assume he is stupid. Now, I did not interrupt him, if he said anything. The fact that I used good taste and absented myself from the House while he was speaking is beside the point. I was about better things. And almost anything, I suggest, is better than listening to my friend from St. John's North. But, I would simply observe of him that the rules of the House require him to be quiet except when he has the floor, and as low as he is he seldom has the floor.

Mr. Speaker, there are several points which I think should be made because I think they are central to the problem that is presented by the situation which the Premier's appalling misconduct of the affairs of this Province has cast us. Let me just note some of them. The first is this: The Joe Clark letter, the letter which Mr. Clark wrote as Prime Minister of Canada, which he was briefly, to the Premier of this Province in which he made certain commitments about the offshore, that letter as an effective document carrying any validity is dead. It is dead, defunct, extinct, obsolete, outdated and of no value whatsoever. It is just as defunct politically as Joe Clark is. The hon. gentlemen opposite can talk about might have beens and what was and what may be and all these things, but

MR. ROBERTS: let us not get caught up. The Joe Clark letter was an expression of Mr. Clark's policy when he was the Prime Minister. He did not, and I know not why he did not but I know that he did not, he did not put that philosophy into effect. He made no move as Prime Minister to implement that philosophy except to write a letter. And that was a political ploy. It was done at the request of the Premier. The Premier got the letter and made what use he could of it and it all, of course, came back in Joe Clark's face when he came here during the election campaign in January and February 1980 to be greeted by the Premier - and I must say with friends like the Premier Joe Clark did not need any enemies - to be greeted by the Premier demanding a written confirmation. And where have we heard that since? Oh, ye of little faith, they need everything in writing. Mr. Clark made the point that the letter was all that he could do and it was a statement of policy and, of course, the Premier went off on another of his sooky sulks. And that was not entirely without result in the quite clear and striking results of the federal general election in 1980 when, of course, five Liberal members were returned to Ottawa, the greatest number that we had in Ottawa since 1963 when all seven members sent by the people of Newfoundland to Ottawa were Liberals. Secondly, no matter what my friend for Stephenville (Mr. Stagg) thinks - and that was a pretty childish performance, you know, getting up and slicing at the Supreme Court. My guess, and I have no way to know this nor does anybody else, my guess is that the judges of the Supreme Court of Canada really could not care

MR. ROBERTS: less what the gentleman from Stephenville (Mr. Stagg) says. They also have little interest in what is going on in Pago Pago, or Bechuanaland, or Basutoland, or other of the same ilk, and they are all of the same ilk. And, you know, it is the cheapest of cheap shots for a member to get up in the House and to try to make a martyr of himself on the grounds that well, the Supreme Court earns his contempt. I do not think that is a breach of the privileges of this House nor is it a contempt.

MR. HISCOCK: (Inaudible)

MR. ROBERTS: I say to my friend from Eagle River (Mr. Hiscock) it is nice to see him, but could he keep his voice down just a little. And we welcome him when he visits the House. When he and I are here together it is a rare event and we should observe it with a moments silence on his part.

But, Mr. Speaker, the Supreme Court of Canada decision in my learned friend from Stephenville's eyes may be beneath contempt. That is entirely proper for him to say if that is what he wishes. As Your Honour said from the Chair it is entirely parliamentary and entirely proper whether you are in the House or not to criticize a judgement of the courts. If he does not think it is a good one that is up to him. All I will say to him are two things, number one, that the decision of the Supreme Court of Canada is the law of this land, and this land is Canada lest hon. gentlemen opposite forget. We are Canadians, we are also Newfoundlanders and there is no conflict. In fact, being a Canadian makes me a better Newfoundlander and being a Newfoundlander makes me a better Canadian. But that is the law of this land. And I may add it is fairly impressive, Mr. Speaker, when a total of ten judges, three in the Newfoundland Appellate Court and seven in the Supreme

MR. ROBERTS: Court of Canada hear argument on a matter and nine of them are of one mind - forget the reasoning, I will come back to that if we wish, but nine of them are of one mind. The tenth, the late Chief Justice of Canada, Mr. Laskin, took no part in the decision so we know not what he would have said. We will never know what he would have said, All we know is that all nine judges who heard the arguments, all nine judges came to the same conclusion. Now that tells us something about the validity of the Newfoundland case in law. That is one statement.

MR. STAGG: It says something about the judges.

MR. ROBERTS: Yes, it says something about the judges I say to my friend from Stephenville, it shows that they read the law, that they listen to the arguments and they make up their minds on what they believe the law to be and they state it. And that, of course, is their job and in my view they do it very well.

Mr. Speaker, the second point I would make is this, that that result was exactly the result which the government's legal advisers forecast before they went to court.

MR. ROBERTS: When the Premier as part of the build-up to what became the 1982 General Election, when the Premier referred the matter to the Appeals Court of Newfoundland, or the Appeals Division of the Supreme Court on a reference, in February 1982, he had been told by the government's legal advisers that the chances of a successful legal result were very, very small. The previous Premier, Mr. Moores of blessed memory, had been told that as well. The previous, previous Premier, Mr. Smallwood of equally blessed memory, had been told that as well.

The Newfoundland case in the eyes of the Newfoundland lawyers was not as strong as the Canada case.

MR. CARTER: What poof do you have for that?

MR. ROBERTS: Mr. Speaker, the Newfoundland case in the eyes of the Newfoundland lawyers was not as strong as the Canada case, so the result of the Supreme Court of Canada's cogitation on the matter and the result of the Newfoundland Appeals Court cogitation was entirely expected, entirely predicted. Oh there might have been the hope, but there was no rational or reasonable basis for that hope and anybody who had more than a hope was being irrational and unreasonable. Now that is point two, Mr. Speaker.

Point three is we hear this talk now about a constitutional change, and it is significant that the present Opposition Leader in Ottawa, Mr. Mulroney, a very estimable man, makes a fine Opposition leader, that Mr. Mulroney has declined to play the Premier's game. We do not hear the Premier asking Mr. Mulroney for anything in writing. The Premier's whole position is just a tissue of chicanery, of political chicanery, partisan games.

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

MR. SPEAKER (Aylward): The hon. the member for
St. John's North.

MR. CARTER: I do think that we have to
draw the line somewhere, and suggesting that the Premier's
behaviour is one of political chicanery, or any kind of
chicanery, is not parliamentary and I think the hon.
gentleman should - We have been very easy on him
lately but I think we should now tighten up a bit.

MR. ROBERTS: To that point of order.

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

MR. ROBERTS: Your Honour, what I said
was the Premier's whole approach on this is a tissue of
political chicanery. That is not imputing anything to
the Premier. It is simply saying that what he has done
is a tissue of political chicanery. And my hon. friend
from St. John's North (Mr. Carter) may not know the
word, c-h-i-c-a-n-e-r-y. He will find it under "c" in
the dictionary, that comes right after "b", and before
"d". I would suggest, Sir, there is no point of order.

MR. STAGG: Is this what you feed (inaudible).

MR. ROBERTS: I would suggest, Sir, there is
no point of order and that I should be allowed to carry
on without the inane harassment of the gentleman from
Stephenville (Mr. Stagg). I did him the courtesy of
listening quietly, if he is not prepared to do that, Sir,
then I will have to ask that the appropriate measures
be taken, that he be sent to the corner and told to hang
his head.

MR. SPEAKER (Aylward): Order, please! To that point of order I rule that there is a difference of opinion between two hon. members. And I would remind all hon. members that the hon. member has the right to be heard in silence.

The hon. member for the Strait of Belle Isle.

MR. ROBERTS: Thank you, Mr. Speaker. I once heard a ruling that the hon. gentleman has the right to speak in silence. That one was an interesting ruling indeed.

The point is that this constitutional gambit we are on now is also without any substance.

MR. CARTER: Rubbish.

MR. ROBERTS: Yes, the Premier's constitutional gambit, I agree with my friend from St. John's North (Mr. Carter), is complete rubbish. He is also flaunting and defying Your Honour's admonition so eloquently and so learnedly expressed a minute or two ago.

There are two ways in the new Constitution, and the new Constitution of course was accepted by our Premier. He is one of the fathers of the Constitution. He claims that distinction and I give it to him. He was. He was not in the kitchen with Roy Romano and Jean Chretien when the deal was struck, but he certainly participated as the first minister of this Province and he accepted. And I do not know if ever we were asked to put a resolution to this House but we would certainly support what was done. The Premier of course changed his tune considerably from where he began but he came round in the end. There is hope.

MR. ROBERTS: Mr. Speaker, there are two methods in the Constitution to amend it. One is the seven and fifty formula, and the second is the Section 43 formula. The seven and fifty requires the affirmative support of the legislatures of seven of the ten provinces, representing at least 50 per cent of the population. So in effect the legislature of either Ontario or Quebec must be one of the seven. That is the effect of the 50 per cent. And the seven, of course, represent two-thirds. Now, Mr. Speaker, that is one method.

The second method is Section 43, and Section 43 is a matter which affects one or more but not all of the Provinces. There may be an amendment there if

MR. ROBERTS:

the Legislatures of those provinces and the Parliament of Canada concur. Obviously - and the Premier has said he has legal advice; but, as always with the Premier, when you come to the nitty-gritty, he gets a little fuzzy, a little weak on the details, a little weak on the comprehension and a little weaker on the explanation - an amendment to change the law as it has been declared by the Supreme Court of Canada - the Supreme Court of Canada does not make law, it declared what the law was - an amendment to do that cannot be done under Section 43, it requires the seven and fifty formula. So then we are back to the point can we get the support of at least seven other provinces, one of whom must be Ontario or Quebec? And then, can we get the support of the Parliament of Canada? Now, that may well be feasible, and if that is what this Province wants to ask for then let them ask, but, Mr. Speaker, that is a lengthy process, a very uncertain process with very many 'ifs' and 'ands' in it. It seems to me, Sir, the Premier has already done enough harm to the interests of this Province, has already done enough damage to the concerns of the people of Newfoundland and Labrador on this whole offshore issue.

I was listening today to the Minister of Energy (Mr. Marshall), or whatever he is, emoting on about the Churchill Falls situation. You know, it has turned out to be a disaster financially; of course it has, nobody could deny that.

I sat here in this House when Mr. Smallwood was Premier and it was announced by BRINCO that they had done the deal. And BRINCO did the deal, BRINCO and Hydro-Quebec, and everybody in Newfoundland and Labrador shouted huzzah, including such luminaries as

MR. ROBERTS: John Crosbie, now the member, of course, for St. John's West, and others, including the then Opposition.

MR. NEARY: The present Minister of Justice (Mr. Ottenheimer).

MR. ROBERTS: The present Minister of Justice. They shouted huzzahs. Everybody thought it was a great deal. And, of course, now the dogs walk on the other side of the street when it comes to that kind of deal.

Mr. Speaker, the present Premier in 1982 won an overwhelming mandate - 64 per cent, was it, of the votes? - overwhelming! But I have no doubt at all that the time will come when the dogs will walk on the other side of the street from the Premier as people come to realize - and they are - what this Premier has done with the hopes and the beliefs for the future of Newfoundland and Labrador in his handling of the offshore issue. It has been a shameful performance. If he did it deliberately - and I know not whether he did - then it is shameful beyond words; if he did it negligently, did not know what he was doing, then it is merely shameful and he should answer to history for it.

Mr. Speaker, there is only one way out of this. The three points I have made are irrefragable. Hon. gentlemen opposite can say what they want, that is their privilege, but they cannot change reality. The Joe Clark letter is dead. Brian Mulroney has conspicuously and, obviously deliberately, refused to resuscitate it because he knows he cannot. As he said, the wrinkle of the Supreme Court of Canada decision smooths it all out and makes it clear.

Secondly, the legal position has been made crystal clear by the Supreme Court of

MR. ROBERTS: Canada, the same result as the Supreme Court of Newfoundland, the Appeal Division, and it was this administration that blew it! There is an old rule in a poker game, if you are holding a pair of fours, you do not force the call.

MR. NEARY: If you get caught bluffing you lose the pot.

MR. ROBERTS: My friend from LaPoile points out, if you get caught bluffing you lose the pot. Well, the Premier bluffed, he was caught bluffing and he has lost the pot.

MR. NEARY: Right.

MR. ROBERTS: Finally, the constitutional change is no rational or reasonable way to go, there are too many 'ifs' and 'ands'. There is only one way out of this and that is to sit and negotiate. That is to sit and negotiate, Mr. Speaker. That does not mean we do a deal unless it is a good deal. Negotiating does not mean signing. This government do not know how to negotiate. They do not negotiate with their unions, they bring in fiats, legislative dictates. They do not know how to negotiate with the teachers, they do not know how to negotiate with anybody. All they know is this mindless, senseless, inane confrontation designed simply and solely for partisan purposes. Mr. Speaker, the amendment is inane, but that is what you expect when you see from whence it comes. What else could we get? Inanity must breed inanity. The resolution itself is argumentative, of course it is - most of the resolutions in this House are - but it is a good resolution, and the point of

MR. ROBERTS: the resolution, habendum clause, if you want to put it that way, is that the two governments sit down together. And if we do a deal and Brian Mulroney becomes Prime Minister and will do a better deal for us, sobeit, let us take it. There is nothing saying we cannot do a better deal. Nova Scotia did a deal and managed to piggyback; if we do a better deal than Nova Scotia, they get the better deal, too, so we are carrying them on our backs. That shows you how clever even a Tory government in Nova Scotia can be.

Mr. Speaker, the Premier is going to have to answer to history, as must we all, for what he does or does not do and his conduct in public office. My plea is quite simple and that is he cast aside the past and come to recognize what he has done, I am not asking him to admit he was wrong, I am not asking him to confess before seeking absolution, I am simply saying there is only one way that the interest of Newfoundland and Labrador can be served in this matter and that is to negotiate. That is why I support the resolution, Sir, and I do so wholeheartedly. I shall vote for it and I shall vote against the amendment.

Thank you.

MR. SPEAKER (Aylward): The hon. Minister of Social Services.

SOME HON. MEMBERS: Hear, hear!

MR. HICKEY: Mr. Speaker, I want to make a few comments on the amendment. I take the opportunity, Sir, because one is never sure how long one is going to be around - you can die rather suddenly - and I would not want to see a resolution of this magnitude pass through the House without expressing my point of view. Not only, Mr. Speaker, because of the content, but the author or architect of the resolution for that reason alone would bring me to my feet.

It is too bad the hon. gentleman is gone or gone out of

MR. HICKEY: the Chamber because I have a few things that I would like to direct to the member for Mount Scio (Mr. Barry). I prefer to do things eyeball to eyeball.

I have never in my life seen such a change in one individual in such a short time. I am not at liberty, Mr. Speaker, to divulge what goes on in Cabinet and what goes on in caucus. But I have a good memory, Mr. Speaker, thank god, and I remember very vividly the words of the hon. gentleman when he was on this side of the House. I remember so very, very well the words of the hon. gentleman and the position of the hon. gentleman. In 1972 - 1973 the hon. gentleman, Mr. Speaker, indeed was one of the architects of the strong position taken by the then government on the offshore issue, on the court case, and telling us how strong our position was indeed from a legal point of view. If the hon. gentleman now finds himself in such agreement with our illustrious judges of the Supreme Court - and it is not for me, Mr. Speaker, to cast reflection on them and I will not - but if the hon. gentleman for Mount Scio finds nothing wrong with the decisions as rendered by the judges of the Supreme Court of Canada, then I would hope and trust that nobody would engage him as a lawyer any more. Because he sure has changed his mind in a few short years, indeed a few short months.

Mr. Speaker, it is nothing short of astounding, when we live in a Province which has an unemployment rate of 23 per cent, the highest unemployment rate in Canada for most of the time, it is nothing short of astounding, Mr. Speaker, when we have so many have-nots when we are such a have-not province, when everything that is negative we have, such as high prices, high taxes, high cost of living - call it what

MR. HICKEY: condemning an administration that he played a vital role as one of the architects of our entire position on the offshore, on the court case, on every single move and strategy taken by this and former administrations for a number of years, to all of a sudden come into the knowledge that he was so, so wrong and that he was now going to be so patriotic as to cross the floor of the House and sit with the party, Mr. Speaker, who opposed this same position that he was part of and one of the architects of, is, to say the least, going a little too far to push that kind of stuff down the throats of Newfoundlanders and Labradorians and expect them to believe it. Mr. Speaker, the fact of the matter is the member for Mount Scio (Mr. Barry), and I take no pride in reflecting on any individual but I feel I have a duty to stand in this House and say what I consider in my own opinion, based on my experience from listening to the hon. gentleman, from seeing him perform as one of the architects, to say that he is at the very least, an opportunist, to say, Mr. Speaker, that he is at the very least a person who has placed his own interests ahead of the interests of the people of this Province. And, Mr. Speaker, where is he now? He supports a party now which for years enjoyed a long tradition, a reputation for being the party of the people. I used to hear the former, former Premier rant and rave of what the Liberal Party was all about. 'The party of the poor people', he used to say. Mr. Speaker, what a joke! The hon. gentlemen over there right now, led by the Leader of the Opposition (Mr. Neary) who was part of the administration that used to tout itself as 'The party of the poor, the downtrodden, the disadvantaged, the hard workers,' aided and abetted, or maybe led, I do not know, by their new-found colleague, the member for Mount Scio, has now become the party of the merchants and the party of business and the party of

MR. HICKEY: the Board of Trade. The party of people who place, again as the member for Mount Scio (Mr. Barry) has, their own interests first. Because their's is not a profound responsibility such as people who are elected and sit in this Chamber, they are in the world of free business, Mr. Speaker, and however much we may disagree with their position, and I certainly do, I do not deny them the right to have that position as business people. They are wrong. They are very, very wrong. But, Mr. Speaker, it is all part of business. How many dollars can we get into the till, how much activity can we get involved in, and what is the balance sheet going to be at the end of the year? And that is the name of the game for those people and that is what they live for and work for.

Mr. Speaker, can the hon. gentleman hang on and have a conversation, whomever he is having it with later on?

MR. NEARY: I am just mentioning to your colleague what a scatterbrain approach you have.

MR. SPEAKER (Aylward): Order, please!

MR. HICKEY: That is fine. I am not really looking for any bouquets from the hon. gentleman, Mr. Speaker. Just let him keep quiet and let him say his piece whenever he wishes, appropriately. That is the problem, Mr. Speaker, around here. Whenever there is a position articulated from this side of the House, and, for as long as there has been an offshore position, since this Premier has been in office especially, when they cannot take apart that position and debate it in detail, they go for the jugular and it is a personal attack on the Premier of the Province. If a minister is speaking, there is some comic comment like 'scatterbrain,' this, that and the other thing.

MR. NEARY: It is so true.

MR. HICKEY: It is so true, Mr. Speaker, that the hon. gentleman finds himself in such a conundrum, or - and I hope it is the first rather than the latter - is so intellectually bankrupt of ideas with regards to understanding the offshore that he knows nothing better to do than to go after someone on a personal basis. That is why the constant attack on the Premier of the Province on a personal basis, not on his position.

MR. NEARY: You should know all about personal attacks yourself. You should know all about it, back in 1972 and 1973.

MR. SPEAKER (Aylward): Order, please!

MR. HICKEY: Does the hon. gentleman want to talk about that?

MR. NEARY: Yes.

MR. HICKEY: Does he want to talk about the Mifflin report? I take it that that is what he is talking about.

MR. DINN: Yes, that is what he is talking about.

MR. HICKEY: Mr. Speaker, history will record and decide who made a personal attack on whomever when it comes to the hon. gentleman.

MR. NEARY: Right.

MR. HICKEY: And it is documented, it is already history.

MR. NEARY: Go back to Hansard.

MR. HICKEY: I will go back to Hansard, Mr. Speaker. Better again, I will go back to Bell Island when I worked there.

MR. NEARY: That is right.

MR.HICKEY:

No one knows better.

MR.NEARY:

You were lucky you did not get run off Bell Island.

MR.SPEAKER (Aylward):

Order, please!

MR.HICKEY:

Mr. Speaker, I am not going to allow the hon. gentleman to distract me from the point I am on and the issue I am on. That is another one of his strategies. When he cannot win on the issue, he will try to divert the person speaking onto something frivolous. And it is frivolous to talk about the enquiry on Bell Island now because the hon. gentleman should have been dealt with and he was not, and we have burnt our bridges on that. It is useless to talk about it but history will not be silent on it.

MR.NEARY:

You got egg all over your face on that one.

MR.HICKEY:

Well, Mr. Speaker, if I had egg on my face the hon. gentleman had the whole hennery.

SOME HON. MEMBERS:

Hear, hear'

MR.HICKEY:

I was not Minister of Social Services. If the hon. gentleman wants to start checking to see how my department is administered, I welcome the opportunity. He is free to do so. I can bear inspection anytime he wishes.

MR.NEARY:

Well, when the government changes we will look, do not worry.

MR.HICKEY:

Well, live horse till you get grass, Mr. Speaker.

SOME HON.MEMBERS:

Hear,hear!

MR. HICKEY: Mr. Speaker, the fact of the matter is I sat in the Chamber today and I never, ever was more astounded than when the hon. gentleman from Mount Scio (Mr. Barry) stands in his place and utters more erroneous statements. And I am beside myself to figure out whether he knows he is doing it and knows the difference, which I would hope is not the case, or whether he himself is capable of not understanding an issue that he spent such a long time dealing with. The hon. gentleman stood in his place today in introducing his resolution and he said that the Workers' Compensation Board put this issue in the courts in the first place. Now, Mr. Speaker, for a learned gentleman to have made that statement is to say the least astounding. The fact of the matter is, for record purposes, Mr. Speaker, let me remind the hon. gentleman that it was the Labour Relations Board and the SIU. It was the SIU who took the issue to court in relation to a squabble they had and a disagreement they had with the Labour Relations Board. And the Canadian Labour Relations Board said we had authority and jurisdiction at that point and the Newfoundland Labour Relations Board agreed with that. And finally the SIU took it to court to have the matter unravelled and resolved.

MR. DINN: Because they knew they were going to lose here.

MR. HICKEY: Yes, that is right. And what happened then, Mr. Speaker? And then, Mr. Speaker - it is old hat, it is old news; I mean, we are still shaken from the shock - the

MR. HICKEY: federal government intervened and not only said to the court, 'Decide upon the SIU case,' but enlarged the issue to deal with ownership - after the federal government had already agreed with the Province to set ownership aside.

MR. NEARY: And then what happened?

MR. HICKEY: And then what happened?

Mr. Speaker, what would one expect to happen given the fact that we were going to be denied our day in court if we did not move by addressing the issue to the Appeal Court of our own Province? We would have lost the chance, Mr. Speaker, to have our own court address the issue in this Province.

MR. NEARY: But what happened in the Appeal Court?

MR. HICKEY: Why does the hon. gentleman not keep his mouth shut, Mr. Speaker?

MR. SIMMS: The member for Mount Scio (Mr. Barry) is the one who put it before our court.

MR. NEARY: What happened?

MR. SPEAKER (Russell): Order, please!

MR. HICKEY: Does the hon. gentleman want to make a speech?

MR. NEARY: I will if (inaudible).

SOME HON. MEMBERS: Oh, oh!

MR. HICKEY: If he wants to make a speech, let him wait his turn. I never invited him to make a speech, I asked him if he wanted to make one.

MR. SPEAKER: Order, please!

MR. NEARY: The hon. gentleman asked me to make a speech.

MR. SPEAKER: Order, please!

The hon. Minister of Social Services (Mr. Hickey) has not finished speaking yet.

MR. HICKEY: Mr. Speaker, let the hon. gentleman say his bit and piece when the times comes. He can say what he wishes, he can try to finagle all he likes, he will not make a dent in the mind of the people of this Province. They are not to be hoodwinked any longer by hon. gentlemen. The game is up, Mr. Speaker. The hon. gentleman from Mount Scio (Mr. Barry) has gone down the tube in this Province. He has no credibility left because every second time he opens his mouth he is contradicted with fact by somebody over here. He has not even done his homework.

MR. SIMMS: Then accuses us of having an unnecessary election.

MR. NEARY: Well, why do you not have one?

MR. HICKEY: The hon. gentleman from Mount Scio was prompted to say to me in the committee stage that I over-reacted, or came very close to saying on the Labrador situation, the social workers I think it was, that I was impulsive. And when I think of how petulant the hon. gentleman is, and how I have seen him perform, for those words to come from that hon. gentleman was really almost too much for me to take. But I managed.

Mr. Speaker, let me for the record in this Chamber say to the hon. gentleman from Mount Scio, I do not over-react so much and I am not so impulsive that I leave a ship just because there is rough weather.

MR. NEARY: Or she sinks.

MR. HICKEY: No, she is not sinking, it is just rough water. We have had a lot of it and the hon. gentlemen over there gloat in it, but their time is coming,

MR. HICKEY: Mr. Speaker. Their time is coming, Mr. Speaker.

MR. NEARY: Let us have an election now.

MR. HICKEY: I have not over-reacted or been so impulsive that I have committed political suicide, for I would commit political suicide if I would join a party, that is aboard a ship that is sinking. Mr. Speaker, how naive. I mean, the hon. gentleman, for all his learning, and all his education, and all his training, has not yet, it seems, been able to grasp what they call common, ordinary, Newfoundland-style political savvy. He has just got none or he would have gone that way as opposed to that way. To say, Mr. Speaker, that he left a government taking a strong position ensuring the future and our birthright for those who are living today and those who are yet unborn, and if we were going to be clobbered over the head at least we take our strong position and we stand firm on it.

God knows, Mr. Speaker, we have been done in enough, and often enough that we do not need any more reminders of giving things away, Mr. Speaker, and hon. gentlemen on the opposite side know that more, or should know that more than anybody else.

MR. NEARY: You gave away the offshore.

MR. HICKEY: Gave away the offshore! No, the hon. gentlemen opposite would like for us to give away the offshore. They would like for us to capitulate, to get on our knees and say, "Give us a Nova Scotia agreement. We have been bad boys but now you have whipped us into shape and we will sign a Nova Scotia agreement."

And, Mr. Speaker, if there was ever any doubt in anyone's mind of how hon. gentlemen over

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MR. HICKEY: there are motivated on the offshore issue, it is to be found with how they gloat over the fact that Mr. Mulroney has not come out and said, "The offshore is Newfoundland's absolutely and I am going to give it to them."

 You know, I can almost see their glee and pleasure. Mr. Speaker, the unfortunate part

MR. HICKEY: thing about it is it seems that in playing their game of politics, Mr. Speaker, they are prepared to sell every single living person in this Province down the tube just so they can have their political kicks.

SOME HON. MEMBERS: Oh, oh!

MR. HICKEY: Mr. Speaker, history will pronounce on that too.

MR. NEARY: On a point of order, Mr. Speaker.

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

MR. NEARY: Does the hon. gentleman know that the Premier in his sharing from sea to sea statement said, there is no doubt 'many Canadian editorialists and opinion leaders who have taken to heart my own rather forthright personal style and thus overlooked the substance of my message. There is also the problem of the federal government having a more established, ongoing relationship with the national media.' Is that an indication to the hon. gentleman that the Premier and the administration are paranoid?

MR. HICKEY: That is no point of order, Mr. Speaker.

MR. SPEAKER: Order, please!
The hon. Leader of the Opposition did not raise a valid point of order. In the meantime, the time for the hon. Minister of Social Services (Mr. Hickey) has now expired.

The hon. member for Eagle River.

SOME HON. MEMBERS: Hear, hear!

MR. HISCOCK: Mr. Speaker, I will not be very long on this, obviously, because of the time, but even if it was not near 6:00 o'clock I would not be long. But I would just like to say a few things. One is a quote I heard the other night by Bruce Phillips: "When we make gods of our rulers we become sheep ourselves". And obviously this is what the PC members and the Cabinet have made out of the Premier, so much so that the member for Stephenville (Mr. Stagg) got up in a burst of fundamentalist, religion fervor, saying the Premier is going on a divine mission across the country.

For five years I stood here in this House of Assembly, Mr. Speaker, and I have heard nothing but offshore. The Minister of Social Services (Mr. Hickey) just asked is the Liberal Party going to sell Newfoundland down the tube? Well, in five years I have seen Newfoundland go down the tube. I have seen the Minister of Social Services become the Minister of Development with a job program designed to get 5,000 people off welfare and to unemployment insurance. I have seen time and time again industries going bankrupt, private bankruptcies' gloom after gloom, Mr. Speaker.

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

MR. SPEAKER (Russell): The hon. Minister of Social Services on a point of order.

MR. NEARY: Keep it up, Eugene.

You are getting to him.

MR. HICKEY: He has hit me now that many times on community development, I now have to know from him does he not want me to take off any people who are social assistance in Eagle River any more? Tell me yes or no. Does he?

MR. WARREN: Ah, go home.

MR. HICKEY: That is right, We will be going home in five minutes.

MR. SPEAKER (Russell): Order, please!

MR. NEARY: That is not a scatter gun approach that is a scatterbrain approach, Mr. Speaker. My hon. colleague is merely pointing out to the House that the strategy of the hon. gentleman is to get people off the welfare rolls provincially and put them on to the federal payroll. And I believe my hon. colleague is implying that Ottawa should get some credit for looking after these people, Then he is threatened.

MR. HICKEY: I am not threatening him.

MR. NEARY: Mr. Speaker, under the rules of this House, I do not believe you are allowed to threaten another member, and that is what the hon. gentleman is doing to my colleague.

MR. HICKEY: I am very accommodating.

MR. SPEAKER: Order, please!
To that point of order, it is certainly not a valid point of order. The hon. Minister of Social Services phrased a question to the hon. member for Eagle River (Mr. Hiscock).

MR. HISCOCK: Mr. Speaker, to the question that was raised, if the Minister of Social Services checks his statistics, he will find out that the statistics of Eagle River is one of the lowest district of welfare recipients in the Province as a result of the Coastal Labrador DREE agreement, as a result of the construction of the air strips, as a result of the fishery DRIE agreement and X number of other things. Mr. Speaker, I say to the minister that the 5,000 people being taken off welfare and put on unemployment insurance,

MR. HISCOCK: like the people whose jobs are threatened in Corner Brook and Labrador City and St. Lawrence and Buchans and on Bell Island - and you can go all around the Province - they do not want to be on welfare they do not want these make-work projects, they want jobs. They elected this government in 1979 and 1981, Mr. Speaker, to provide employment, but since then we have seen closure after closure after closure.

 Mr. Speaker, I have said since 1979 that this government wants nothing else but the PC Party in power in Ottawa. And they want that for power, greed, and corruption, and that is to appoint ambassadors chairmen of Air Canada, and X number of other cushy jobs

MR. HISCOCK: The Minister of Social Services (Mr. Hickey), the Minister of Public Works (Mr. Young), the Minister of Health (Mr. House) - and you can go on down through the ministers - are now at the age of retirement and they do not want to sit here in the House and listen to a young upstart like myself, they would much prefer to be in Ottawa or Montreal or Toronto -

MR. HICKEY: On a point of order, Mr. Speaker.

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

MR. HISCOCK: - or somewhere and that is the crux of the problem, Mr. Speaker.

MR. SPEAKER: Order, please!

The hon. the Minister of Social Services on a point of order.

MR. HICKEY: Mr. Speaker, I must say, the hon. gentleman does not say too much, but when he gets going you cannot shut him up!

SOME HON. MEMBERS: Hear, hear!

MR. HICKEY: Let me tell the hon. gentleman that he might think he knows all things, but he has not yet, Mr. Speaker, determined what my age is, nor has he determined what my age of retirement is. I can tell him that if he is not careful, if he does not watch what he is saying, I will be here longer than he will.

MR. HISCOCK: You have been!

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

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

MR. NEARY: Mr. Speaker, I believe what my colleague was implying was that the hon. gentleman this afternoon appeared to be making his farewell speech. He talked about dying, he said that he might not be able to

MR. NEARY: make this speech later so he wanted to make it today just in case anything happened.

MR. HICKEY: Oh, I could die tonight.

MR. NEARY: Well, Mr. Speaker, therefore my colleague is absolutely right on. But I would submit to Your Honour that Your Honour knows that there is no point of order. The hon. gentleman is merely using that technique as an opportunity to have a little go at my colleague, the member for Eagle River.

MR. SPEAKER (Russell): Order, please!

Once again the Chair must rule that there was not a valid point of order raised.

The hon. the member for Eagle River.

MR. HISCOCK: As for knowing the minister's age, I do know that the minister has been here for almost twenty years and I would assume that anybody who has been sitting in this House for twenty years would like to move on to greater things.

SOME HON. MEMBERS: Oh, oh!

MR. HISCOCK: Mr. Speaker, it was said in that context. If the minister does not want to move on, then I am sure there are others over there who do want to move on, unless we are going to start funding more official hand-shakers in this Province.

But, Mr. Speaker, this government does not want to deal with the Liberal Government or a new Prime Minister or whatever and I would even predict, Mr. Speaker, after the next federal election, if the Prime Minister happens to be Mr. Mulroney - and I say 'happens', which I do not expect - and if Mr. Mulroney will not give what this government wants, then they will turn on him as they turned on Mr. McGrath when he was

MR. HISCOCK: Minister of Fisheries.

In closing, Mr. Speaker, before I adjourn the debate, I will say, 'When we make gods out of our leaders we become sheep ourselves.' If there is anything that we in this Province have learned, it is that we have too often made gods of our leaders.

SOME HON. MEMBERS: Hear, hear!

MR. HISCOCK: And I caution this government not to do that.

Mr. Speaker, I move adjournment of the debate.

MR. SPEAKER (Russell): It is noted that the hon. the member for Eagle River has adjourned the debate.

MR. MARSHALL: Mr. Speaker.

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

MR. MARSHALL: Before Your Honour leaves the Chair, Mr. Speaker, I would just like to advise the Opposition that tomorrow we will be doing the Concurrence Debate on the Resource Committee.

MR. SPEAKER: It being 6:00 P.M. Private Members' Day, I do now leave the Chair until tomorrow, Thursday, April 12, 1984, at 3:00 p.m.

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ANSWERS TO QUESTIONS

11 APRIL 1984

In the House of Assembly.

*Tabled by Hon. Mr.
Responsible for Energy,
11 April, 1984*

Question:

27. - Mr. Neary (Leader of the Opposition) - To ask the Honourable the Minister of Energy to lay upon the Table of the House the following information:

- (a) List the number of compensable accidents which have occurred on oil rigs off Newfoundland for the years 1981, 1982 and 1983.
- (b) List the number of non-compensable accidents, but where medical attention was necessary, which have occurred on oil rigs off Newfoundland for the years 1981, 1982 and 1983.

Reply: (Mr. Marshall)

The records of the Petroleum Directorate indicate the following accidents occurred:

	1981	1982	1983
Compensable	29	49*	70
Non-Compensable	53	27	52
Total	82	76*	122

The corresponding frequency of occurrence per day of rig operation is:

Accidents (per day of rig operation)	1981	1982	1983
Compensable	0.023	0.054*	0.050
Non-Compensable	0.041	0.030	0.036
Total	0.064	0.084*	0.086

*Excludes 84 people lost with the Ocean Ranger.