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HOUSE OF ASSEMBLY
FOR THE PERIOD:
3:00 p.m. - 6:00 p.m.
WEDNESDAY, MARCH 28, 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. President of the Council.

MR.MARSHALL: Mr. Speaker, I spoke with the Leader of the Opposition (Mr.Neary) and he spoke with me about this before coming into the House. I rise to express what I know will be a unanimous vote of sympathy by the House to the family of the late Edith Manuel. Miss Manuel. I think, is well known by most people in Newfoundland. She has had a very distinguished career, having been a teacher, very active in the Women's Institute and many other endeavours. She was born in Twillingate and recently, in her adult life, of course, has resided in St. John's. If I may just interject a personal note, I suppose that I am the only member - and maybe the member for St. John's North (Mr.Carter) as well - but I think we two are probably the only ones in the House of Assembly who were students of Miss Manuel many , many years ago at Bishop Spencer College. In those days, for the first two years of school you went to Bishop Spencer rather than Bishop Field. I have known Miss Manuel as well on a personal basis over the years. I certainly wish to associate myself with the suggestion made by the Leader of the Opposition, and all other members of the House, in paying tribute to this very distinguished lady who has recently passed away and in extending an expression of our sympathy to her family.

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

MR. NEARY: Mr. Speaker, the late Edith Manuel was indeed an outstanding Newfoundlander who, as the hon. gentleman indicated, took up a position at Bishop Spencer School in St. John's where she taught for thirty-four years. For the many young ladies who were fortunate enough to come under her influence at Bishop Spencer, she will always be fondly remembered as a kind, warm, sympathetic and understanding person who took a strong interest in the well-being of her students and their future careers. The late Miss Manuel was also in the forefront of Newfoundland studies in our school system as she authored several geography textbooks for Newfoundland students. She was also active as a community worker, especially with the physically handicapped and the Girl Guides. For her past achievements, the

MR. NEARY:

late Miss Manuel received an honorary degree from Memorial University, was made a life member of the Canadian Federation of University Women, and was recognized on one occasion as the St. John's Citizen of the Year.

We on this side of the House would like to join with the Government House Leader (Mr. Marshall) in extending sympathy to the surviving family, Mr. Speaker.

STATEMENTS BY MINISTERS

MR. SPEAKER (Russell): The hon. Minister of Culture, Recreation and Youth.

MR. SIMMS: Mr. Speaker, I have a very brief statement but nonetheless one that will be of interest, I am sure. There is no doubt that the weather the past two days has created some problems, and specifically it has interfered no doubt with the delivery of mail. As all post offices are not open on Saturday and Sunday, and because we have received a number of telephone calls wondering if the deadline could be extended because of the inclement weather affecting mail delivery, I have decided to give interested parties three more working days in which to submit their big game licence applications.

Therefore, I want to inform the members of this hon. House, and the general public, that the deadline for the receipt of big game licence applications has been extended to 5:00 p.m., next Wednesday, April 4th.

SOME HON. MEMBERS: Hear, hear.

ORAL QUESTIONS

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

MR. BARRY: I would like to address a question to the Minister of Justice (Mr. Ottenheimer), Mr. Speaker.

Last night in the Justice estimates I understood the minister to state that there had been no opinion prepared with respect to the need for other provinces to consent to any amendment of the Constitution to bring the Continental Shelf off Newfoundland within the jurisdiction and under the ownership of this Province. I heard the Premier last evening giving his opinion that the consent of the other provinces was not necessary, that Mr. Mulroney was wrong, and I am wondering whether the Minister of Justice could confirm if his department has supplied any legal opinion to the Premier with respect to whether or not the consent of other provinces is required in order to amend the Constitution to bring back what was lost in the offshore case?

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

MR. OTTENHEIMER: Mr. Speaker, actually, last night I did indicate to the hon. gentleman that it was the opinion of the Department of Justice - and the Department of Justice had studied the matter - that it would be possible to make a constitutional amendment of a bilateral nature between Canada and Newfoundland with respect to the offshore, and the Premier obviously is aware of that opinion.

Once an agreement is reached and when an agreement is reached with respect to suitable and acceptable revenue sharing and meaningful joint management, and this agreement is entered into leaving the question of ownership in abeyance, then naturally that can be an intergovernmental agreement reflected in mirror legislation with the legislative assurance by both the Government of Canada and the government of the province concerned, the Government of Newfoundland, that it will not be altered without the consent of the other party, as I said last night. And everybody realizes there is parliamentary supremacy and that does not mean that in theory, or indeed in reality, a Parliament or a Legislature cannot repeal what it has enacted, but it certainly gives it a moral element which is lacking without that kind of an assurance, which is a legislative assurance.

But it is the opinion of the Department of Justice that such an agreement could take a constitutional reference or entrenchment in one of two ways, one being one which would require two-thirds or seven of the provinces and 50 per cent of the population and the federal Houses. It would also be possible to have an agreement of a bilateral nature which would not require that.

I think what is really important - and, of course, all we can ask the federal government to

MR. OTTENHEIMER: do is what is in its power to do - is nobody has asked the federal government, if there is, you know, a constitutional entrenchment, to ensure that there are 7 provinces and 50 per cent of the population, they cannot give that assurance - to give assurance of what it is in their power to give assurance of. And certainly, I feel once an agreement were reached leaving the question of ownership in abeyance, if an agreement were reached with respect to revenue sharing and joint management, then the mechanism of having it constitutionally entrenched is a matter which would come after.

MR. BARRY: Mr. Speaker.

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

MR. BARRY: Mr. Speaker, I thank the minister for the information, but I do not believe the minister responded directly to the question which I asked. I ask the minister, am I correct in understanding that there are two different sections in the Constitution, one of which refers to an amendment which would extend the existing provinces into the Territories,

MR. BARRY: and is it not correct that that would require the approval of other provinces?

There is another section, Mr. Speaker, which talks about amendments which affect only one or more provinces, and the consent of provinces which are not affected need not be obtained for those types of amendments. But would the minister not agree that the question here is whether or not, in dealing with the offshore, the federal government would be taken to be affecting other provinces? Regardless of what agreement the federal government might enter into which might stand the test of time or might be changed by a subsequent government, the question is is Mr. Mulroney correct when he states that his hands are tied, that he would not be able to make an agreement with the Province, and, if he did make an agreement, his hands would be tied because the consent of other provinces would be needed?

The minister stated that it is the opinion of the Department of Justice, Would the minister indicate whether one of the law officers of the Crown has prepared an opinion; is this the opinion of a law officer of the Crown supplied to the minister, or is this the minister's opinion?

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

MR. OTTENHEIMER: Mr. Speaker, it is the opinion of the Department of Justice. It is not an individual opinion. I have never regarded myself as infallible, and I seek the advice and input of members whose professional duty is to give such advice.

With respect to the earlier part of the hon. gentleman's question, the hon. gentleman was referring to the constitutional provision with respect to the extension of existing provinces into the territories. And that obviously is one of the provisions

MR. OTTENHEIMER: coming under 38, which requires seven provinces and 50 per cent of the population. It is with respect to Section 43 which has reference to an amendment to the constitution in relation to any provision that applies to one or more but not all of the provinces, and that of course is quite different from an extension of existing provinces into the territories. So certainly it is the opinion of the Department of Justice, a legal opinion, that it is possible to have a constitutional amendment under Section 43 with respect to the offshore. As I say, what is absolutely necessary before there can be a constitutional amendment of any kind, because there are possibilities of all coastal provinces and there is a possibility of an agreement of its own kind with Newfoundland, and when it comes to all coastal provinces, naturally that requires seven out of ten, and indeed just about every province, apart from Saskatchewan and Alberta, is coastal province of some form or another. So, obviously, in that kind of an

MR. OTTENHEIMER:

agreement, which would see a similar and identical regime, if you wish, for all of the coastal provinces, and that is eight of the ten, naturally the provision of the seven out of ten and 50 per cent would be operative. It is the view of the government, based on legal advice it has, that it would also be possible to have a bilateral agreement which would require only the consent of the Parliament of Canada and the Legislature of the Province. But, as I say, what is absolutely essential is that there be an agreement before that agreement can be given any constitutional reference at all. And the most essential thing is that there be an agreement with respect to these matters of revenue sharing and joint management.

MR. BARRY: Mr. Speaker.

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

MR. BARRY: Mr. Speaker, I wonder if the minister would indicate whether there was a written opinion supplied to the minister by departmental officials on this point, whether this written opinion refuting Mr. Mulroney's position was delivered to the Premier or whether the Premier was making an off-the-cuff statement when he took the position? Has there been a written opinion supplied to the minister and has that been passed on to the Premier?

MR. SPEAKER: The hon. Minister of Justice.

MR. OTTENHEIMER: Mr. Speaker, there is an opinion of the Department of Justice which is transmitted to the government. Whether it is written in total, oral in total, partially written, partially oral, results of discussion, all of that, what is important is that it is a considered opinion. It is a considered opinion, that is what is important and obviously the Premier, as head of the government, is aware of, naturally, that opinion.

MR. BARRY: Mr. Speaker.

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

MR. BARRY: Would the minister be able to indicate the number of law officers of the Crown within his department, or outside consultants, if any, the numbers of people who were involved in the preparation of that opinion?

MR. SPEAKER: The hon. Minister of Justice.

MR. OTTENHEIMER: Mr. Speaker, we do not keep that kind of worksheet, you know, how many lawyers worked on it or for what period of time or for how many hours or for this or for that. What we do is say that there is a considered opinion and that obviously the government, and the leader of the government, naturally, is aware

MR. OTTENHEIMER: of it, But we do not keep time sheets and I do not think we have ever supplied that kind of information, so the number of people who worked on it or the days they worked on it, or how many hours they wrote or how many hours they discussed or this or that, are matters on which we hardly keep records.

MR. BARRY: Mr. Speaker.

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

MR. BARRY: Mr. Speaker, I take it that the minister is not going to indicate to us whether or not he received a written opinion, if I understand his answer.

I would like to ask a question, Mr. Speaker, of the Minister of Energy. I would like to ask the minister whether any deadline has been given the Province by the Province of Quebec with respect to coming to an agreement on the renegotiation of the Upper Churchill contract and other matters on which discussions have been held with that province?

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

MR. MARSHALL: No, Mr. Speaker. We are not in the habit of receiving deadlines or giving them.

MR. BARRY: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary, the hon. the member for Mount Scio.

MR. BARRY: Mr. Speaker, would the Minister of Energy indicate whether the Province of Quebec has set a three-day time frame in which it expects to have a response from the Government of Newfoundland on the Upper Churchill and Labrador power negotiations?

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

MR. MARSHALL: No, Mr. Speaker. I suggest the hon. member, when he is talking about the three days, is probably thinking in terms of it being three days to March 31, which was the time for the extension of the reversion decision.

MR. BARRY: Mr. Speaker.

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

MR. BARRY: Would the minister indicate whether there is any outstanding offer from the Province of Quebec which is awaiting a response from the Province of Newfoundland, and whether the Government of Newfoundland will be in a position to respond to such offer before the March 31, deadline?

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

MR. MARSHALL: Mr. Speaker, we have maintained the consistent position that we will make no comments with respect to the course of negotiations during those negotiations, but will make a full and complete report at the finalization of those negotiations.

MR. NEARY: Mr. Speaker.

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

MR. NEARY: Mr. Speaker, I wonder if the hon. gentleman is aware that his counterpart in the Province of Quebec has stated that there is a deadline and the deadline is three days hence, three days from now, if negotiations will be

MR. NEARY:

finished by that deadline, or will the hon. gentleman be asking the province of Quebec for an extension of time in which to finish the negotiations?

MR. SPEAKER (Russell):

The hon. President of the Council.

MR. MARSHALL:

Mr. Speaker, as far as I understand, I think that Mr. Duhaime has indicated that, as far as the Supreme Court of Canada is concerned, as the position presently exists, there are three days. I do not believe that the hon. gentleman said that there was just a three day deadline.

MR. NEARY:

Mr. Speaker, a further supplementary.

MR. SPEAKER:

The hon. Leader of the Opposition.

MR. NEARY:

Will the hon. gentleman there opposite be asking the Supreme Court of Canada to further postpone the hearing of the case until negotiations are concluded? Will the hon. gentleman be asking for an extension beyond the March 31 deadline?

MR. SPEAKER:

The hon. President of the Council.

MR. MARSHALL:

I am not in a position to respond to that at the present time, Mr. Speaker.

MR. NEARY:

A supplementary, Mr. Speaker.

MR. SPEAKER:

The hon. Leader of the Opposition.

MR. NEARY:

Mr. Speaker, the clock is running out on the hon. gentleman. I wonder if he would

MR. NEARY: indicate when he will be in that position?

MR. TULK: He will do it down at the Confederation gathering.

MR. NEARY: He is going to do it Saturday night at the Confederation gathering, the 35th anniversary of Confederation.

MR. TULK: He is going to say, 'I am a proud Canadian.'

MR. NEARY: No, he will not say I am a proud Canadian because we have been trying to get him to say that in this House for some time. Because it is only three days away, will the hon. gentleman be making an announcement tomorrow in this hon. House of what the intentions of the administration are regarding the negotiations? Will the court case go ahead or will they be asking for an extension? Or have the negotiations reached a point where they can conclude an agreement?

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

MR. MARSHALL: I am not in a position to respond to that until the occurrence of certain events or events.

MR. NEARY: Mr. Speaker.

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

MR. NEARY: I wonder if the hon. gentleman could indicate to the House what is on the table? Now the hon. gentleman does not have to tell us the details or does not have to give us a progress report on the negotiations, but would he tell us what is now

MR. NEARY: on the table, what is being negotiated now? Is it the development of the five rivers with headwaters in Newfoundland Labrador flowing into the Province of Quebec? Is that what is on the table? Is that one item? Is the development of the Lower Churchill a part of the package? The reopening of the Lower Churchill Falls contract, is that also part of the package? Are there three items in the package, two, or one? Surely, Mr. Speaker, the hon. gentleman can indicate to the House whether or not there is one, two, or three items in that package they are talking about.

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

MR. MARSHALL: Mr. Speaker, I cannot be tied up in a package at this particular point in time. I have no comment to make to the hon. gentleman. The only thing I will say to the hon. gentleman is that he knows that a main concern of this government has been addressing the Upper Churchill contract. That is what I say.

MR. MARSHALL: I emphasize the main concern, and I shall say nothing further than that. That is as much as I can give the hon. gentleman at this time.

MR. NEARY: Well, a further supplementary, Mr. Speaker.

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

MR. NEARY: Well, then can we assume from the hon. gentleman's answer that the development of the five rivers and the reopening of the Upper Churchill Falls contract are at least two of the items in that package? And, Mr. Speaker, I have to ask the hon. gentleman, in view of the fact of the statements made by the Premier the other day that the Lower Churchill is dead, it is a myth, he told us to forget it, is that now off the table and only two items are being discussed between the Province of Newfoundland and the Province of Quebec?

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

MR. MARSHALL: Mr. Speaker, the hon. gentleman can assume what he will. You know, I am not going to discuss it with him any more. All I can say is the assumptions of the hon. gentlemen are sometimes well-founded, very rarely. Most oftentimes they are ill-founded, as for example, Mr. Speaker, his assumption that Mr. Chretien and the federal government were and are still offering us a fair deal on the offshore.

MR. SPEAKER: The hon. member for Bellevue.

MR. CALLAN: Mr. Speaker, I have a question for the Minister of Social Services (Mr. Hickey). A couple of days ago in the House, we heard about the closure or the scrapping of the Come By Chance oil refinery. On February 27, just over a month ago, Mr. Speaker, the Minister of Health (Mr. House), who I understand is not that healthy and that is why he is not here, publicly stated that when the construction of the Clarenville

MR. CALLAN: Hospital is completed in twelve months, the Come By Chance Hospital will be closed as an in-patient hospital and the building passed over to the Department of Public Works. I want to ask the Minister of Social Services (Mr. Hickey) does his department have any plan for the Come By Chance Hospital as it pertains perhaps to chronic care units or a senior citizen home? What plans does his department have?

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

MR. HICKEY: Mr. Speaker, we do not have any specific plans for that building as such. I can tell my hon. friend that I have had a request from some people in the community to sit down and discuss the prospects of a chronic care facility for the area. In conjunction with my colleague, the hon. Minister of Health (Mr. House), we have not been able to meet with the group because my colleague was not available for health reasons.

MR. HICKEY: So therefore that meeting has not taken place. I would also tell the hon. member, for fear that there be some misunderstanding, it does not generally follow that when a hospital closes that any high priority is given to that building to be developed in terms of a chronic care facility. It does happen, it has happened, but it depends on the established need in the area, it depends on the number of facilities which are within a general catchment area, and it depends on a whole host of things like that. In other words, the rationale is on need and the availability services for the area as opposed to the redirecting of the use of the building and the staff, etc., towards a chronic care facility.

MR. CALLAN: A supplementary, Mr. Speaker.

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

MR. CALLAN: I can appreciate what the minister is saying. Of course, my colleague the member for Placentia (Mr. Patterson) - not Placentia East, just Placentia - and my colleagues also from Burin - Placentia West (Mr. Tobin) and Fortune - Hermitage (Mr. Stewart), whose communities or parts of whose districts are served by that same hospital, we are all concerned, I am sure, about the future of it. Now, the Minister of Social Services (Mr. Hickey) says it does not automatically flow that when a hospital closes down it will automatically be turned into a chronic care unit or whatever, and then he said it has been done and perhaps it will be done in the future.

One the recommendations of the Royal Commission Report states almost the same words, that they not necessarily automatically become chronic care units. But reading from a piece of correspondence which we received, the members that I just referred to who are affected by the hospital, the concerned citizens in the area says, 'How can a government' -

MR. CALLAN: elected officials and so on - 'who have a heart and soul deny or refuse that the Come By Chance Hospital not be used as a chronic care center and nursing home because' - and here is the argument they use - 'because', it says, 'the government, they did it for Botwood, they did it for Buchans, they did it for the Old Perlican Hospital so why should Come By Chance be any different?' Markland was different but perhaps the reasons are different. How would the minister respond to that one?

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

MR. HICKEY: Very easily, Mr. Speaker. One of the things that has been wrong with the development of services in this Province is what one normally refers to as pork barrelling, and there has been too much of that gone on for quite a number of years, and this administration, and former administrations since 1972 have been trying to reverse that trend.

MR. NEARY: How can you say that with a straight face?

MR. HICKEY: I have no difficulty at all, Mr. Speaker, in maintaining a straight face. That is not one of my problems. That is a problem that some people have to cope with, but I am not one of them, thank the Lord. I will not stand here, Mr. Speaker, and say that we achieved instant success in 1972 but we have made steady progress in it. Now let me respond very sincerely to the question the hon. gentleman poses. It is a very valid one and it is understandably an issue

MR. HICKEY:

that would automatically arise in the minds of people who run or are attempting to maintain a building and maintain employment, and we all appreciate that, including myself, and at the same time are trying to respond to needs which they can identify in their area by way of chronic care services. However, Mr. Speaker, the critical point to remember here is from the fact that Botwood and Buchans were announced to be developed into chronic care facilities, it would be dead wrong to do a similar conversion in Come By Chance purely for that reason. The two areas referred to - Buchans and Botwood - were done clearly, Mr. Speaker, in responding to a need, not only in the area, but more specifically to address the question, a serious question, with regard to licenced boarding homes where there are sixty or more people presently living in licenced boarding homes which require level two, and some maybe even level three nursing care for whom there are no beds. In order to respond and address that question, government, in its wisdom I believe, used the opportunity to tap two sources and two facilities, namely Buchans and Botwood.

Equally, Mr. Speaker, it should be pointed out that the whole area of Come By Chance, and the catchment area that such a facility would draw on, it has to be clearly established in relation to the new home in Placentia, in relation to the licenced boarding homes with regards to established needs, and in relation to the number of people in the general catchment area who would require chronic care services. And we are able to establish, Mr. Speaker, a bench mark, so to speak; in other words, an accepted, proven percentage of senior citizens who will require institutional care. And through that process of

MR. HICKEY: establishing and applying that kind of criteria, it would then be established what is required and what would best serve the people of the general area of Come By Chance.

Finally, Mr. Speaker, let me say to the hon. gentleman, we have burnt no bridges. No final decision has been given those people because, indeed, we have not had a chance to sit down and talk to them.

MR. CALLAN: Mr. Speaker.

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

MR. CALLAN: Thank you, Mr. Speaker.

As I understand it - and perhaps the minister can confirm this when he stands - as I understand it, there is a meeting, a meeting has been arranged for April 4 at 2:00 p.m. Perhaps the minister can tell us where that meeting is. Of course, I understand, and the other MHAs connected with the hospital, because they have communities like Bay L'Argent and Baine Harbour, and Southern Harbour and, of course, Fair Haven in the case of the member for Placentia (Mr. Patterson), that a meeting is being held.

I can assure the minister that as he talks about a catchment basin and as he talks about bench marks and talks about the area, there are a lot of senior citizens, I am sure, from Fair Haven to Bay L'Argent and Baine Harbour and down through Hodge's Cove and down to Southport and Sunnyside, and Arnold's Cove, the most economically prosperous town in Newfoundland perhaps, that there are a lot of senior citizens there who will be availing of this.

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

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

MR. SPEAKER (Russell): The hon. the President of the Council on a point of order.

MR. MARSHALL: The hon. gentleman is making a speech, Mr. Speaker.

MR. CALLAN: Yes, Mr. Speaker, I am.
I apologize.

MR. SPEAKER: I think it is fair to say that the hon. the member for Bellevue (Mr. Callan) has been allowed a fair bit of leeway and, in asking his questions, a fair bit of preamble. Maybe he should ask a direct question.

MR. CALLAN: Yes, Mr. Speaker.

My question, as I said at the outset, Mr. Speaker, is would the minister confirm that there is a meeting? And will his officials at that time be so adequately prepared with back-up information and so on, as this committee will be? Because they have sound and good arguments for a chronic care unit in a senior citizens home.

MR. SPEAKER: The hon. the Minister of Social Services.

MR. HICKEY: Mr. Speaker, first of all, let me confirm that yes, to the best of my knowledge there has been a meeting arranged.

MR. CALLAN: Where?

MR. HICKEY: I cannot give him the date.
As I said, I was available, and

MR. HICKEY:

I said so. And my colleague could not be available for health reasons, and surely one can accept that. We are prepared to sit down with those people and we will at the earliest opportunity, and to the best of my knowledge that date is set. I will establish the date for the hon. gentleman, and get back to him today.

MR. CALLAN: Good. Merci beaucoup!

MR. HICKEY: On his other point, Mr. Speaker, I will go further than he asked, He wants to know if my officials will be well equipped and well prepared. I will tell him further to that that not only are my officials -

MR. CALLAN: Not negatively, positively.

MR. HICKEY: - always well prepared, but there minister is always well prepared too.

MR. CALLAN: Not negatively.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Russell): Order, please!

The time for the Question Period has expired.

ORDERS OF THE DAY

MR. SPEAKER: It being Private Members' Day, we shall proceed with Motion No. 5 on the Order Paper, moved by the hon. member for St. Mary's-The Capes.

SOME HON. MEMBERS: Hear, hear!

MR. HEARN: Quite often when we introduce resolutions in the House, we always look very carefully at the wording to see where the little catchwords are that will more or less keep one side or other from agreeing with the resolution. But the motion today is straightforward, so straightforward to the extent that I expect, from the point of starting to introduce the motion right through to the final discussion, that everyone who speaks

MR. HEARN:

will be supportive on it.

It is a motion which requests that the stand that the Province of Newfoundland and Labrador has taken in relation to the offshore is supported. I am not going to go through the heavy preamble, I am just going to read the resolution itself, It says, 'THEREFORE BE IT RESOLVED that this Honourable House supports the position of the Government of Newfoundland and Labrador that an agreement with the Government of Canada on the management and development of our offshore oil and gas resources must reflect the principles contained in the Province's last proposal of January, 1983 which would have seen a sharing of management powers between the Province and the Federal Government with national priorities coming before provincial priorities and a revenue sharing formula which would have given Newfoundland the larger share in the first instance and the Federal Government the larger share after economic conditions improved in the Province.'

I do not think anybody, Mr. Speaker, can disagree with such a motion. One of the things omitted in the resolution is the word 'ownership'. We are not discussing at all in the motion 'ownership', we are talking about our position as it relates to the management and the revenue sharing of the offshore. Perhaps we should ask ourselves two questions; What are we talking about? Why are we talking about it?

In relation to what we are talking about, I suppose we are talking about us as Newfoundlanders being part of Canada. We are talking about being treated the same as other Canadians. During the last few months in particular, we have heard all kinds of discussions, all kinds of concerns expressed about various kinds of rights. We hear about minority rights, language rights. I ask, Mr. Speaker, that we ponder and perhaps ask ourselves what about Newfie rights. Because there

MR. HEARN: are many Newfoundlanders wondering how come, when a centralist government talks so much about the rights of the people under its domain, that it seems that Newfoundlanders do not have the same rights as other people. And it is extremely perturbing and so far we have not found any - body who can offer the answer why we do not seem to be treated the same as everybody else.

In 1930 the Government of Canada consented to and obtained an amendment to the constitution providing the Prairie Provinces with rights to their resources. This gave them economic stability and substantial growth and prosperity. But in relation to the resolution, we are not talking about ownership, all we are talking about is a fair share for Newfoundland.

MR. HEARN: We have made three main proposals to the federal government. Back in the days when Mr. Clark was Prime Minister of Canada, he agreed to give Newfoundland complete ownership over its offshore resources, the same as provinces who had boarders on the ocean and who had boarders that did not touch the ocean, who own their own inland resources, had. He thought, as we did, that our Province should have a say, control over and ownership of the resources within its boundaries. Unfortunately, before Mr. Clark got to deliver - as Mr. Crosbie often says they were in power just long enough to conceive but not to deliver, just short of nine months - he was ousted and we had the return of the Trudeau government. This proposal of Mr. Clark, that we be given ownership, was rejected, so then we went forward with another proposal to the Trudeau administration, Mr. Lalonde, at the time, being the Energy Minister. This one called for joint ownership and joint management and, of course, this was also rejected by the federal government. However, Newfoundland did not sit back and sulk and say we want it all or we want nothing. We said that we would compromise, and we went back with a third proposal, the proposal of January 1983, which forms the basis of the resolution today. And this said, 'Look, we will put aside the ownership issue entirely. We still feel and always will, as all Newfoundlanders do, that we should and eventually we will own the resources that are within our boundaries, but for the present time, to get this issue out of the way, to reach a settlement, let us put aside the ownership issue, let us concentrate on the two important things as related to the development of the offshore, in particular Hibernia. Let us talk about management and let us talk about revenue sharing.' We said, 'Okay, we will put aside ownership. We will talk about shared management and sharing revenues.' We also said to

MR. HEARN: them, 'In the event there is any problem with Canadian self-sufficiency as it relates to the supply of oil, or if there is a security of supply situation whereby the federal government has an interest, then we are willing to let the federal government call the shots. where there is any problem in relation to self-sufficiency or security of supply, the final decision rests with you. When your priorities as related to those two items are out of the way, then and only then will provincial priorities come into play.' In relation to revenue sharing, we said the only thing that was sensible to say, the only thing that we could say and not be afraid of being run out of Newfoundland, that at the beginning we want the bulk of the revenue. Why? All we have to do is look around us and the answer faces us every day. We want the bulk of the revenue to improve our lot. Later I will elaborate a little bit more on that. But as our lot improves and when we become equal to other Canadians - not above them, but equal; when we are number four, number five, number six, in that area - when we have the same economic stability that is found in other areas of Canada, then and only then should revenue sharing start sliding towards the federal coffers. And in the long run, as the resources are developed and revenue is increased, then we will get the smaller share on the far end and the federal government will get the larger share. This, unfortunately, once again was rejected. So the big question is where do we go from here? The word we hear from - I was going to say everyone, that is not the case - the word we hear from all of the critics, the minority group that they are, is compromise;

MR. HEARN:

get back negotiating. Negotiate what, Mr. Speaker? We can not negotiate a giveaway agreement. Anybody at all can do that. The former opposition leader, when he was in power with our colleagues years ago, managed to do that quite successfully. We have no intention of negotiating an agreement that gives away the resources of Newfoundland. We have one hope of coming out of our present poor economic situation and that is to derive some benefits from our resources. Up to now we can see our fishery, which is being managed basically by a centralist government; we can see our hydro, which is under basically federal control, where we have, on our own as a Province, to negotiate with another province to see if we can get our power to market, while the federal centralist government just sits by and lets us fight it out instead of making a firm decision and giving us the right to get our power to the markets where we could have some revenue; and here, specifically as it relates to the offshore, they are saying, Look what you are offering cannot be any fairer but still, no, we want no part of it, we want all or we want nothing. Mr. Speaker, it is the poor Province of Newfoundland, which when it went into Canada in 1949 brought with it more than any other province in relation to resources, it is unfortunate that Newfoundland and Newfoundlanders so far have gained the least.

The second question I asked, once we passed the point of talking about what we are talking about, is why is it that we want shared management and why do we want revenue sharing? Number one, all we

MR. HEARN: have to do is look at our high unemployment rate, the highest in all of Canada, and look at our taxation, the highest in all of Canada. Specifically when we talk about unemployment we talk about youth. In this Province today about six out of ten of our young people are trying to find jobs. And perhaps it could even be higher than that because some people have just given up looking. That is something that we cannot bury our heads in the sand and say what can we do about it?

MR. NEARY: And you are supporting an administration that is doing nothing about it.

MR. HEARN: I am supporting an administration that is trying to do something about it, that is trying to overcome a situation -

MR. NEARY: Yes, with lip service.

MR. SPEAKER (Aylward): Order, please!

MR. HEARN: - and a position that we were put in by a former administration of which the hon. gentleman was part. He has the gall and the audacity to say we are doing nothing about it. Over there, even now, he is saying, get on the phone, call Mr. Chretien, get on your knees, kiss his hand, or whatever other part of his anatomy he wants to offer, to get an agreement. However, luckily they inherited from us a few brains apparently, because the newest unelected member over there at least says the government of Newfoundland and Labrador is on the right track. The only thing he disagrees with is, when we are going about trying to sell our position and explain it to the rest of Canada, he feels that he should also go along and help out. However, perhaps our salesmen are a little bit better than the hon. gentleman, so I imagine we will go it

MR. HEARN: alone. We talked about the high taxation, 12 per cent, and the low level of services that we can offer in this Province because of the lack of revenue to put into such things as roads. Many of the members on both sides of the House know what it is like to represent districts where, this time of the year in particular, you can hardly get over the roads. I have mentioned several times in my own district where I have perhaps more unpaved road than any other district in the Island, 140-odd miles yet unpaved. The need for money for our schools ; Our educational system, even though what we have is perhaps the best in Canada, we are trying to develop a Grade XI programme where we really have not got the space to develop it in many of our smaller areas, or the teachers necessary to develop such a programme simply because we have not got the funding to put it in place. We can go on to Social Services, we can go on to Health, a big concern in the Province. We can go on to Recreation where the Minister of Culture, Recreation and Youth (Mr. Simms) has \$100,000 approximately this last couple of years in his budget to go into physical facilities. What can you develop in a Province the size of Newfoundland with \$100,000? And nothing can be done about it because the money is not there.

We need money to go into exploration so that we can develop more mines, we need money to develop our forests, to get into reforestation. We need money to get into programmes such as salmon enhancement.

MR. NEARY: What we need is a new government. That is what we need.

MR. HEARN: We need money to develop markets so that we can sell the goods and products that we do produce, but once again the money has to come from somewhere. The level of prosperity is not based on federal transfer payments but on the development of our own resources. We do not want handouts from Ottawa, as the hon. gentleman across is suggesting we take, we want to develop on our own.

Mr. Speaker, would it not be great if perhaps on Christmas Eve we find out that we have signed an agreement based on the offer that we made in January 1983? That agreement would give Newfoundland a sharing of the revenue, a say in the management, so that we will not have this boom and bust situation, so that when the offshore is starting to be developed in Newfoundland we would not see all the offices set up in Ottawa, we would not have a centralist government saying, 'You do not have to hire anybody from Newfoundland anymore; hire them from Quebec or hire them from New Brunswick.' We would not see the various supply boats being built in other areas of the country, or outside the country. We would not see our rigs being supplied or repaired in Halifax, or the various goods and facilities that are provided to the rigs offshore that come from businesses locally shipped off to Halifax or the Quebec shore. At the present time, as the situation exists, this is what can happen unless we have a signed agreement giving us some assurances on the development and revenue sharing. But would it not be great if we got this agreement. Just picture how Newfoundlanders will feel. The headlines in the papers stating 'Newfoundlanders' - not the Premier, not the Government of Newfoundland - 'Newfoundlanders Win!' I can picture the comments from the Senate in Ottawa, the present Leader of the Opposition (Mr. Neary) from his Senate position states that the agreement is what he had advocated right along. This is what we would

MR. HEARN: see. From the leader of the Fishermen's Union, ex-leader of the Fishermen's Union he will be then, back in Ottawa, Mr. Cashin, who made an unsuccessful attempt at the leadership of the Liberal party, states that he hopes there will now be some money for the fisheries! And a little caption there which says that it seems that the hon. gentleman is trying to get back in favour with the fishermen and plant workers on whose dues and backs he campaigned for the Liberal leadership. And another comment from the member for Mount Scio (Mr. Barry) then the ex-member for Mount Scio, who states that a former Tory Energy Minister, a former Liberal critic and now a candidate for the NDP party states that this is what he has been advocating. And finally, a statement from the new leader, the member for Torngat Mountains (Mr. Warren), the new leader who says that being a man of principle he and the member for Port au Port (Mr. Hodder) and the member for Bellevue (Mr. Callan) are thinking about crossing the floor because they feel that the government over here has done its job.

SOME HON. MEMBERS: Hear, hear!

MR. HEARN: And we cannot forget the member for Fogo (Mr. Tulk), who says he is staying where he is because he wants to prove that he is the only true Grit.

Mr. Speaker, we are Canadians, we belong to the greatest country in the world, the freest country -

MR. TULK: You cannot get 'Marshall' to say that.

MR. HEARN: Well, maybe I should have said when we read all those captions over here we will stand up and, led by the Minister of Energy (Mr. Marshall), will sing Oh Canada!

SOME HON. MEMBERS: Hear, hear!

MR. HEARN: Mr. Speaker, I say we are Canadians belonging to the greatest country in the world, the freest country in the world, the land of equal opportunity. But is it the land of equal opportunity? Is this the great Canadian dream, to have your resources gobbled up by a centralized government, run, controlled by people who do not know, as has been said by many of the members opposite, do not know or care about the local situation? Unless we have a signed agreement which benefits the people from Newfoundland, what can we expect? Jobs? No, we no longer have control of them, no longer does the local preference hiring policy come into effect. All the revenue will flow outside, with our ship construction, platform construction, etc., the chance for Come By Chance, down in the hon. member's district, the chance for constructing our offshore platforms will be gone

MR. HEARN: down the drain. What is needed in Newfoundland, Mr. Speaker, as was said so adequately on the weekend by Professor Lin Jackson, is a political will. And the big question is have we got a political will? In answer to that, and in conclusion, Mr. Speaker, I say yes we have a great political will in the mind of the Premier of this Province, we forty-three other political wills on this side of the House, and I ask the gentlemen opposite have you got the political will to stand up and take a stand for Newfoundland so that -

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

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

MR. NEARY: Mr. Speaker, something came flying across the House a few moments ago and struck my colleague, the member for Mount Scio (Mr. Barry), on the head.

MR. HODDER: It was a rock, I think.

MR. NEARY: I do not know what it was, Mr. Speaker, but if it had hit him in the eye I am sure it would have damaged his eye. I would submit that Your Honour investigate it to find out who threw this instrument, or this article, or this flying missile across the House, and, Mr. Speaker, when Your Honour determines who flung that object across the House, that the hon. gentleman who flung it be flung out of the House.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

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

MR. SPEAKER: To that point of order, the hon. the member for Humber West.

MR. BAIRD: I was the culprit. With that flying missile across the House I was extending an ice cube to my hon. friend for Fogo (Mr. Tulk) but hit my friend for Mount Scio (Mr. Barry) by accident. I am sorry.

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

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

MR. NEARY: Mr. Speaker, by the hon. gentleman admitting that he threw an ice cube across the House at my colleague, the member for Fogo, does not excuse the hon. gentleman. Mr. Speaker, if it was aimed for the hon. the member for Fogo, the hon. gentleman's aim must be bad. He will never make the Brooklyn Dodgers, I can tell you, because it hit my friend, the hon. the member for Mount Scio in the head.

SOME HON. MEMBERS: Oh!

MR. HODDER: It bounced off the top of his head.

MR. NEARY: By the hon. gentleman getting up and confessing that he did it is not excuse. The hon. gentleman should be punished for throwing things across this House. I believe the last time this happened in the House of Assembly in this Province it was an inkwell that was flung across the House, down in the old Colonial Building. The hon. gentleman may think it is funny, Mr. Speaker, but I guarantee you it whizzed by me and struck my hon. colleague there and, as I say, if it had hit him in the eye it probably would have -

MR. TOBIN: You were lucky it did not hit you.

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

MR. NEARY: Look, if the hon. gentlemen wants to turn this into a beer pit, take the House on their

MR. NEARY: backs, let them go
downtown in the taverns somewhere and do it, as they
are used to, not this hon. House of Assembly.

MR. SPEAKER(Aylward): Order, please!

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

MR. SPEAKER: To that point of order
the hon. the member for Mount Scio.

MR. BARRY: Mr. Speaker, I am
prepared to accept the apology of the member for Humber
West(Mr. Baird), that he did not intend that, but the
rest of the yahoos on the other side, if they want to
fling stuff over, and if they want to carry on in that
way, I think the message should go out loud and clear
that they would rather turn this House of Assembly into
a circus than to debate the issues, such as the offshore,
that we have going here, that they do not have enough
interest in their own member to listen to his resolution,
they would rather throw stuff across the floor. I
accept

MR. BARRY: the apology from the member for Humber West (Mr. Baird) and let the incident be settled there, Mr. Speaker. But the next 'blank' who sends something across this House is going to get the same in return.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: Well done yourself!

SOME HON. MEMBERS: Oh, oh!

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

MR. MORGAN: Ha, ha, ha!

MR. BARRY: And that includes you.

MR. SPEAKER: Order, please!

MR. MORGAN: You have got something coming to you yet, old man.

MR. BARRY: Physically? Physically? Physically, is it, Jim? Physically, is it? Physically, is it?

MR. WARREN: Sure it is.

MR. BARRY: Physically, is it? You had better lose a little weight first.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. NEARY: Close up the House, Sir. Close her up.

MR. SPEAKER: Order, please!

To that point of order, I realize that an object was apparently thrown in the House, which is certainly completely against the orders of this hon. House.

There was an admission and an apology given and accepted by the hon. the member -

MR. HODDER: I do not know if that is enough, Mr. Speaker.

MR. SPEAKER: - but I will have to take this matter under advisement and I will rule on it at a later time.

MR. NEARY: Yes, thank you, Mr. Speaker.

MR. SPEAKER(Aylward): The hon. the member for St. Mary's - The Capes, who has approximately one minute.

MR. HEARN: In conclusion I want to say that I am glad we identified it as an object, there for a moment I thought it might just have been a pang of conscience.

I was concluding by saying that a political will is needed, that we have forty-four on this side of the House, I just hope we have eight more on the other side, so that together we can take a stand for Newfoundland. Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

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

MR. BARRY: Mr. Speaker, we will be waiting to hear other members opposite say what they have to say when they are prepared to debate the issues, when they want to get down to dealing with the issues rather than attempting to shout down members when they are trying to make a speech.

SOME HON. MEMBERS: Oh, oh!

MR. BARRY: Now, I would ask the Minister of Fisheries (Mr. Morgan) and the Minister of Development (Mr. Windsor) to keep quiet. We listened to the member for St. Mary's - The Capes (Mr. Hearn) and, Mr. Speaker -

MR. WINDSOR: He was interesting.

MR. MORGAN: You do not say anything when you get up.

MR. SPEAKER: Order, please!

MR. CALLAN: Oh, listen to the angel.

MR. SPEAKER: Order, please!

MR. BARRY: Now, Mr. Speaker, if every time I get up I am going to have to shout down members opposite, if that is what is necessary, I do not think that

MR. BARRY: that is what this House of Assembly contemplates, I do not think that this is what the Speaker contemplates, and I ask that the Minister of Fisheries (Mr. Morgan) be told to shut up and keep quiet and get up in his turn and say what he has to say then.

MR. SIMMS: Relevance. Relevance.

MR. SPEAKER (Aylward): Order, please!

I will remind hon. members that the right of each member while speaking in this House is to be heard in silence, and I would ask all hon. members to respect this right. It has been requested by the hon. the member for Mount Scio (Mr. Barry) that he be heard in silence and I will do everything to enforce this right.

The hon. the member for Mount Scio.

MR. MORGAN: (Inaudible) just as well.

MR. BARRY: Mr. Speaker, he is ignoring your statement there.

MR. MORGAN: I must go outside for a while.

MR. BARRY: Yes, leave.

Mr. Speaker, this offshore issue has been twisted and turned by members opposite to where it appears that anybody who dares take a different point of view is unpatriotic, is disloyal, is traitorous. Mr. Speaker, members opposite, in the position that they have taken, the propaganda campaign that they are taking on this issue, is one that would have every single Newfoundlander marching lock step to the beat of their drum. Unthinkingly, because it is laid down from on high, from the eighth floor by the Premier, or by the Minister Responsible for Energy (Mr. Marshall), they would have every Newfoundlander not

MR. BARRY: dare raise their voice
to differ with their position.

Now, Mr. Speaker, the motion that is before the floor is almost a good motion. It omits one very important thing, Mr. Speaker, and I will be submitting an amendment to this shortly. Mr. Speaker, it omits to mention that the position set out by the Minister responsible for Energy (Mr. Marshall) in January 1983, was laid down as a precondition, as a precondition for his sitting down with the federal minister responsible for energy (Mr. Chretien) to continue negotiations with

MR. BARRY: respect to the offshore
which had been commenced.

Now, Mr. Speaker, I will go through point by point the items referred to in the Province's position, as time permits, and if time does not permit me to finish, I will have the opportunity again, in a later week, on my own motion, of debating the issue and finishing off the points that are set out by the Province in its January 1983 position.

Mr. Speaker, the reason why members on this side of the House cannot support the resolution as set forth by the member for St. Mary's - The Capes (Mr. Hearn) is because that resolution would have us accept the position of January 24, 1983 holus-bolus, including, Mr. Speaker, the fact that this is set down as a precondition for negotiation. This is one of the principles, Mr. Speaker, contained in this position, that before the Province will sit down to discuss the points that are set forth in the position they must have the unconditional surrender of the federal energy minister, of the federal government on each and every point contained therein. That is not a principle, Mr. Speaker, that members on this side of the House can support.

Mr. Speaker, I have sat here in this House for close to five years now and I have listened to members on this side, members of the Opposition, when they get up to debate the offshore issue, and each and every time they are prepared to support the essence of the Province's position, but they are not prepared to play the political games that the Premier insists on playing. They are not prepared to be so unreasonable as to say, Before we sit down to negotiate you must unconditionally surrender, you must accept the preconditions which we send up to you by telex.

MR. BARRY: Why was the Minister responsible for Energy (Mr. Marshall) back in St. John's when he sent that telex? Why was he not sitting down with Mr. Chretien, across the table, whether or not he had a written list in front of him that he could have passed over to Jean Chretien. He could have had his list in writing if he wanted to have the security of having something in writing, he could have passed that across the table to Mr. Chretien, and he could have said, Now, Jean, boy, here are our positions, here are the factors that go to make up the Newfoundland Government's position in settling this dispute. Let us go through them one by one and let us see what you are prepared to agree with and let us see what you are not prepared to agree with. And who knows? In the course of that discussion Jean Chretien might have been prepared to say, Well, I do not understand this, or I cannot accept this point but I might offer this point. And who knows that what Jean Chretien offered on some of these aspects might not have been just as beneficial to the Province, might not have been just as acceptable to the Minister responsible for Energy (Mr. Marshall).

Now, let us go through these conditions one by one, Mr. Speaker. Written understanding on the following points as requested by the Minister responsible for Energy - am I correct in assuming that the resolution of the member for St. Mary's - The Capes (Mr. Hearn), when he refers to the last proposal of January,

MR. BARRY: 1983, refers to
telex to which the Premier referred the last day,
is the telex of January 24th? We must assume this, we
do not know if there were any other proposals.

Now, Mr. Speaker, item
one there was that the joint management board will be an
equal one in all of its senses, with its own administrative
staff employed by the board and under its full and
exclusive direction and control. That the joint management
board will be an equal one in all of its senses, Mr. Speaker,
we can fully accept and support that.

Now let us go on. With
its own administrative staff employed by the board and
under its full and exclusive direction and control: We
would like clarification from members opposite, we would
like clarification from the Minister responsible for
Energy (Mr. Marshall) if he feels that that is one of the
basic principles inherent in his position. I take it that
it is a basic principle, the way he is putting it, that the
board employ the staff rather than having it some other way.
Now from my point of view it would not bother me all that
greatly if you had joint employers. It would not bother
me if you had some staff employed by one government and an
equal number of staff employed by another government who
were seconded to the board, provided the terms of reference
of that employment is designed so as to safeguard the
Province's interests. So I do not accept that having its
own administrative staff employed by the board and under its
full and exclusive direction and control
is the only way that that point could be dealt with.
There are any number of ways, Mr. Speaker, that we could
arrive at an equal share of management, an equal involvement
in management.

And this is the problem

MR. BARRY: with members opposite, they throw out details such as this as though they were the ultimate essence of basic principle upon which this rock is going to stand or fall, and unless everybody in the Province is prepared to accept their proposals down to the last petty detail, we are traitors, we are disloyal.

Now, Mr. Speaker, the Province is not going to be hoodwinked into accepting that sort of position, the Opposition is not going to be stampeded into accepting without careful scrutiny any proposal, whether it be the one of January 24, 1983, or any other proposal. We are thinking, analytical beings the same as other people in this Province, the same as members opposite, and we are entitled to express our opinion and ask, is this a basic principle, the board having its own staff? Is there no compromise? Is that a matter for unconditional surrender by the federal government, no possibility of compromise? If it is, Mr. Speaker, that is not something that I would support because I think there are other ways of getting equal involvement in management.

The next point, Mr. Speaker. 'While the Province recognizes the federal right to determine the pace of development up to the point of national energy self-sufficiency and security of supply, there will be meaningful protection afforded the Province against the unreasonable or capricious use of that power by an objective process. This will be determined by a mutually agreeable independent body which renders final' - and binding, I assume it is - 'decisions'. Okay. There will be meaningful protection: What is meant by meaningful protection? Obviously there is some give and take there, not totally tied down in black and white. Unreasonable or capricious use of the national energy self-sufficiency and security power which the federal government has, the

MR. BARRY: power to ensure that the basic survival of the nation is protected.

Now, I do not know what this last sentence means: 'This will be determined by a mutually agreeable independent body which renders final and binding decisions.' What does the 'this' refer to? Does it refer to 'meaningful protection afforded the Province against the unreasonable or capricious use of the power by an objective process'? What is to be determined? If it is this board, this mutually agreeable independent body, what type of body is contemplated? Would the minister tell us a little bit. Is it the National Energy Board? Is it the Newfoundland Court of Appeal? Is it the Supreme Court of Canada? Is it an arbitration board? And, Mr. Speaker, what are the terms of reference for that body in determining what is necessary, what is needed for national energy self-sufficiency and security? The initial principle of the federal right of determining this and the principle which is inherent in this statement that the Province in some way be able to counterbalance just an arbitrary, sweeping exercise of that power, that is alright, but, Mr. Speaker, what is down here in this statement at this point in time is meaningless. We do not know what it means and we would like to hear the minister explain it. What type of body? And we would like to know, Mr. Speaker, how far he believes the hands of the central government of a country, how far he believes the hands of the Government of Canada can be tied in terms of determining what is in the national interest? How far does he think a Government of Canada will go in tying its hands, in limiting its power to do things in the national interest? That is an area where I feel that the Province may be just a touch unrealistic.

MR. BARRY: I can support them. I can support the objectives that they are seeking there, but I believe they may be somewhat unrealistic in thinking that any central government will tie its hands, limit its ability to protect the country in times of emergency.

Now, the next point. '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 energy self-sufficiency and security.' Again, they are talking about - the bottom of this is cut off, Mr. Speaker. By memory I believe I have quoted it correctly. But again, this objective process which is referred to, I assume they are referring again to some form of independent board. They talk about in the latter event, in the time of national emergency, the federal plan takes paramountcy. 'Once again, this objective process will be a mutually agreeable independent body which renders final and binding decisions.' Again, what type of body and what are the terms of reference? And how far does the Province expect the central government to bind its hands to act in the national interest?

The next principle, that 'There will be an objective means of determination of national energy self-sufficiency and security provided in the agreement! 'An objective means of determination.' Now, we need some fuller information on what is meant here. 'An objective means':

MR. BARRY:

Is the Province saying that we are going to be able to anticipate every eventuality that might occur that could threaten the national energy self-sufficiency and security of Canada? If the Straits of Hormuz are closed by the Iran-Iraqi war, and there is a desperate need in this country for petroleum products, will that be spelled out? Will every type of possible contingencies be spelled out in an objective fashion? Maybe the minister will give us some further information than this skimpy sketch which we have here in this Telex.

Again we support the concept of, as far as possible, having an objective standard, so that even if it is not totally legally enforceable we will have the opportunity to put political pressure to bear upon the Government of Canada if it should attempt in an arbitrary fashion, an unreasonable fashion to impose its will upon the government of this Province.

Now, Mr. Speaker, the next condition is that 'The Province's contribution to national energy self-sufficiency and security of supply will be commensurate with other oil producing provinces or areas, and this contribution will be objectively determined. This contribution will be determined in the same manner provided in paragraph (d), ' Again we are talking about an objective process for determining this, which we support, the concept of an objective process. There is nothing wrong with that. But , Mr. Speaker, 'commensurate with other oil producing provinces.' What does that mean? Does it mean that it is done on the basis of the number of oil fields? Does it mean that it is done on the basis of the number of millions of barrels of reserves which a province has? Does it mean that it is done on the basis of the amount of oil that is being produced on a daily or a yearly basis in a particular province? How do we compare ourselves with Alberta? How do we compare ourselves with Saskatchewan? Again, this is something

MR. BARRY: we need information on that from the minister. The people of this Province need information from the Minister responsible for Energy (Mr. Marshall) before asking that all 574,000 Newfoundlanders accept his proposal holus-bolus.

I have to go through a lot more Mr. Speaker, in order to deal with this package, but I am running out of time, and before I do I move, supported by the member for Fogo (Mr. Tulk), to amend the motion before the House to include 'And Be It Also Resolved that the above not be considered as preconditions to negotiation,' Mr. Speaker. So we support, Mr. Speaker, most of the package that is set out in that January 24, 1983 Telex. Where we have difficulty is in understanding what is a matter of principle with members opposite and what is a matter of detail. I have given some examples, and I will have an opportunity in subsequent weeks to elaborate more fully on the things that we consider to be matters of principle and the things that we consider only to be matters of incidental detail on which you can go a number of different ways.

I ask the Minister responsible for Energy, I ask the Premier, and I ask members opposite to stop this nonsense of saying that every particular point and every proposal, whether it be offshore, fisheries, hydro or whatever, that every point put forth is a basic matter of principle that we cannot bend on, that we cannot move on, that we cannot compromise on, and therefore we cannot negotiate on. I urge him to get back to the bargaining table without preconditions, insist on matters of principle, but be prepared to compromise on matters of detail.

MR. RIDEOUT: Mr. Speaker, is that amendment in order?

MR. SPEAKER (McNicholas): Before ruling on this amendment, I would like to take this opportunity to welcome to the House of Assembly forty Grade IX exchange students and seven adults from St. Aaron's Academy, Kamloops, British Columbia.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: Mr. Speaker.

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

MR. MARSHALL: Mr. Speaker, I have to say to the hon. gentleman how quickly he has slid into the terminology of his new-found colleagues.

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

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

MR. NEARY: Mr. Speaker, I believe it is in order to have the amendment ruled on first before the hon. gentleman gets on. I know he is anxious to fling himself into the debate, but there are rules in this House that have to be followed and I believe that under the standing rules of this House the amendment has to be ruled on first before the hon. gentleman can squirt his poison and his bile across the House, Mr. Speaker. So I believe Your Honour should rule on the amendment first.

MR. SPEAKER: To that point of order, that point of order is well taken. The amendment is in order.

The hon. the President of the Council.

MR. MARSHALL: Mr. Speaker, the amendment relates to preconditions, and, I say, how quickly the hon. gentleman has slid into the terminology of the Liberal party of Newfoundland and the Liberal party of Canada. What the hon. gentleman forgets is the fact that that letter was written after an agreement had been struck between Mr. Chretien and myself

MR. MARSHALL: over a period of five to six very intensive pretty well all-day meetings, at which time we rendered down - and the hon. gentlemen there opposite will know what I mean - we rendered down as to what the basic understanding was to be between the federal and the provincial government. Believing and accepting in good faith the position that Mr. Chretien announced at the time, and I have no doubt he meant it at the time but circumstances intervened afterwards, we believed that we had an agreement and, consequently, Mr. Speaker, we gave our bottom line. So I would say to the hon. gentlemen there opposite, it is not a question of preconditions but it is a question of signalling to the federal government, having obtained the bottom line of this Province at that time with respect to the resolution of the offshore question, we were not going to be negotiated below that line. You see, Mr. Speaker, we could not, because that bottom line was based on equality and equality in Confederation. What it was based on was simply this - and I mention again, over and over again, the hon. gentleman there opposite is well aware of it, when he was a member of this caucus he was aware of it. I say it is passing strange that we have not heard any great analytical comment either publicly or privately in caucus from the hon. gentleman like he did today, but I will get on, if I have time, to his comments. But let me say this, that we negotiated a bottom line that was based on equality and the equality was this: It was equality of joint management and this we had to have, Mr. Speaker, in order to protect this Province; we had to have some say with respect to the mode and manner of development, we had to have some say with respect to the way in which the development was going to be conducted for the sake of the protection of the fishery and the protection of the environment in this Province, we had to have some say

MR. MARSHALL: with respect to the impact of this development on the cultural and social climate of this Province, and we all know what has happened in other areas of the world. So it was absolutely essential that we have a say in joint management. And I say joint management. Originally we started, as the member for St. Mary's - The Capes (Mr. Hearn) indicated and the Premier has indicated, with sole ownership, which we had obtained from the Clark administration. When Mr. Trudeau decided to tear that up, we then negotiated and I met with Mr. Lalonde for the purpose of trying to arrange joint ownership. When they rejected that, Mr. Speaker, we went back to the bargaining table and we said we will not talk about ownership, we will not be concerned with ownership, we will talk about joint management. And we rendered down an agreement on joint management where there were to be three and three on the board, the board was supposed to have the employees, there would be joint regulations and it would be a total co-operative effort, with the Province having paramountcy in the areas where it affected that Province, that was the mode of development, and a recognition by the Province, as part of the Canadian nation, that it was a federal responsibility with respect to energy self-sufficiency and security of supply. So it was equality and it was recognition, Mr. Speaker, of national as well as provincial issues. It was also equality, Mr. Speaker, in revenue. We were to get 75 per cent of the total revenues, which is not all that much more than we would have gained if we had owned the resource that we brought into Confederation with us, until such time as the per capita income of the young people in this Province were equal to the per capita average income of young Canadians in other parts of our nation.

MR. MARSHALL: And for the information of this House, I say again, Mr. Speaker, at Confederation the average income in this Province, the average per capita earned income of Newfoundlanders, was 49 per cent of the Canadian average. Today, after thirty-five years, the per capita earned income stands at a mere 54 per cent.

Now, Mr. Speaker, these are resources, no matter what the ruling of the Supreme Court of Canada. The Supreme Court of Canada was not asked to address this issue, but everybody knows that these resources were brought into Confederation by the Province of Newfoundland when it joined in 1949. Is it really, Mr. Speaker, too much for this Province to be able to expect equality from these resources, just equality in joint management, and equality with respect to the revenues from these resources? I think not.

The hon. gentleman talks about pre-conditions. I can tell him, to no surprise of himself and his new-found colleagues, that we will not accept that amendment and the implications that relate to it. Because they are not a cry for pre-conditions, Mr. Speaker, they are a cry to the federal government for good faith, to keep faith with the agreement which we, Mr. Chretien and myself, had crafted together but which was pulled away from Mr. Chretien by Mr. Lalonde and by Mr. Trudeau and by the other group of people in the central power at Ottawa who unfortunately think that the panacea of Canada is to operate it as a unitary and a central state. And this is what has caused great acrimony and problems, not only on the East Coast of this country but in the Western environs as well.

So, Mr. Speaker, let not the hon. gentleman get up - I know he wants to be embraced by his

MR. MARSHALL: new colleagues - but let the hon. gentleman not get up and start talking about pre-conditions. They were not pre-conditions, they were merely, and remain, a simple determination and request of this Province, a demand, if you like, of this Province, for the federal government to show the same element of good faith that this Province showed when it was prepared to accept the matter of joint management instead of sole ownership of these very resources that we brought into Confederation with us.

Now, Mr. Speaker, I have to say that it is very hard to see the hon. gentleman there opposite, the hon. the member for Mount Scio (Mr. Barry) on the other side of the House. It is also very hard, it is even more difficult to hear the hon. gentleman when he makes speeches of this nature. If, Mr. Speaker, you want to look, you will find that the hon. gentleman's speeches are grossly inconsistent; there is a lack of consistency with respect to the statements he made when he was over here and when he went over to the other side. I use as a prime example of that, when he resigned, he used as the basis of his resignation the matter of the referral, that the case should not have been referred to the Newfoundland Court of Appeal when, at the same time, in this House and elsewhere, he was quoted as saying that the government had absolutely no alternative but to do it. So that is so much for the hon. gentleman's consistency.

What has happened, Mr. Speaker, is that the hon. gentleman is over there now and he is striving to show that he and the members of the Liberal Opposition are consistent, but they themselves are inconsistent. The hon. gentleman gets up and says that in substance he agrees with this government, but he does

MR. MARSHALL: not agree with the approach of this government, Mr. Speaker. Now, I ask the first question, Is that basis for somebody to cross the House and to leave the Cabinet? He agrees with the substance but he does not agree with the approach.

The next thing, Mr. Speaker, is not so much a question of the approach, it is not how the approach is made, but it is really who makes the approach. That is really what the hon. gentleman's problem is. It is why he left the Cabinet in the first place. He left the Cabinet because of the fact that these negotiations were going to be conducted, as the Premier and the government had insisted, these negotiations be conducted as a group. And, Mr. Speaker, we could see nothing wrong with that when he left the Cabinet. I assumed those responsibilities and it has worked quite well.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: The very things that the hon. gentleman is accusing the Premier and myself of being stubborn for and setting pre-conditions, they are all things, Mr. Speaker, that have been

MR. MARSHALL: set as a collective group by the Planning and Priorities Committee, by the Cabinet and indeed by the caucus of this government. And they have been set, Mr. Speaker, after consultation with some very valued public servants and it represents the unanimous view of everybody. But the fact of the matter is, Mr. Speaker, unfortunately the hon. gentleman's complaint is not one of substance, it is of approach. And I have to say that the reason why the hon. gentleman is there is he never accepted the '79 decision of the Leadership Convention. The whole thing he just could not accept.

MR. BARRY: Stay on the issues now.

MR. MARSHALL: This is very much an issue. The hon. gentleman wants to talk about issues, but that is the issue. The hon. gentleman did not win the 1979 Leadership Convention. The simple fact of the matter is he could not accept the decision. He left the Cabinet because of that. I mean, what other reason can there be? I mean, people cross the House, or leave the Cabinet on points of substance. The member for Baie Verte-White Bay (Mr. Rideout) crossed the House on a point of substance. He crossed the House because he did not believe in the offshore position being taken by the hon. gentleman there opposite which the member for Mount Scio now says is exactly the same as the government's. Where the hon. gentleman from Baie Verte-White Bay crossed this House, he represented a district which had been totally Liberal since Confederation, and he had very little expectation at the time of being able to win election there. But he crossed on a real point of principle, and, lo and behold, Mr. Speaker, in the election the member for Baie Verte-

MR. MARSHALL: White Bay was elected as a Conservative by a huge majority.

DR. COLLINS: Sensible Newfoundlander.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: Now I suggest to the hon. gentleman, I am going to be interested in seeing the hon. gentleman from Mount Scio (Mr. Barry) run in Mount Scio.

MR. MORGAN: He will not run in Mount Scio.

MR. BARRY: I might run in St. John's East.

MR. MARSHALL: I invite the hon. gentleman down in St. John's East anytime. But I suggest that what the scenario will be, that the Electoral Boundaries Commission will bring in its report, the hon. gentleman will say, "Oh, this is not the same district now. I am going elsewhere." So where will he go? No, he will not go down to Burin-Placentia West. The local member is too strong for the hon. gentleman to take on down in Burin-Placentia. The fact of the matter is he has already lost down in Burin-Placentia West. So really what the hon. gentleman should do, he should really take flight back to academia, because that is really where the hon. gentleman belongs, in the academic world. He is finished as a politician. He is deader than dead-as a politician, of course, Mr. Speaker.

So he would not accept, as I say, the team approach. Mr. Speaker, what he has said, and his positions, if you weigh them out, are inconsistent and they are intolerant and, in his own mind they are infallible. He is the only inconsistent infallible person that I have ever had occasion to listen to in my days.

So, Mr. Speaker, the resolution before this House, so ably presented by the member for

MR. MARSHALL: St. Mary's-The Capes (Mr. Hearn),
deserves to be passed without that particular foolish little
amendment by the hon. gentleman where he embraces the
terminology of preconditions. He knows as well as I do
that they are not preconditions. He knows as well as I
do that they

MR. MARSHALL:

they represent the basis of an agreement. He knows, as well as everybody in this House knows, that to accept anything less than that would be to consign this Province to inequality for an eternity, and we are not prepared to do that, Mr. Speaker. We are simply not prepared to do it and we will not do it.

SOME HON. MEMBERS:

Hear, hear!

MR. MARSHALL:

The decision of the Supreme Court of Canada, which the hon. gentleman's colleagues exult in - I do not think the hon. gentleman has but his leader has and certain other of his new-found colleagues - does not make one iota of difference to this Province. We brought those resources with us into Confederation.

MR. WARREN:

That is not true.

MR. MARSHALL:

Oh, no, it is not true! No, they were off the Province of Quebec. I can tell my hon. friend that, if Mr. Chretien and his friends in the federal cabinet could do it, they would bring Hibernia much closer to Quebec, if they possibly could, but that is beyond them. We brought them into Confederation with us and we are certainly entitled to share in them and have an equality. So, Mr. Speaker, I think I have answered most of the questions. I do not really know how serious the hon. gentleman is in asking questions. As I say, that letter to which he referred had been a matter of public knowledge now for over a year, and the hon. gentleman has not, to my knowledge, before he became a Liberal, either publicly and certainly not in caucus, Mr. Speaker, ever questioned the terms with respect to it. And he did not question the terms purely and simply because

MR. MARSHALL: he realized what that constituted at the time was a blueprint of a good settlement and resolution of the offshore issue which was fair to the Province of Newfoundland and fair to Canada generally.

MR. DINN: He ran on it too.

MR. MARSHALL: He ran on it too, the member for Mount Scio (Mr. Barry). He ran on our offshore position and that is why he is in a bit of a squeeze now and he has to say that there is no difference in substance. But I have to ask again why would anyone cross the House? In other words, he has crossed the House on a matter that is not of substance. He left the Cabinet on a matter not of substance. He left the Cabinet on a matter of form. He left the Cabinet on a matter of approach and the nature of the matter was who was going to make the approach. Well, let us call a spade a spade. He talks about why would I not sit down with Mr. Chretien in Montreal last year, why did I have to come back. You know, the obvious implication there is I had to come back to the Cabinet, had to come back to see the Premier. the hon. gentleman has almost become paranoiac about the Premier - but the fact of the matter is it was the Premier who insisted that this be done as a team matter. And when I came back, Mr. Speaker, the hon. gentleman would not accept it as being a team matter. He wanted to do it all his own way so he left the Cabinet. So why would we not sit down with Mr. Chretien? The simple matter is I had sat down with Mr. Chretien. I had sat down with Mr. Chretien hour after hour. The hon. gentleman will recall, if he wishes to, it was Mr. Chretien, outside his office in the House of

MR. MARSHALL: Commons in Ottawa who got out and said , 'We have an agreement. It is all a matter of putting it in writing.' So we go down to Montreal with the officials, we were going to put this agreement that Mr. Chretien said we had in writing, and what happens? Instead of equal joint management this is the way it was going to be: It was going to be federal laws, so that they could change it any time they wanted to, they were not going to be joint laws: The employees were all going to be employees of the board, they were not going to be employees of the Province or the federal government. The hon. gentleman does not see that there was any problem in their being, as I understood him in his remarks today, any real problem with them being employees of one government or the other, but there is a real problem because whoever is employed takes directions from his employer. So there was no joint management, Mr. Speaker, when we got down to Montreal. As far as the revenue sharing was concerned, there was no more of this 75 per cent for Newfoundland until your per capita earning comes and your taxes are the same as the average of the rest of Canada, none of that at all. All it was was that you would get 100 per cent of the revenues, but you would only get 100 per cent until the equalization payments stopped and then they would get 100 per cent. And there was 100 per cent, Mr. Speaker, alright, that I will admit: We got 100 per cent until our resources paid the equalization and then they got 100 per cent.

MR. SIMMS: That was a great deal, was it not?

MR. MARSHALL: That was a great deal, and that is the way it was. So when you deal with people like that, when you render down an agreement where the bottom line is equality and you find that those people welsh on that agreement— for one reason or another they will not deliver it — what do you do? Do you stay at a bargaining table and get negotiated down below equality? Would any government of the Province be admired or deserve the support of the people of the Province if we were prepared to sign this Province to inequality forever and a day?

MR. SIMMS: They would.

MR. MARSHALL: How can you possibly, Mr. Speaker, call that letter preconditions? What he has done is he has obviously jumped on the Liberal bandwagon— with its one wheel.

MR. MORGAN: And his tire is going flat pretty fast.

MR. MARSHALL: And his tire is going flat pretty fast. The hon. gentleman is trying to redeem himself now from the problem he caused himself in the first days in this House where he was the subject of derision and laughter not just by the people of this Province, but, I am told, by people in Calgary and others because it hit the headlines with all this foolishness about who cries and all the rest of it. So the point of the matter is, Mr. Speaker, these were not preconditions;

MR. MARSHALL:

it was the framework of an honourable agreement. To accept anything less is to accept inequality. To accept sitting down to the bargaining table is to permit somebody, who has been discussing this matter and coming to an agreement, to get away with an act of bad faith, not against you or the government but as against the people of this Province. And I tell the hon. gentleman this right here and now, that there is no way that this Province is going to accept any regime on the offshore, or for that matter with respect to hydro or with respect to the fisheries or what have you, which is not going to give the people of this Province a measure of equality with the rest of Canada, with the right to see our resources committed in the main to Newfoundland, not totally but the major portion of them, until we reach equality with our fellow Canadians, and at the same time, Mr. Speaker, we can achieve that and still be a part of Canada.

But, Mr. Speaker, the big problem that we have in this Province today is the type of statements being made by the hon. gentleman. He tries to make them look reasonable. He calls our seventeen points preconditions. He knows himself they are not preconditions. The type of problem is presented by the Leader of the Opposition (Mr. Neary), although we all know the Leader of the Opposition and what he is like when he speaks he speaks as Leader of the Opposition, but when mainlanders, particularly the mainland press, hear the Leader of the Opposition or the Mayor of St. John's or the President of the Board of Trade last year, or whoever it was make these statements, they are made in their official capacity. Now anybody in this Province has the right to make statements, nobody derogates from that. But they have got to make them, Mr. Speaker, on the basis of the facts, for instance, the Mayor of the City of St. John's is always making statements. I

MR. MARSHALL: remember when he was a self-appointed emissary in my negotiation with Mr. LaLonde and off he went, but nobody asked him. We invited him in to have a chat, and he sat down in the Premier's office with me, and took out a piece of paper. Now this is the chap who appointed himself to go up and negotiate this important thing. Believe it or not, I say to the hon. member for Torngat Mountain (Mr. Warren), you know what he said? He took out his piece of paper and he said, "Now, Bill, what was the basis of your proposal?"

Now, you know, really and truly this was the gentleman who appoints himself. Now he has certainly many good qualities, maybe, as Mayor of St. John's, but in speaking on the offshore and matters like this, particularly on matters with respect to the offshore, he and others have been totally irresponsible. It is not a case of everyone agreeing with you, but it is a case, Mr. Speaker, of them addressing themselves to the facts. And if the hon. gentlemen wish to be really direct and really honest, and take the same position he took over here, he would know and he would not style that letter as preconditions, he would style that letter as an indication by the government of this Province that it requires and it demands nothing less than equality from the resources that we brought into Confederation with us. We are not going to be driven off it. And I suggest to the few sensible members around on the opposite side, if there are any, and I know there are a few, like the member for Torngat Mountain, should address himself to that as well and not be making statements of that nature and scoring his colleagues who are trying to do it in their mad rush for power.

MR. SPEAKER (Russell): Order, please!

MR. MARSHALL: The member for Mountain Scio (Mr. Barry) is over there today because he never accepted the

MR. MARSHALL: outcome of the 1979 Leadership Convention, and not because of any disagreement over our policies.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Russell): Order, please!

The time for the hon. President of the Council has expired.

The hon. member for Torngat Mountains.

MR. WARREN: Mr. Speaker, I want to speak to the amendment to this resolution. I think it is unfortunate that when the hon. member for St. Mary's - The Capes (Mr. Hearn) brought in the resolution, one of the Whereases included the preconditions. Irrespective of what the minister who just spoke said, those were preconditions and unfortunately I cannot vote for the resolution, but I can vote for the resolution as amended by the deleting of the preconditions.

SOME HON. MEMBERS: Oh, oh!

MR. WARREN: Now, Mr. Speaker, the hon. member for St. Mary's - The Capes in his concluding remarks mentioned the member for Torngat Mountains considering crossing the floor. I assure the hon. member that there would be a lot of rain fall in Cabinet before this hon. member crosses the floor to join such a bunch who do not have any concern for Newfoundlanders and Labradorians.

Now, Mr. Speaker, I think we should set the record straight, and I am satisfied to table those documents that I will be reading from, Mr. Speaker. It is only right and proper, I believe, that the people of Newfoundland and Labrador should know exactly what has happened and why we do not have an offshore oil deal.

MR. WARREN: It is unfortunate that the students from British Columbia who were in the gallery earlier had to leave as soon as the minister started speaking. They knew by his tone that he was anti-Canadian, anti-Confederation. There he was, 'Do not share with Canada'. I believe they were so upset they finally left the gallery.

Mr. Speaker, those seventeen preconditions were sent to Mr. Chretien by the hon. minister so I will read into the record the response that Mr. Chretien sent back to 'Mr. Marshall', as he says here in his response. "Let me say first that in deciding to negotiate by telex you have now wasted a week of precious time for the people of Newfoundland who so much need the economic development an offshore agreement would bring." He said, "You have changed the rules of the game and now want negotiations between Cabinets. This cannot work."

Now, the provincial minister and the federal minister were sitting down face to face, eye to eye, and all of a sudden the provincial minister said it is going to have to be done by cabinets.

Further in Mr. Chretien's response to the minister he said, "I find that statement on your part unbelievable and I am sure that it was imposed on you by those in your government who do not want an agreement."

Now, Mr. Speaker, I believe that is the basic crunch of the whole thing. The minister came back, and I respect him in this matter, he came back quite pleased - in fact, if we reflect back to the media reports of that time the minister was quite pleased that an agreement was within his grasp, an agreement was very close at hand. But when he came back the Premier, and the Minister of Development (Mr. Windsor), and the Minister of Fisheries (Mr. Morgan), and the Minister

MR. WARREN: of Labour and Manpower
(Mr. Dinn), and so on, they said, 'No, Bill, do not
do it. Because one of those days there will be a P.C.
government in Ottawa and we will get a better deal.'

MR. CALLAN: And how true.

MR. WARREN: Mr. Speaker, I wonder
if the minister would wager on the outcome of the next
federal election? I am sure that the minister would not
only lose his bet, but if he were to run in one of the
federal districts he would also lose his seat. I believe
he has tested the waters out around Trinity - Conception
but apparently the waters were too deep and the hon.
member felt he would drown.

However, Mr. Speaker,
the federal Minister of Energy (Mr. Chretien) said,
"Unfortunately your officials have disappeared not only
from the negotiating table but from the hotel and could
not be located, and never showed up to receive the
documents." All of a sudden for some unknown reason they
disappeared. And here is how fair and honest the federal
Minister of Energy was to this hon. minister. He said,
'I am enclosing under separate cover a confidential draft
which neither of us has submitted to our government.' It
was very confidential and he said, 'I will send it to you
and I will not release it to anybody until we see if we
can come to an agreement.'

'Now, as far as revenues
are concerned, our officials met for one day. For half
of one day your chief negotiator' - who was the chief
negotiator?

MR. NEARY: The guy on the eighth
floor, Cabot Martin.

MR. WARREN: 'Your chief negotiator
absented himself from the

MR. WARREN: table without any explanation.' Where was the chief negotiator at that crucial time? The deal was within our grasp and the chief negotiator, Cabot Martin I believe somebody referred to, where was he?

MR. WARREN:

"How can you now ask me for more precision on my part without agreeing to get together face to face?"

I think the last part of Mr. Chretien's response to the minister is worth noting. "You have not been willing to meet with me for almost a week. I had to twist your arm for you to agree to see me for a short period last Friday. I told you I would be prepared to meet you Saturday, Sunday and Monday. Instead you want to telephone me on Monday and see me only on Tuesday. On Monday, instead of telephoning you sent me a telex. I telephoned you to confirm our Tuesday meeting and you asked for a telex instead and you refused to see me on Tuesday. So", he said, "I sent you a telex and I telephoned you twice on Tuesday."

This is how interested, this is how concerned the hon. federal minister was. He said, "I telephoned you twice on Tuesday, and I sent you a telex on Tuesday to seek a meeting with you. Instead I received two more telexes." Instead of the provincial minister responding to the federal minister's telephone calls - just imagine how stupid an individual could be - he sent two more telexes. He said, "Again you refused to see me. I can only conclude that you are clearly not interested in resuming negotiations."

Now, Mr. Speaker, what else happened in the interim? We had a press conference by the Premier, a letter on January 25 from the hon. Mr. Marshall to Mr. Chretien, we have a response from Mr. Chretien to the hon. minister saying again, 'Let us get together face to face and come up with an agreement.' By no, Mr. Speaker. This is what happened to the offshore. The opinion polls across Canada at the time told the Premier and told this minister what to do about the

MR. WARREN: offshore. The opinion polls were flowing, the tide was rising, and every opinion poll that came out showed that the Progressive Conservatives across Canada were gaining in popularity, their popularity was swelling, and each time then that Mr. Chretien tried to get a deal the minister reneged, the minister said, no, no, no, without any firm reason other than the seventeen points, and those seventeen points were put there to camouflage the issue. Those seventeen points were placed before Mr. Chretien, but the real reason was the opinion polls across the country were showing a resurgence of the Progressive Conservative party. I think at this point in time their popularity was up to about 46 per cent, and thereafter it went up to about 62 per cent or 63 per cent.

Now, all of a sudden the opinion polls have changed, the tide has reversed. I listened to the Premier on television last night, I looked at the man I could not -

MR. PATTERSON: Did you bow your head when he came on?

MR. WARREN: Yes, I bowed my head in shame to see the man acting like somebody who needed to go see someone who could help him. Because on television last night he appeared to need some kind of attention. The Premier definitely appeared to need help, the way he acted on television last night. Now, all of a sudden, he is blaming everything on Mr. Mulroney. First it was Mr. Chretien, then Mr. Trudeau, then Mr. Rompkey and the Liberal Opposition here, and now, all of a sudden, he took a 360 degree turn last night and it is Mr. Mulroney's fault. Now, where does he go from here?

MR. WARREN: I will say that one of those days the Premier is going to blame it on the weather-man. Or maybe he will blame it on Our Lord. He is running out of ammunition now.

He said that Mr. Mulroney does not understand the constitution. Now, Mr. Speaker, here is a man running for the Prime Minister's seat, hoping to become Prime Minister of Canada, and the Premier of the tenth Province says that Mr. Mulroney does not know what he is talking about. Mr. Speaker, it is unreal to see such a turnabout. I am shocked beyond belief to see hon. members opposite still believing that the Premier is a saviour, or still showing faith in him as a saviour. Deep down I am sure they are as peeved off with the Premier as other Newfoundlanders and Labradorians are, but they are afraid to come out in public and say it.

Mr. Speaker, in Mr. Chretien's telegram to the provincial minister, back when the P.C. polls were surging, the final two paragraphs are worth noting. He said, "I am convinced that in the next three days we could reach a draft agreement to recommend to our governments as meeting their substantial concerns. I have cancelled my engagements in Ottawa for the next few days, I am available immediately to resume our talks, but I think we must both be realistic. If we do not get back to work tomorrow, after a week wasted, I think we should have to recognize that our efforts have come to naught".

Now, Mr. Speaker, what else could the federal Minister of Energy (Mr. Chretien) do for this Province? Mr. Speaker, I hope that the minister who just spoke went to the common room and made a telephone call to Mr. Chretien, I hope that he tried to get him. In fact, I would suggest now, and I have about another five minutes, I see him out there in the hallway, that he go and use the phone and call Mr. Chretien and ask

MR. WARREN: him if he would sit down -
we would even give him leave to come back and tell us
what response he got from Mr. Chretien this evening.
That is how interested Mr. Chretien is in getting back to
us. In fact, Mr. Speaker, I will go further and with the
minister's indulgence I will make the telephone call for
him, I will go and set up the meeting for him, if the
minister so desires. Maybe the minister is too
embarrassed to talk to Mr. Chretien. So if he is
embarrassed, as I believe he should be, then I would be
only too glad to set up an appointment for both ministers
to meet face to face to settle this dispute once and for
all.

SOME HON. MEMBERS: You are supporting him.

MR. WARREN: Mr. Speaker, whether I support Mr. Chretien or not, I will not be like the hon. member, that because he supports one particular on that side the other candidate will not talk to him. That is not the way we work, we talk to all of our potential candidates. We have a team spirit, we are quite concerned with progress. Mr. Speaker, I do not mean to get off the topic, but the member for Carbonear (Mr. Peach) is not here today, he is out going from door to door in Carbonear after the big rally, the two hundred or so people who turned out in Carbonear, just imagine, two hundred people for a nominating meeting.

Mr. Speaker, the tide is rising and we can see that if this government does not in the very near future accept an agreement, meet face to face with Mr. Chretien and accept an agreement that is best for Newfoundland and the best for Canada, it may be too late. Because I can assure hon. members here today that if they are waiting to sit down with Mr. Mulroney and Mr. Crosbie to get a settlement on the offshore, I would say it will not be after the next election because Mr. Mulroney is doomed and Mr. Crosbie is doomed. Mr. Crosbie will still be in opposition up there and no way will you get an offshore oil deal.

MR. DINN: That is only if he runs for the Liberals. If he runs for the Liberals he will still be in opposition.

MR. WARREN: If you do not accept it now and the Liberals win the next election, which they will, then you may as well hang your hat now. Because you know what will happen then, Mr. Speaker, we will have a Liberal government in Ottawa and all the people in Newfoundland and Labrador will be waiting for will be our Emperor getting off his fat behind and going to Government House to ask

MR. WARREN: the Lieutenant-Governor to dissolve this House of Assembly. Then, Mr. Speaker, you will see how fast the tide will turn in this Province, and you will see how fast Newfoundlanders and Labradorians will be able to raise their voices in joy, knowing that they have a government that cares for them, they have a government that is concerned for them, and they have a government that will continue to fight for their betterment and make sure that they will have their place in the sun. Thank you, Mr. Speaker.

MR. BRETT: Mr. Speaker.

MR. SPEAKER(Aylward): The hon. the member for Trinity North.

MR. BRETT: Mr. Speaker, when I came here today I was not exactly certain how I was going to start off. But then in reading the paper, which seems to be a favorite pasttime for a lot of us in the House - we have to to keep our sanity - I noticed the headline there, 'Get On With It, Says Mayor Murphy", our very distinguished Mayor of St. John's. I read the article and I immediately knew what I was going to say when I got on my feet.

To quote part of it, Mr. Speaker, and I assume the article is quoting our distinguished Mayor, it says, "The plain, simple fact is that Newfoundland never did legally own the offshore and never will." Then a little further on in the article he is quoted as saying, "It is not Mr. Mulroney's to give, no more than it is Mr. Trudeau's." Now, methinks that the distinguished Mayor is out to lunch,

MR. BRETT: because I understood the recent decision of the court was that the federal government, whatever the stripe, had the control and the jurisdiction of the offshore. So in my humble opinion that suggests that the federal government does have the authority to give it to us.

Now, Mr. Speaker, that is what it is all about - I got terribly upset when I read it - that is what it is all about, it is now theirs to give even though we have argued for so long that it was ours. But the court says it is theirs to give the same as it was theirs to give when they did it for Manitoba and Saskatchewan and Alberta and Ontario. Now why are we so different? Is that not what we are asking every single day? Why are we so different? Why is it that back in 1930, and then the other date it could be given to the other four provinces, and now they cannot give it to us? What makes it so different? Ours is under our boats, theirs was under the wheat, so what difference? That is what it is all about. I cannot understand understand the distinguished mayor. And, I repeat, I think the gentleman is out to lunch.

You know, Mr. Speaker, I believe that some Newfoundlanders have very short memories. And I believe that a lot of the opposition that we are meeting in our fight for equality is coming from the city of St. John's. And I say that because I represent a rural riding in this Province and I visit my riding fairly often, and what I am getting out there, the message that I am getting, is, 'Look, will you tell the Premier if we are going to go down, let us go down fighting'. But it appears to me that the opposition, the little opposition that we have, is coming from this city because we have people with money who do not care about tomorrow or next

MR. BRETT: year or ten or twenty years down the road, they want to make their millions now. And that is why we are upset.

What I want to go on and say, Mr. Speaker, is this, they have very short memories. And just for a few minutes, because we only have twenty minutes, let us go back into history. There is nothing politically involved in what I am going to say. Let us go 'way back to the railway. Did you ever stop to think what we had to give away, what this Province had to give away, to get a railway across the Province of Newfoundland? Do you realize that only four or five years ago people on Random Island in Trinity North were buying land off Reid - whatever they are called.

MR. TULK: Reid Newfoundland Limited.

MR. BRETT: Reid Newfoundland Limited. In order to get a piece of land to build a house, they had to buy it from that company.

MR. CARTER: How many years later?

MR. BRETT: I do not know how many years later. But I do know that we had to give away - was it half an acre on each side of the railway from Port aux Basques to St. John's? - plus I do not know how much more. They owned the mineral rights and, when we tried to buy it back under the last administration, they wanted to charge us for the moose and the rabbits. And that is a fact! They wanted an arm and a leg, but we negotiated and I think we got a reasonable settlement. Now let us jump ahead into history several decades from that - Bowater and Price. Now I realize what they mean to this Province and I realize that over the last few years, either because we forced it or whatever, we have gotten some co-operation. But how many members of this House realize how much land,

MR. BRETT: how much of this Province, was controlled by then AND and Bowater, now Bowater and Price Newfoundland? You could not cut a log, you would be hung. They raped the forest, they did what they like and members on both sides of this House have got up and said that in debate. And it is only because we have been forceful in the last few years that we got them to agree to silviculture programmes and whatever. But do not forget what we had to give away. What about Bell Island and St. Lawrence and Buchans where the companies made millions and walked out? It was not exactly a boom and bust, but the communities were left licking their wounds after the companies had taken their millions out. And let us look at some of the more recent ones - Come By Chance.

MR. TULK: I do not think you know what you are talking about.

MR. BRETT: I know very well what I am talking about when I talk about Come By Chance. I went through the boom and bust and I would suggest to the hon. member that it affected my district more than any district in Newfoundland. I do not know how many businesses, but a fair number in Clarenville went bankrupt because of the boom and bust. But we got out from in under

MR. BRETT:

Come By Chance by that much! One of the biggest mistakes that was ever made in this Province. It was built as a Crown corporation and but for the hon. John Crosbie we would have been on the back of \$600 million. Can you imagine the price, the cost of getting that place at Come By Chance?

Then, of course, there is the mighty Churchill Falls. I am not about to put the blame on anybody, but the cost of that to this Province people for generations to come will remember. And now, Mr. Speaker, in 1984 we are being asked to make the same mistakes we have made all down through our history, but I suggest, Mr. Speaker, that this administration will never makes these mistakes again, as long as we are here.

Looking at the resolution, personally I cannot see how anybody in this House can vote against it. I cannot see how any red-blooded Newfoundlander can vote against it. And I am not suggesting for one minute that if somebody does not necessarily agree with everything that is being said over here they are unpatriotic. I am not saying that. But I cannot see any member of this House, or any person in this Province who understands what we are trying to do, how they could be against the resolution.

The WHEREASES, looking at the first one, and I will not read it, but what does the court decision mean to this Province? What does it mean to everybody, from St. John's to Port aux Basques? How many people realize that 700,000 square miles of territory is gone forever? Staggering, Mr. Speaker. It means that the federal government in Ottawa, again regardless of the political stripe, can make any legislation it sees fit with respect to that 700,000 square miles of territory. It means, Mr. Speaker, that

MR. BRETT: we have no say, absolutely none, in who gets the jobs offshore. I do not know how many people are working offshore now. We are hoping for 2,500 this Summer.

MR. SIMMS: Close to 2,000.

MR. BRETT: There are close to 2,000 out there now.

DR. COLLINS: Close to 3,000.

MR. BRETT: Close to 3,000. It would be very interesting, Mr. Speaker, to see how many of that 3,000, or whatever is there now, would be Newfoundlanders did we not have our local preference policy. It means, Mr. Speaker, that we would have no say whatsoever in the purchase of goods. They can buy any goods needed with respect to the offshore in Halifax, in Quebec, Japan, China, anywhere in the world.

Services, Mr. Speaker, the same thing. We have no say. The rigs can be hauled in to Halifax, they can be, I suppose, if it is economically feasible for them to do so, hauled into Timbucktoo and they can be repaired there.

We have no say in the method of development. And I think everyone recognizes what can happen if the resource is developed too fast. I would suggest, Mr. Speaker, that the federal government is probably just as broke as we are and just as anxious as we are to get our hands on dollars, and I would suggest that they will try to get it out as fast as they possibly can.

The method of development: Mr. Speaker, we would have absolutely no say. They can pump it into tankers and it need never, never come near the Province of Newfoundland. They can take it where they like and they can refine it.

We would have no say, absolutely no say where the platforms would be built, the

MR. BRETT: modules or the base, the bottom part. There was some hope in the district that I represent, because you hear whispers, you hear rumours and there was some hope, some thought that maybe Come By Chance might be a good spot to build the bottom part of the platform, the base. It has been suggested that it would be suitable. Sunnyside, across from Trinity Bay, right across from Come By Chance, it has been suggested that, the water is deep there, that could be suitable.

Now, there is very little likelihood, since we have no say, that anybody in that area will reap any benefit when it comes to employment in the short term.

WHEREAS No.3, and again I will not bother to read it. Mr. Speaker, I resent, I always have, and I resented it before I became a politician, I resent being the poor cousin in Canada. I have had a couple of bad experiences,

MR. BRETT:

mainly when I was a minister. I remember being in Manitoba, I think it was, at one time, attending an ARTEC meeting. We had to march in to the head table, the ministers and their wives or whoever. And as we walked in, the band played a song or a melody that related to each province. When my wife and I walked in to the head table, the band struck up 'Blest are the Lobster from P.E.I.' And I said, 'That is par for the course.' I also remember that same night, Mr. Speaker, that the Minister of Transportation for that province looked down at me and said, 'You know, it was not that many years ago when you people sent up fish to keep us alive. But,' he said, 'we did not know whether it was best to eat them or use them for snowshoes.' He thought it was a great joke. But, you know, this is the type of thing that you get over and over and, Mr. Speaker, I resent it. I resent the dependency on Central Canada and I resent the fact that every development that goes on in this Province is contingent upon whether or not we are going to get money from Ottawa. It does not matter what it is you talk about, it is like you are on welfare and when you think about something, 'We might be able to do that but we are going to have to check with the federal government first.'

We have a bad stretch of road between my own district and Terra Nova. It is not fit to drive over. It was paved years ago but it is gone and all kinds of cars have been torn up there. And it sickens me that we have to say to our constituents, 'We recognize that the road is bad but it is a \$20 million job. We will do something if we can get Ottawa to sign an agreement.' I resent that very much. Of course, you realize what I am saying is that this will continue forever

MR. BRETT: if we do not get the settlement that we are looking for on the offshore.

Mr. Speaker, I resent the fact that I have to say to the people in half a dozen places in my district, 'You are not going to get pavement this year because we do not have the money.' I resent saying to people in a lot of places, 'You are not going to get your water and sewer this year and I do not know when you are going to get it, because the Province cannot afford it.' I resent all these sorts of things. I resent the 12 per cent sales tax and I resent the S.S.A. on children's clothing and I resent it that, after all these years in Confederation, we will have the highest rate of unemployment and the lowest standard of living. I resent it very, very much.

Mr. Speaker, we are half a million people - I was going to say on a bald rock, but it is not bald - we are half a million people on a rock out in the middle of the Atlantic and we do not have the tax base to develop our resources and we never will have it, Mr. Speaker, and the distinguished Mayor should have sense enough to know that. Half a million people cannot generate the money that is required. We do not have the tax base to develop our fisheries and our forestry and our mining and so on, and the only way we are going to get it is to get our hands on some new dollars. And, Mr. Speaker, we are sick and tired of being on welfare. We do not want it coming down that way. We wish we could send some up and then have some left to get off welfare.

I think that I am like thousands of Newfoundlanders who saw the offshore - it probably was a dream, a wild dream, I hope it was not - but we saw it as a way to shake off the yoke of dependency and we saw it as a way to develop the fisheries and the forestry and the

MR. BRETT: mining and so on and, Mr. Speaker,
to go back to the 'Whereas', we saw it as a way to achieve
a measure of prosperity based not on federal transfer
payments but on the development of our natural resources.

MR. BRETT: Well, Mr. Speaker, I guess the dream was shattered and it was shattered by two people - and that is a personal opinion, I have no proof of this - but I believe down here that it was shattered by two people, namely the Prime Minister of Canada and the Minister of Energy, Marc Lalonde, That is what I believe.

SOME HON. MEMBERS: Hear, hear!

MR. BRETT: And I also know that these two gentlemen were aided and abetted by the Liberal Party of Canada and, unfortunately, by the Liberal Party of Newfoundland. And once again, Mr. Speaker, we had it rammed down our throats, the same as the distinguished mayor, rammed down our throats again that we are not equal. How dare we - the audacity! the gall! to suggest that we should get the same treatment as four or five other provinces. Who do we think we are anyway? What is wrong with that fellow Peckford? He must be nuts to think that we can get the same treatment as the great Ontario, or the great Alberta, or the great Saskatchewan. He is crazy. Somebody told me that Trudeau would rather walk through a five foot concrete wall than come face to face with our Premier, and I can believe it.

Mr. Speaker, they said, "We will look after you." But we do not want to be looked after. It is just that simple. We do not want to be looked after. We want to paddle our own canoe. Is that so bad?

SOME HON. MEMBERS: Hear, hear!

MR. BRETT: They are looking after the fisheries too. We have - what? - two thirds of the fish. And how many employees on the Great Mainland compared to Newfoundland? What is it? Two-thirds up there, one-third

MR. BRETT: down here. And that is exactly how we will be looked after with the oil, the same way as they look after us with the fish.

Mr. Speaker, I really, really thought that during my political career, I really thought that the day would come when I would be able to say to Clarenville or Trinity or Random Island, "We got some money this year." I do not have to put four or five names in a hat and pull out to see which one is going to get the bit of pavement, or which one is going to get the artesian well, or which one is going to get the water and sewerage. But it is starting to look doubtful. But I would suggest, Sir, and I believe that I speak for everybody in this House, that take it they can, and take it they might, but give it away, never!

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Aylward): The hon. member for Fogo.

MR. TULK: Mr. Speaker, let me start off the debate on this resolution by congratulating the member for Trinity North (Mr. Brett) on a speech that I think was, by and large, 95 per cent, completely non-partisan, and a speech I believe that he meant what he said, and he believes what he said. He has pointed out, I believe, the feeling perhaps of all people in Newfoundland in regard to wanting what can come from the offshore resources off this Coast.

MR. MORGAN: Except the Liberal Party.

MR. TULK: Absolutely not. Now, Mr. Speaker, I sat and I listened with a great deal of interest to what the hon. gentleman had to say, and I would ask the Minister

MR. TULK: of Fisheries (Mr. Morgan) to
do the same with me.

Mr. Speaker, I want to distinguish,
primarily for the hon. member for Trinity North (Mr. Brett),
not from some of the things that were said by the other
members on the other side, not by

MR. TULK: some of the paranoia that is inherent in their beliefs and in what they profess to say in this House, but, I said and as the member for Mount Scio (Mr. Barry) said this evening, and as we have said for a number of years on this side of the House, there is no argument between both sides of this House in principle, absolutely none. As Newfoundlanders we all want what we can get from the offshore of this Province. Mr. Speaker, the member for Trinity North (Mr. Brett) made a very important point and his point was this, and he shares the fears of a great many Newfoundlanders now when he said he believed that what they wanted for the offshore was a wild dream. I do not believe it was. I believe that what we all want in this House is not a wild dream, we want what the revenues from that resource can do for us. And that is not a wild dream. But he went on to say something else, and that is that he is afraid at this point that it is not there. And that is a very real fear that he should have, it is a very real fear that this House should have, and the member has hit the very cord, I believe, that most Newfoundlanders are feeling today. They are afraid that the offshore is not ours, that we will not get the benefits from it that we should, that we will not be able to build our forestry and our fishery and build the roads and build the water and sewer, the infrastructure that is needed in this Province. He is dead on. But I would suggest to him and I would suggest to the members on the other side that what is happening, what has happened to this government, what is the problem of the Minister of Energy (Mr. Marshall) and the problem of the Premier and the problem of a number of the front benchers on that side is simple: Their problem is one of paranoia. They look for the hidden agenda. The Premier was scared to death in the fishery negotiations on restructuring, afraid

MR. TULK: there was a hidden agenda. They are paranoid that if they sign an agreement somewhere down the road that it is going to be looked at as a giveaway. They are scared to sit down to the negotiating table, scared to use the brains that they should have to work out the kind of agreement that Newfoundlanders all want.

The hon. member for Trinity North (Mr. Brett) made another very interesting point and the point was this: That he resents what Upper Canada thinks and he resents what Upper Canada says and he resents the Newfie jokes. He resents the fact that we have to receive transfer payments from Ottawa to survive. Well, Mr. Speaker, we share that view on this side of the House as well. But I say to him that instead of confrontation, if we go back over the past three or four years of government in this House, is it not correct to say that one of the people who has put us in the condition that we are in today, who has created these fears that he is talking about on that side of the House, is the present Premier through his method, confrontation?

MR. CARTER: That is alanderous and libellous.

MR. TULK: Mr. Speaker, would you ask the hulk from St. John's North (Mr. Carter) to be quiet? And if he cannot add any more than he has added to the debate in this House in the last year, he would be well advised to stay out and come in one day a year so we can give him his pay check. He would be well advised to do that.

And I say to the member for Trinity North, is there not another way than the confrontation tactics, the political grandstanding that we see from the Premier and his anti-Confederate buddies sitting over there in the front seats? The member for St. John's East (Mr. Marshall) will do anything in this world - and I do not believe that the majority of members on that side share that

MR. TULK: view - but he would do anything in this world, anything that he can do to divide the rest of Canada and Newfoundland. I believe sincerely that he will. I do not believe the Premier shares that view, but I believe he is being pushed into it by his Minister of Energy (Mr. Marshall), by the man who controls the government and controls the St. John's seats. I want to ask the member for Trinity North (Mr. Brett), is there not another way? Can we not sit down to the negotiating table? Are we not ourselves saying that Newfoundlanders are second-class citizens to Upper Canadians in that they cannot sit down to the negotiating table and negotiate as good a deal as Upper Canadians? Are we saying that people like Mark Lalonde and people like Jean Chretien, whom I believe, by the way, would give Newfoundland a good deal, and I am happy to know that the member for Trinity North did not include him in the number of people that he said would try to keep a deal from us.

MR. TULK: Is it not putting Newfoundlanders down to say that we cannot sit down across the table and be as smart, be as intelligent as the Upper Canadians, the so-called Upper Canadians are? Now, Mr. Speaker, I think that in that regard the member for Trinity North (Mr. Brett) is wrong: I do not disagree with his sincerity, I do not disagree with what he believes, and I do not disagree with the principles that are behind what he is saying.

For example, who can argue that in this Province today that you need new dollars? Who can argue that? Nobody. That is exactly what we have been telling the government on their fisheries policy. We need to develop the inshore fishery to create new dollars. And if you have to put money into the inshore fishery out of the taxpayers' pocket to create new dollars, then that is a good investment. Nobody can argue with that. Who can argue? Nobody. There is nobody in this Province but would like to see Newfoundlanders do very well on those rigs, or nobody in the House, but the tactics are different.

The President of the Council (Mr. Marshall) this evening stood up and he said the member for Mount Scio (Mr. Barry) left the Cabinet, crossed the House on a matter of approach rather than principle. He is exactly right.

MR. BUTT: Would the hon. member permit a question?

MR. TULK: You will get your chance in the debate.

MR. HODDER: You would not know how to ask a question anyhow.

MR. TULK: He is exactly right. The member for Mount Scio crossed the House on a matter of approach to solving the offshore, to solving the other issues that are in

MR. TULK: this Province. Absolutely. It was very easy for the member for Mount Scio (Mr. Barry) to cross this House, because he realizes, as does everybody over there who sits down and uses their brain, he realizes that there is no difference in principle in anybody's position in this House. Absolutely none. But in the approach there is a difference because the approach of this Province has led us to the place today where we find ourselves exactly in the position of the member for Trinity North (Mr. Brett); he is afraid for Newfoundland, make no mistake about that.

Mr. Speaker, I think that we have seen the Premier of this Province, either knowingly and as I have said a dozen times in this House, I will not stand in this House and say that I do not believe the Premier is a good Newfoundlander. I will not stand in this House and say the Minister of Energy (Mr. Marshall) is not a good Newfoundlander. I will say he is not a good Canadian, the Minister of Energy. But I just simply believe that the Premier through his approach to the whole thing has perhaps caused Newfoundland's greatest downfall, Newfoundland's greatest tragedy. And it comes about as a result of something that has developed in this Province as a result of what we look back on in hindsight and say were not good deals. We look back at the Churchill Falls agreement and we say that was a lousy deal, and nobody can argue today that it was a lousy deal. It was. We go back to 1966 when the price of oil in this country was \$2.50 a barrel. What is it today? \$34.00. Who would have dreamed in 1966 what was going to happen? There was one problem with it, there should have been a reopener clause in it. Nobody will argue that. But let us learn from that mistake of the past. If we are going to negotiate a deal on the offshore, then let us make sure that negotiations - and you will not find any argument on this side,

MR. TULK: Mr. Speaker, against that - let us make sure that there are all of the possibilities in the world for us to upgrade that agreement in any way we want.

Mr. Speaker, I have to do another thing before I sit down, I have eight or nine minutes left, but I have to do a couple of other things. The member for Baie Verte-White Bay (Mr. Rideout), says the Minister of Energy (Mr. Marshall), crossed the House on a matter of principle. Again I have no doubt in my mind that the member for Baie Verte-White Bay is a good Newfoundlander, absolutely none. Mr. Speaker, at that time, I believe it was 1980, I was a new member in the Liberal caucus and had sat there for one year, and we were trying to grapple with the energy question, make no mistake about that.

MR. TULK:

I have got to ask this House a question, the same kind of question that I asked a number of people in the Liberal caucus: Who was the Energy spokesman for the Liberal party in 1979 and 1980? None other than the member for Baie Verte - White Bay (Mr. Rideout). Did I hear in caucus a proposal different from what the Liberal position was at that time? Absolutely not. We know what that position was. The position was that we had to have a negotiated settlement on management and revenue sharing. Now what was the position of the Torv party at that time? The Premier, because it was good politically, it was a motherhood issue to stand on in this Province and it could rouse the blood of Newfoundlanders in the same way as the member for Trinity North (Mr. Brett) did in his speech this evening, and it was a good speech but in the same way the Premier said in 1979 and 1980 we have to have complete ownership of the offshore resources of this Province or otherwise we are going down the tubes. What was our position? Very simple. In 1979 and 1980 we said you have to have a negotiated settlement on resource management and revenue sharing and that is where we are at today. And the member for Baie Verte - White Bay crossed the House on the ownership issue, and I have no doubt that the member Baie Verte - White Bay did what he did as a good Newfoundlander, no argument at all. But I say to the Minister of Energy (Mr. Marshall) that there was no attempt by that member to convince the Liberal caucus of the day that the policy should change, and neither should it have changed. We have been proven right that we should have had that negotiated settlement.

Mr. Speaker, as I have said, the responsibility for what we have lost, the responsibility for the fears of the member for Trinity North can be pointed

MR. TULK: nowhere else but at the chair of the Premier. He is responsible for what will prove to be, in my opinion, Newfoundland's greatest tragedy, and I am, of course, referring to the loss of the offshore. Because, Mr. Speaker, it was the Premier of this Province who put the Newfoundland case in the Supreme Court of Newfoundland. He put it there, and the Minister of Energy (Mr. Marshall) was part of it, that case was put in the Supreme Court believing that Newfoundland judges would rule on their patriotism and on how they felt rather than on the law. That is the reason he put it there. He was, I believe, foolish enough to believe that regardless of where a judge comes from that he would sit down and rule because he was a Newfoundlander. We know, Mr. Speaker, what will happen in cases in court if judges started doing that. But he put it there and he lost it. And when he lost it, we had the Minister of Energy and the Minister of Finance (Dr. Collins) standing in this House, and standing all over Newfoundland, and questioning the ruling of three, or whatever the number of judges were of the Supreme Court of Newfoundland. And it was apparent from the day that the issue went into the Supreme Court of Newfoundland that we were going to end up in the Supreme Court of Canada. We hear now from a man I guess who knows something about the offshore, the man who did develop the regulations that the Premier so ably grabbed and ran with just after 1975, we hear that perhaps that case was not as well presented in the courts as it should have been. Mr. Speaker, there we are. We are in a situation today where the fears of the member for Trinity North (Mr. Brett) are well founded. But I have to say to him that even though I agree with him on principle, even though I share every feeling that he has about Newfoundland, I have

MR. TULK:

to say to him that it is a result of wrapping yourself in the flag rather than wrapping yourself in your brains. Wrapping yourself in the flag and standing up and saying, 'Oh, I can fight. I can fight anything that is around. I can take on anybody that is around, but I will not sit down and pit my brain against the guy across the table because that is not good politics.'

MR. TULK: This Premier has failed, he has failed. He won an election, an overwhelming mandate, on April 6, 1982 -

MR. MORGAN: And he is going to win the next one with a bigger mandate.

MR. TULK: You see, Mr. Speaker, when you stand in this House and make a serious attempt to debate a resolution, you get the like of that over there, concerned about nothing else other than if he has forty-four seats, forty-three, forty-two, forty-five or forty-six. That is the big concern.

MR. MORGAN: What do you want, our seats in the next election or do you want them right now?

MR. TULK: We hope we win seats in the next election but not in the way that this man wants to win them, by whatever means possible. We hope that we win them on principle.

SOME HON. MEMBERS: Hear, hear!

MR. MORGAN: Wait until the next election. We will wipe you out in the next election. You will not have four seats after the next election.

MR. TULK: Promises, promises, promises, promises.

MR. MORGAN: Leo Barry or Cashin, the whole Liberal Party, we will take you apart.

MR. TULK: Look at that, look.

Mr. Speaker, are we going to permit this to go on? Are we going to permit this loud noise over there? Are we going to permit this loud noise to continue from that seat? If we do, we know where we are going to end up, we are going to end up with the same kind of thing coming from this side.

Mr. Speaker, we have seen -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (McNicholas): Order, please!

MR. TULK: Mr. Speaker, we have seen in this Province in the last five years examples of wrapping yourself in the flag, fighting whatever you can fight. If it is the Micmac Indians we will fight them, if it is the teachers we will fight them, if it is the nurses we will fight them -

MR. CARTER: Do you want to give away everything?

MR. TULK: There is the paranoia, giveaway. If we cannot find anybody else, we will fight Nova Scotia, Quebec, and, of course, the best of all has been the federal government.

The Premier has staked himself now on a P.C. government in Ottawa. He has been selling that for six months. How foolish! Politically, how foolish!

MR. WARREN: Last night he did not.

MR. TULK: Last night he did not because he realizes the jig is up. How foolish, Mr. Speaker. Does he not realize that if you want to form a federal government, if you want to be the Government of Canada, pure politics dictate that you have to have control of Quebec and Ontario. Pure politics dictate that, yet he believes, he is silly enough to believe that that white knight, Brian Mulroney, from Labrador City, who cares as much, if his actions speak the way that things go for him, who cares as much about the working-class in this Province as he does about the snow that fell last year. And he has lost on that one. Mr. Mulroney has now said, 'Well, no, Brian, I cannot put it on paper. It is not possible to put it on paper because the Supreme Court has said something different'.

MR. MORGAN: We will see.

MR. TULK: Yes, we will see. We will see. They may try to waffle around with it and play with the words, but the truth of the matter is, Mr. Speaker, that Brian Mulroney has now said to the Premier, 'You have to

MR. TULK:

convince the rest of the people of Canada'. And that is what he has to do. at this point in time. There is no other option for him at this point in time except to do that kind of thing.

MR. SPEAKER(MCNICHOLAS): Order, please!

The hon. member's time has elapsed.

MR. TULK:

Mr. Speaker, if I might make one more statement, I want to say that I do not want to hear what the rest of them have to say, but the member for Trinity North (Mr. Brett), I have to congratulate him on his speech. Well done!

MR. WOODROW:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Bay of Islands.

SOME HON. MEMBERS:

Hear, hear!

MR. PATTERSON:

Now you are going to hear a good speech, so listen, be attentive.

MR. WOODROW:

Mr. Speaker, I rise to support one of the most, if not the most important resolution ever presented in this hon. House of Assembly, and presented by a member who in my mind, and in the opinion, I am sure, of all Newfoundlanders

MR. WOODROW: is one of the most sincere members who ever entered into this hon. House of Assembly.

SOME HON.MEMBERS: Hear, hear!

MR.WOODROW: Mr. Speaker, I would like to say that I was shocked at the hon. member for Torngat Mountain (Mr. Warren) who I think, said that he is not supporting the motion but he is supporting the preamble, the words added to the motion. I am really shocked at what he said.

SOME HON.MEMBERS: Oh,oh!

MR.WOODROW: Mr. Speaker, he did not know that John Chretien in Columbus Hall in Corner Brook cried over there, he cried his heart out, but he did not say, he did not tell the people of Corner Brook what angry conversation went on between him and Mark Lalonde.

MR.PATTERSON: Now we are going to hear it.

SOME HON.MEMBERS: Oh, oh!

MR. WOODROW: Perhaps, no doubt, Chretien could be honest, but Lalonde would not deliver the goods, would not take the water from the well. So these are things that I think we have to bring out. Mr. Speaker, the debate today has been most enlivening and most interesting. It is the debate over the jurisdiction of our lucrative offshore resources and to my mind it is not won by law societies or the supreme courts. The ultimate settlement of our offshore resources will decide for all times whether we as a people are given the opportunity to secure the means to become equal Canadians, that is the important thing.

SOME HON.MEMBERS: Hear, hear!

MR.WOODROW: -whether we are forever to be the poor cousin in Confederation, content, as the

MR. WOODROW: resolution states, with
federal transfer payments.

AN HON. MEMBER: Yes, welfare.

MR. WOODROW: - and welfare, right you
are. The federal government, including this province's
Liberal MPs and MHAs, have by their actions and comments
during the past number of years indicated that this is
their vision of Newfoundland and Labrador. They want us
to be a good Province. And, Mr. Speaker, what about the
Prime Minister of Canada who is being kicked out of
office - he has been begged to go for the past couple
of years - what about him? What did he say about the
just society -

MR. SIMMS: What did he say about it?

MR. WOODROW: - the just society much-
heralded by Prime Minister Pierre Elliott Trudeau. It
would appear that his perception of justice is justice
for some, or justice when it is in the federal government's
interest.

MR. SIMMS: Hear, hear!

MR. WOODROW: Obviously, Mr. Trudeau's
just society does not apply to Newfoundland and Labrador.
Obviously, equality of treatment within Confederation
does not apply in our case. And I believe, after I finish,
the hon. gentleman is going to agree with this motion.
Mr. Speaker, perhaps we should designate our Province as a
Third-World developing country. Given Prime Minister
Trudeau's attention to and generosity for these
secluded parts of the globe, he may just re-examine
our case in his very humble manner. But being a sister

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MR. WOODROW: province in this great nation of Canada, the nation of compassion and compromise, all we seek is equality of treatment within Confederation, equality of treatment. And if that is being a separatist, then I am. Is there anyone in this House of Assembly or in this Province who would not expect equality of treatment? I am sure the hon. member for Torngat Mountain (Mr. Warren) wants to be treated equally to the people over in Vancouver or any other province. Fair play, sharing and building

MR. WOODROW:

together, is this not the way it was in 1930 when Ottawa handed provincial resources to Alberta, Saskatchewan and Manitoba, a free gift to enable these provinces to prosper and grow into the progressive places they are now? Is this not the way it was in 1912 when Ottawa passed over ownership of resources to Ontario and Quebec, an act of generosity and Canadian compromise based on equality and fairness? Is that being a separatist? Which now brings us to 1984, that long-dreaded year due to the prophesy of George Orwell.

Newfoundland and Labrador, Mr. Speaker, now finds itself in the same position which faced each province of Canada. New bountiful resources off our shores offer a real chance for our Province's future prosperity, a chance to improve the quality of the lives of our people - I heard the hon. member for Trinity North (Mr. Brett) speaking about having to refuse the people a drop of water here and there, we have to do the same thing. We can spend at least \$5 million this year to bring needed water and sewerage just up to a part of my district.

MR. WARREN: Look at my district where there is no water and sewerage.

MR. WOODROW: - A chance to provide our people with a measure of services and benefits enjoyed as a matter of right by other Canadians. All we now seek is the application of the rules which have governed Canada since 1912. When we entered Canada in 1949, we did so believing that equality of treatment was a fundamental right. Given our present day economics, we believe the equality of treatment is a must.

Mr. Speaker, one would think that members in Ottawa would be dancing in the aisles of the House of Commons since a province of Canada, the poorest

MR. WOODROW: in the nation - we are the poorest; we have more unemployment, we need more social services, etc. - the poorest in the nation would be faced with such an opportunity to pull ourselves up by our boot straps. We do not want, in fact, to be on the dole, or we do not want to go begging somebody, we are good, hard working Newfoundlanders. Instead we are facing reductions in federal transfer payments combined with a government which has broken the rules of equity and fairness, who are determined to claim our resources as their national treasure, not give us the benefits we should be getting from it.

We are faced with the spectacle of the Federal Minister of Energy, the hon. Jean Chretien, arguing on a local radio programme that Ontario should control their resources under fresh water, while we are to be denied ours because they are under salt water.

Mr. Speaker, it is like saying that Newfoundland cars are not permitted on Mainland roads because they are tainted by Atlantic water, not the pure water of Lake Ontario.

MR. SIMMS: They tried that years ago.

MR. WOODROW: Obviously, Mr. Speaker, rationalization is at the root of expediency and any reason will suffice as long as it protects and enshrines their national interests.

Mr. Speaker, despite all the rules of fairness, all the precedents which are before us, our offshore resources have been claimed as a national treasure. Now here is something for us to listen to, 61 per cent of the people of this Province - and perhaps that could be brought up to more because in the last election we only lost four or five seats

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MR. WOODROW: by a very small margin of votes. 61 per cent of the people of this Province in their statement of expression on April 6, 1982 sent a clear and loud message to Ottawa,

MR. WOODROW: that we expect and demand the opportunity to develop our resources offshore in a method that will be in this Province's best interest. That is what the people told us April 6, 1982. Difficult economy times demand that this resolve be ever strengthened and re-enforced. If ever we needed revenues we, like Alberta did in 1930, need them now, absolutely.

SOME HON. MEMBERS: Hear, hear!

MR. WOODROW: If ever we need equality of treatment like Ontario in 1912, we need it now.

SOME HON. MEMBERS: Hear, hear!

MR. WOODROW: If ever we needed a united House of Assembly and people, we need it now.

SOME HON. MEMBERS: Hear, hear!

MR. WOODROW: Are our Liberal MPs in Ottawa afraid to speak out on our offshore resources? Is the federal government afraid to address the fair and reasonable proposals submitted by the Province, a proposal hailed across Canada as an enlightened and reasonable and workable document? Yet Mr. Chretien and company are avoiding it like the plague. And this is what Bill Rowe wrote on March 13 in The Daily News, and as Mr. Rowe stated in a recent column, "But do not worry. This time the federal government will develop it for the benefit of Newfoundland and Labrador, will they not? Sure! Sure! Go to bed and sleep easy every night. Try to ignore it when you

MR. WOODROW: are jolted awake with the nagging thought—Peckford and Marshall are right."

SOME HON. MEMBERS: Hear, hear!

MR. WOODROW: Mr. Speaker, I will come to the conclusion very shortly by saying this, after April 6, 1982 when the Premier of this Province got such a great victory - now I am saying this for the benefit of the member for Torngat Mountain (Mr. Warren)—after April 6, 1982 after the Premier had such a great victory, if every member of the House of Assembly and the five Liberal members in Ottawa had to stand up for Newfoundland, that is what was important -

SOME HON. MEMBERS: Hear, hear!

MR. WOODROW: - and I will say this, they did not have to change their political conviction—and let Canada know that we wanted to be equal to all Canadians; whether we are Liberal, NDP, or PC, we just want to get equality in Canada —

SOME HON. MEMBERS: Hear, hear!

MR. WOODROW: - it would not be necessary to go to the Supreme Court of Canada because they would have the word of every Newfoundlander, also of every Chamber of Commerce, every business person, every Joint Council. I remember over in Corner Brook fifteen months ago, the hon. member for Humber West (Mr. Baird) asked the Humber Joint Council where they stood on offshore. And they came back only three months ago with what is classified as a wishy-washy answer. Why did they not stand up for the Province of Newfoundland and Labrador? Every city, town or community, and every other organization -

AN HON. MEMBER: Every church organization.

MR. WOODROW: - of course every church organization, at least every church organization is permitted to do so by their constitution—the church is certainly speaking up a lot in the past year or so, I can tell

MR. WOODROW:

you would be inclined to say not like a Newfoundlander at all in many cases. In other words, a better Newfoundland is what we want, Mr. Speaker. Is that being a separatist? We would be well on the road now to becoming a 'have' Province, I would say, since 1982, if everybody in the Province had stood together. But, Mr. Speaker, it is not too late yet. The Premier, for example, maybe his popularity would increase greatly if he would sign an agreement, but what would happen to him ten years from now? He would be cursed by all Newfoundlanders, as was the Premier who gave away our birthright, the Upper Churchill, years ago.

It is not too late yet!

SOME HON. MEMBERS:

Oh, oh!

MR. WOODROW:

And I do not think it is funny, Mr. Speaker. It grieves me that members have an attitude of not caring what happens to our Province. It is not too late yet, and I urge all people in the Province, especially the elected representatives, whether they be in Ottawa as federal members or Newfoundland as provincial members, to stand up and be counted. And, as I said, Mr. Speaker, what is important is not whether we are the Liberal Party or the Progressive Conservative Party or the New Democratic Party, it is at this particular time standing together for the Province of Newfoundland!

SOME HON. MEMBERS:

Hear, hear!

MR. WOODROW:

Think of our Province, think of your children and your children's children. You can still be a loyal Canadian while finding a way by which Newfoundland can be given the same rights as other provinces of Canada. If we had accepted the Nova Scotian deal, it would be like me today passing over to the member for Port au Port

MR. WOODROW: (Mr. Hodder) a \$100 dollar bill and he passing me back five \$20s but keeping one \$20 back because the money we get from equalization would be reduced, say, by \$20 million or whatever the case may be.

Mr. Speaker, I think this has been a great debate and we will have a great debate next year. I will say, as a member of the House of Assembly, one of the fifty-two members here, it is not ourselves in this case that we have to think about; most of us are not here because we have to be, we can make a living otherwise, but we have to think of the Province of Newfoundland and Labrador and we must not be afraid to speak up for this Province. It will not make us any less Canadian; I think we will be better Canadians when we are equal with the people of Alberta, Ontario, Saskatchewan and the other provinces.

I hope that the hon. the member for Torngat Mountains (Mr. Warren) will vote for the motion next Wednesday. Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. HODDER: I adjourn the debate, Mr. Speaker.

MR. SPEAKER (Russell): The hon. the member for Port au Port has adjourned the debate.

MR. MARSHALL: Mr. Speaker.

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

MR. MARSHALL: Mr. Speaker, before you leave the Chair, perhaps I should advise the House that this evening at 7:30, the Social Services Committee will continue its examination of the estimates of the Department of Justice and commence its examination of the estimates of the Department of Education. Tomorrow at 9:30 a.m., the Resource Committee will examine the estimates of the Department of Rural, Agricultural and Northern Development.

MR. MARSHALL: Tomorrow evening at 7:30, the Government Services Committee will continue its examination of the estimates of the Department of Labour and Manpower.

SOME HON. MEMBERS: Hear, hear!

MR. TULK: What is on tomorrow morning?

MR. MARSHALL: The Social Services Committee, they will finish Justice and then go to Education.

MR. TULK: Tomorrow morning?

MR. MARSHALL: Tomorrow morning is Rural, Agricultural and Northern Development.

MR. SPEAKER (Russell): It being Private Members' Day, I do now leave the Chair until tomorrow, Thursday, March 29, 1984 at 3:00 p.m.