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*VERBATIM REPORT*  
*(Hansard)*

Friday, 9 November 1984

Speaker: Honourable James Russell

The House met at 10:a.m.

Mr. Speaker(Russell):  
Order, please!

STATEMENTS BY MINISTERS

MR. SPEAKER:

The hon. the President of the Council.

MR. MARSHALL:

Mr. Speaker, today I am very happy to inform members of the House that the provincial government has recently approved the awarding of financial assistance for those individuals and companies that suffered severe financial hardship as a result of last April's devastating ice storm on the Avalon Peninsula.

Hon. members will recall that following the storm, the government announced a disaster assistance programme the costs of which would be shared by the federal government. To expedite the process of assessing claims and determining the appropriate level of assistance, the federal guidelines for disaster financial assistance were applied. However, these guidelines do not normally cover the losses incurred by large utilities such as Newfoundland Light and Power, Newfoundland and Labrador Hydro, Newfoundland Telephone or commercial firms such as Colonial Broadcasting (VOCM) or Newfoundland Broadcasting.

After extensive discussions and negotiations with federal government officials, I can now report that the Province has been successful in obtaining agreement to extend the guidelines of the programme to make financial assistance available to the major utility companies, broadcasting companies, small businesses and individuals. In all, Government will pay out over \$4 million in compensation. With federal

cost-sharing, the government's net expenditure will amount to approximately \$1.3 million.

Mr. Speaker, close to 250 claims for assistance have been received. These claims ranged in amounts from a few hundred dollars to those totalling in the millions. In order to adequately assess each claim, the claims were categorized into two groups: individual homeowners and small businesses (Group I), and large utilities and broadcasting companies (Group II).

As members may be aware, the bulk of the damage was sustained by the utility companies, such as Newfoundland Light and Power, Newfoundland and Labrador Hydro Corporation and Newfoundland Telephone Company Limited. Government has approved their claims in the amount of \$4 million on the basis that these companies provide essential public services in the Province and that these services were required both during and after the ice storm.

Government feels that compensation is required for these companies in the amount necessary to cover the costs of restoration of their facilities to pre-storm levels. Normal valuation processes have been taken into account in assessing these companies' claims.

Government will be providing assistance to two of the Province's largest broadcasting companies, as well. Both Colonial Broadcasting System Limited and Newfoundland Broadcasting Company Limited will receive total assistance amounting to approximately \$28,000. While these companies were not eligible to receive compensation for capital repairs under the federal guidelines for disaster financial assistance, government feels that

they should be compensated for the costs of providing essential public communication services immediately after the ice storm. And, Mr. Speaker, I think I should add that government would like to express its appreciation to these broadcasting outlets, as a matter of fact to all broadcasting facilities in the Province for their assistance at that time. They, along with the other radio and television companies, are to be commended for their valuable public services.

Over 230 claims were received from individuals and small businesses, Mr. Speaker. The average level of compensation for eligible claimants is approximately \$400.00. At this time I wish to thank the homeowners affected for the patience in which they awaited the settlement of the claims by government.

Before closing, Mr. Speaker, I wish to remind members of the House of Assembly that this is the largest disaster financial assistance programme that the Province has mounted in conjunction with the federal government. It should also be noted that this is the first time in Canada that the federal government is extending assistance this broadly to a provincial government to cover a considerable portion of utility repair costs and operating costs of commercial firms.

Finalization of all claims is now being completed and I am confident that cheques in the amount of the eligible claims will be in the mail within the next few weeks. And, as I speak, letters of notification are being sent to each of the major utility and broadcasting companies confirming government's compensation for their costs.

I could add in conclusion, Mr. Speaker, that as a result of our being successful in having the federal guidelines apply to the utility companies, there will now be no reason whatsoever for the losses that were sustained as a result of this storm to impact on power rates and electrical rates in the Province. What we have been able to do in getting this extended is assure that, as I say, rates will not increase as a result of the damage that has been incurred.

MR. BARRY:  
Mr. Speaker.

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

MR. BARRY:  
Mr. Speaker, I regret that after such an important statement as we had from the new Conservative Minister of Finance last night that this is an attempt by government to try and divert attention when we really have much ado about nothing in this statement. We should have had a lead-off statement, Mr. Speaker, on the terrible impact on this Province of the measures contained in the economic statement by Mr. Wilson last night.

Mr. Speaker, this is a normal type of programme which comes into play when there is a disaster which takes place in any part of Canada, so the government should not make too much of it in terms of this being something that is granted out of the generosity of the federal government, or out of the hard work and efforts of members opposite. The people of this Province are entitled to the assistance of federal relief programmes and disaster programmes the same as the people of any other province.

Now, I had a number of individual constituents in Mount Scio who had damage incurred to their homes, and I am sure many other hon. members in this House did, and these individuals will appreciate the fact that this is finally, after a long delay, going to see payment of their claims being available.

With respect to the large utilities, Mr. Speaker, if this is not covered by the federal programme it should be, because these are costs that would be passed on directly to the consumer of power, telephone users and so forth. As the member for LaPoile (Mr. Neary) pointed out at the time of this disaster, Mr. Speaker, there is some question of whether the government went about this in the right way, and whether they have gotten as much for individuals as they could have gotten under the programme, and it may have been because of their unwillingness to become involved in a participation in paying part of the cost. But many individuals in this Province suffered losses due to spoilage of food in refrigerators and so forth, and if the government had approached this properly with the federal government these individuals could have been compensated as well. That is missing from the present programme.

One final point, Mr. Speaker, and I do not begrudge it to these two companies, because both the Colonial Broadcasting System and Newfoundland Broadcasting Company Limited did do a good job during the emergency, but I question whether this is something for which they would expect to be compensated. This is a normal part of any broadcaster's routine when you have a situation occur such as occurred with the sleet storm. And I just raise the

question, Mr. Speaker, as to whether or not we have some slight risk of interfering with the freedom of the press when we have government taking special measures to compensate certain members of the media for what they have normally done in emergencies throughout Newfoundland's history, which I am sure they did whole-heartedly and voluntarily and for which they did not expect to be compensated.

So I have, Mr. Speaker, a concern there that should be mentioned, that if this is an attempt by government to ingratiate itself with a couple of the members of the media in this Province, it is a dangerous precedent to be setting.

MR. SPEAKER (Russell):

I would like to take this opportunity to welcome to the galleries today forty-one Grade XI students from Holy Cross School in Holyrood, and their teachers Brian Carroll and Sheila Duggan.

SOME HON. MEMBERS:

Hear, hear!

ORAL QUESTIONS

MR. SPEAKER:

The hon. Leader of the Opposition.

MR. NEARY:

Mr. Speaker, as I said in my response to the Ministerial Statement, I am amazed that we do not have a statement from the Premier with respect to the measures contained in last night's economic statement by Mr. Wilson, the new Conservative Finance Minister. Now I would like to ask the Premier whether he agrees with the measures that have been put forth by Mr. Wilson, measures which will mean increased hardship for many families in this



Province, and will also hurt to a large degree the Newfoundland economy. One of the specific measures I refer to is does the Premier agree with the changes to the Unemployment Insurance Programme which will make unemployment insurance harder to get and harder to keep? There are many desperate fishermen and other workers in this Province, Mr. Speaker, right now who do not have entitlement to unemployment insurance yet, see no prospect of getting it before the fishing season ends, are looking for other jobs and are in dire straits, Mr. Speaker.

I would also like to ask whether the Premier agrees with the imposition of higher prices for gasoline, which at the pumps we are talking now in the area of, I think, a fifteen cent per gallon increase? Does the Premier agree with the cut in student aid contained in Mr. Wilson's budget? Does the Premier agree with the cut in PIP grants which will probably mean reduced offshore exploration? What does the Premier think about the cut to Petro-Canada? Will that mean less involvement by Petro-Canada in offshore exploration? Does the Premier agree with the cuts to regional economic expansion programmes? Does the Premier agree with the removal of the 25 per cent back-in? What will the impact of that be on the Hibernia development? Does the Premier agree with the CN fare increases which will result from the cutbacks to CN, cutbacks which amount to something like \$38 million in all and probably for Newfoundland in the area of \$20 million? The impact on tourism alone will be very, very severe, Mr. Speaker. I wonder whether the Premier could give us his views as to whether he accepts all these programmes and whether he is going

to make any response?

No, he is going to sit over there and make none.

MR. BARRY:

Has the Telex machine expired on the 8th. Floor, Mr. Speaker?

MR. NEARY:

What about the Prosperity Crusade?

PREMIER PECKFORD:

Mr. Speaker.

MR. SPEAKER (Russell):

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, first of all the Leader of the Opposition (Mr. Barry) made a few statements which are not correct as it relates to the statement last night. Let me just point out to the Leader of the Opposition that, as he knows, his cohorts in Ottawa back only last February made certain predictions related to the financial performance of the economy and of the country which have been way, way off base. We are looking at a deficit this year of \$34.5 billion, which is a lot higher, almost \$5 billion higher than the Leader of the Opposition's (Mr. Barry) cohorts had said it would be. That \$34.5 billion deficit is \$5 billion higher than projected last February, and it is going to more than \$37 billion and remain between \$34 billion and \$38 billion in every year for the rest of this decade.

So obviously, Mr. Speaker, something had to be done to control that deficit if we are going to get interest rates down. Now there are a lot talking about helping the consumer. One of the best ways that the consumer can be assisted all across this

nation, from Bonavista to Vancouver Island, is to get interest rates down so that people can borrow again, so people can pay for the mortgages on their houses. I think the general thrust that the government outlined last night is the proper one. If you look at the general thrust that they are taking, it is a proper one.

As it relates to UIC or child benefit allowances, and as it relates to a whole range of other programmes, the idea is to consult with the provinces and to consult with business and labour before any changes are made. Now I notice that the Leader of the Opposition (Mr. Barry) omitted that there is going to be a new fund of \$1 billion spent on training in this country to try to ensure that Canadians are trained for jobs that are out there in the market place. The Leader of the Opposition forgot to mention the new commitment that the new government has given to one industry towns throughout this country and to continuing the Northern allowance that the federal Liberals had taken away and then had to put back on under a lot of pressure. But there is no question, Mr. Speaker, when you look at the situation in Newfoundland and what this government had to do to try to control spending in the sense of the wage freeze and other expenditure cuts, that you then cannot turn around and say to some other government that is trying to do likewise to try to bring the deficit in line that somehow they are doing something wrong. As it relates to some of the expenditure reductions and cancellations, it is very difficult at this point in time - Dr. Collins and his officials are presently in Ottawa going through the details of that - to make a determination on some

of the programmes and reductions and their impact on any province primarily because the cuts that have been projected to be somewhere around \$4.5 billion in 1985-86 are cuts in the estimates that were outlined for next year. So that is a cut for next year which could very well see the level spent on all of the programmes to be somewhat similar to what it is this year because the deficit still is going to be around \$34 billion next year. So it is hard to see, when you identify a programme and a certain amount of money, that it is not a reduction over their expenditures for this year but a reduction over the expenditures that were estimated for next year. So the rate of increase in next year's budget is being reduced, the rate of increase in the expenditures for next year are being reduced. So it is very, very difficult, at this point in time, to specifically respond to some of the expenditure reductions because they are based upon estimates of rate of increase for 1985-86. But, Mr. Speaker, there is no question that if we keep going on the treadmill that we are on right now the deficit is going to be way out of control. In our centennial year the net federal debt, Mr. Speaker, was \$18 billion.

MR. NEARY:

Listen to the lapdog, the handmaiden of Ottawa.

MR. SPEAKER (Russell)

Order, please!

MR. PECKFORD:

At the end of this fiscal year it will be \$190 billion. Now that is a big increase, Mr. Speaker, from \$18 billion to \$190 billion and by 1990 it would approach \$410 billion. So there is no question, we agree with the general thrust that the Government of Canada is

taking to get the deficit under control, to protect those who are most in need at the same time as you do that, and to make expenditure cuts evenly across the board. There are going to be cases next year where perhaps the Province is going to have to share in those cuts, we cannot be eliminated completely from them, but there are some very positive aspects to the economic statement and those are in the area of training, no question. How the specific expenditure cuts will impact upon the Province is too early to say because we are looking at what was projected for next year, and in some cases what was projected for next year and the reductions still might be more in its total than what it was for this year. We will know about it from Dr. Collins and the officials from the Department of Finance who have meetings today in Ottawa to get that data from the federal authorities. But, no question, we have to face reality. You just cannot hide away from the fact that you have a deficit that is \$34.5 billion, \$5 billion more than was projected in February, and something has to be done to control that both on the expenditure side and on the revenue side.

MR. BARRY:

A supplementary, Mr. Speaker.

MR. SPEAKER (Russell):

The hon. the Leader of the Opposition.

MR. BARRY:

I would like to ask the Premier whether this indicates a new approach to federal/provincial relations, the approach that the Premier is now taking, Mr. Speaker. It is ironic the times that we have heard references to my colleagues on this side of the House being the handmaidens of

Ottawa and we now see, Mr. Speaker, the Premier meekly and mildly accepting these serious impacts, these serious assaults upon this Province, upon the working people of this Province and, Mr. Speaker. I would like to mention in the course of completing my question that the federal deficit may be \$5 billion higher than was estimated but it did not double as ours did in the space of three months after the Newfoundland Finance Minister (Mr. Collins) brought in his budget. Mr. Speaker, I would like to ask whether this new meek and mild approach of the Premier in directing response to the federal government is indicated by the fact we still do not have a specific statement by the Premier, although if we look back, Mr. Speaker, to February 15, 1984 at the time when Mr. Lalonde brought down his budget, we saw the Premier, that same evening the Budget was brought down, we saw the Premier being prepared to comment. We now see that the Premier putting off his response, putting it over on Dr. Collins in Ottawa in the hopes that attention will die down and pass away from this economic statement by the time the Premier responds specifically.

MR. MARSHALL:

On a point of order, Mr. Speaker.

MR. SPEAKER (Russell):

Order, please! Order, please! The hon. President of the Council on a point of order.

MR. MARSHALL:

The hon. gentleman is in supplementary questions. He is making a speech, Mr. Speaker, and making a bad one. If he wants to make a speech he can perhaps entertain the House by telling us how he would have reacted if they had accepted him as a Tory

candidate in Grand Falls/White/Labrador what his position would have been, but he is not allowed, Mr. Speaker, to make a speech.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

To the point of order raised by the hon. President of the Council (Mr. Marshall), as I said said yesterday, in asking a supplementary question there should not be any need for a preamble whatsoever. It appeared that the hon. Leader of the Opposition (Mr. Barry) was into somewhat of a debate on the economic statement.

MR. BARRY:

Thank you, Mr. Speaker.

I would like to, if I might, thank the Energy Minister (Mr. Marshall) for pointing out that I did have many options available to me for a time there last year, many more than the minister has at the present time. The minister has only one and option that is out of the door, Mr. Speaker, out of the door.

SOME HON. MEMBERS:

Oh, oh!

MR. BARRY:

Mr. Speaker, if the Premier and the minister maintain this nice friendly approach with the federal government, who knows, we may see them as parliamentary assistants in Ottawa after the next election.

Mr. Speaker, to finish my question, I would like to ask the Premier whether the Province had sent the federal government and had sent Mr. Wilson, 'A long list of possible projects to get young people working and other people working, as was sent up prior to

the budget last year, whether these long lists of projects were included in the economic statement made by Mr. Wilson, and, if so, what were they?

PREMIER PECKFORD:

Mr. Speaker.

MR. SPEAKER (Russell):

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, let me first of all deal with the first part of the Leader of the Opposition's (Mr. Barry) question on the difference now from when Mr. Lalonde brought down his budget and why the government is not responding in the same way. The answer is simple, Mr. Speaker: Because the Government of Canada consulted with us before they even made the statement two weeks ago. That was different than Mr. LaLonde's method. For the first time that I can remember in the history of Canadian politics this government issued a booklet which was delivered to the government before it was made public, saying, Here is a booklet for consultation not only with all the provinces, but with business and labour. Before we move on UIC, before we make any changes in assistance to families or individuals in the social net throughout this country, before we make these kinds of decisions we will sit down and collaborate and consult. That is the difference. Mr. LaLonde did not do that. Mr. LaLonde did not produce a document in which he said he was going to have consultations with the provinces and then an economic summit with business and labour. That is the difference between the government that the Leader of the Opposition (Mr. Barry) wants to align himself with and the government that I want to align myself with, Mr. Speaker. That is the difference.

SOME HON. MEMBERS:

Hear, hear!

PREMIER PECKFORD:

That is a big, big difference. As it relates to the question of a list of projects that have gone to Ottawa, did we send a list of projects as it relates to training and as it relates to Canada Works, the answer is an unqualified yes, we did, a month or so ago. We had the Minister of Labour and Manpower (Mr. Dinn) send up lists to the new Minister of Employment and Immigration (Ms. MacDonald); we had the new Minister of Career Development (Mr. Power) go and meet with the Minister of Employment and Immigration. Ottawa has come back with telegrams and said before we do anything, these are the kinds of things that we want to get involved in and we will listen to Newfoundland. What did we have when Mr. LaLonde was Minister of Finance? We had the member for Winnipeg, Mr. Axworthy, unilaterally saying, I am going to give you this much money and it can only be used for these programmes and these projects and to hell with the Province and what its priorities might be. Mr. Speaker, we had a Minister of Finance who prepared a national energy programme without any consultation and unilaterally forced it upon the energy industry and upon the Provinces. And why the approach by this government is now different than it was when Mr. Lalonde was in is because now we have a government in Ottawa of consultation and not of unilateralism, Mr. Speaker.

MR. BARRY:

Mr. Speaker, a final supplementary.

MR. SPEAKER (Russell):

The hon. the Leader of the Opposition.

MR. BARRY:

Can we take it, then, that because the Premier and his government were consulted that the Premier agrees with the cutbacks to the regional economic programmes, the cutbacks to PIP grants, the changes to the unemployment insurance programme, the higher prices for gasoline, the cuts in student aid and so forth? Does the Premier now accept responsibility as part of the process for imposing this on the people of Newfoundland and Labrador?

MR. SPEAKER (Russell):

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, this is very serious stuff that the Leader of the Opposition (Mr. Barry) just said, very, very serious. He just made a statement and he is being very loose with what he is saying. He just made a statement, and I am going to find it here in this annex now while I am on my feet, that there was to be reductions in student aid. Now the Leader of the Opposition just said that, and it will be there for Hansard to see, and he also talked about UIC. Now I want to tell the Leader of the Opposition that I have the document here, Canada's Student Loans Programme. Student aid. Now the Leader of the Opposition just said it is going to be reduced and here it is. "Financial help to students who require assistance at the post-secondary level is provided through loan guarantees. The loan limit will be held at current levels." Now tell me where the reduction is there, Mr. Speaker? That is in the statement, where is the reduction?

On UIC there is a document here which discusses the unemployment insurance programme and says, "We



are going to sit down with the provinces, with business and labour and discuss whether different directions, different approaches can be taken to UIC." Mr. Speaker, that is what the documents are saying. They are not unilaterally going ahead and cutting this programme and cutting that programme. They are asking the provinces, and the people of Canada through extensive consultation, through the parliamentary committees, through the provinces, through business and labour, to sit down with them and go through how we can better streamline these programmes to serve those most in need. Very, very interesting some of the statements in this document that Mr. de Cotret issued last night. Talking about cutting things, 'As I mentioned earlier, we are especially concerned about the impact on workers when the principle industry in isolated or remote communities is forced to close. Such closures and the need for individuals to adjust are part of economic life. They cannot be blindly resisted.' So they are going ahead to try to assist there. Talking about helping people, 'The government will extend the spouse's allowance programme to all widows and widowers between the ages of sixty and sixty-four. Some 85,000 low-income Canadians, mostly women, will benefit from this proposal starting the Fall of 1985. The cost to the government will be \$200 million.'

MR. WARREN:

You are not answering the question.

PREMIER PECKFORD:

But the whole point of it all is what the Minister of Finance (Mr. Wilson) said last night is that in those broad social areas of UIC, assistance to families through family allowance, as it relates to

old age pensions and the like, there is going to be extensive consultation. But I do agree, and I say it and proudly say it, I do agree with the general thrust that is in this budget because it is going to re-establish confidence in this country for investors in Canada and investors outside of Canada to invest and thereby create jobs. That is the only way we are going to get the unemployment rate down from 11 per cent or 12 per cent nationally, it is the only way we are going to get it down from 20 per cent or 21 per cent provincially, by not discouraging foreign investment but allow it to come in, and by simplifying your tax system. That is the way you are going to create jobs.

Now, Mr. Speaker, we have tried the other way since 1962 or 1963 when Mr. Trudeau came to power and what do we see as a result of the actions that the Leader of the Opposition (Mr. Barry) wants to go back to? What do we see in Canada? We see the highest unemployment rate in our history, we see the highest debt, we see the highest interest rates. If the policy that the Leader of the Opposition is articulating, which is the policy of the past, then he is saying, 'I want more high unemployment, I want more high interest rates, I want more high deficits.' That has almost crippled and crucified the economy. Over the period that the Liberal Party of Canada has been in power, that the Leader of the Opposition wants to go back to, we have gone from third place to eighth place as a significant trading partner in the world. We are next to Italy, the second last place as it relates to our improvement and productivity in the OECD countries. Those statistics are products of a Liberal philosophy which said



throw money at the economy and everything will be alright. Now we must take a new approach and that is what this government is doing and that is what I support.

SOME HON. MEMBERS:

Hear, hear.

MR. NEARY:

Mr. Speaker.

MR. SPEAKER (Russell):

The hon. member for LaPoile.

MR. NEARY:

Mr. Speaker, after just listening to the hon. gentleman I am beginning to wonder if that is the same hon. gentleman who once upon a time was sitting over there demanding full military bases in Newfoundland, improved Air Sea Resuce, keep the Shoe Cove tracking station, keep Newfoundland railway, move the federal Forestry office to Corner Brook -

MR. SPEAKER:

Order, please!

I wonder if the hon. member for LaPoile has a question?

MR. NEARY:

Mr. Speaker, I think I am allowed a preamble. I do not think we have arrived at a dictatorship in this Province yet but we are getting there.

Mr. Speaker, all these measures that were announced last night, all they mean for this Province is misery and grief and hardship, and the hon. gentleman knows that. Now let the hon. gentleman go to his book and tell me what is in there for CN Marine and TerraTransport if it is not layoffs and cutbacks and slashes and misery and grief. Is that what the hon. gentleman is condoning? Mr. Speaker, is he

condoning a fourteen cent increase in gasoline and a substantial increase in heating fuel? Is that what the hon. gentleman is condoning now when he used to accuse us of being handmaidens and lapdogs of Ottawa? Now who are the lapdogs and the handmaidens of Ottawa, Mr. Speaker? He is kissing the hem of Mr. Wilson's garment. What a Christmas Newfoundlanders and Labradorians and Canadians are going to have, Mr. Speaker. In his first financial statement to the nation, Mr. Wilson, the Federal Minister of Finance, targeted CN Marine and TerraTransport for millions of dollars less financial aid than they have been getting in the past. Now is the hon. gentleman going to condone that? Will the hon. gentleman tell the House from the little booklet he has in front of him what affect that is going to have on CN Marine and TerraTransport employees in this Province, and the cost of living to the people in this Province?

MR. SPEAKER (Russell):

The hon. the Premier.

MR. SIMMS:

He has not got his booklet so he is right mad.

PREMIER PECKFORD:

Yes, I will have to get him a booklet.

It is nice to hear from the member for LaPoile (Mr. Neary), wonderful to hear from the member from LaPoile.

Mr. Speaker, B-7 of the booklet Expenditure and Programme Review says that the Government of Canada is going to establish CN as a separate Crown Corporation. I say it is about time because while it is under the bigger aegis of CN nationwide it does not have the same commitment to ferry services

and what the problems are regionally as would a separate Crown Corporation that does nothing else only run ferries, so I think that is a very positive step. I applaud that step by the federal government to take it away from the larger corporation and make it a separate Crown Corporation so it is committed, singly and solely, to the provision of ferry services on the East Coast. I think that is a big improvement rather than being part of a larger corporation that has commitments in all other sectors. That is what the booklet says. So that is not a bad thing at all. I think that is an improvement so I am very happy with that. And we will see over the next few weeks or months what that will mean for Newfoundland and we will be there providing our input because now we have a government that wishes to consult. You know, it is a funny thing: I do not know how long the government has been in - not very long, forty or fifty days - and we were able to get \$7 million more for Corner Brook, just like that, in seven days. We were able to get the Cow Head oil rig facilities, tenders called and now it is started. There would not have been any Burin Peninsula development if it had been Roger Simmons. Let us leave that name alone, Mr Speaker. I think we should leave that name alone. I think we should get on with talking about what is in this booklet. It is far more stimulating and motivating. But as far as CN Marine goes, I am very happy that the federal government is going to move to set up a separate Crown corporation to deal just with the ferry system as it relates to the Atlantic region. That is good stuff. I am sorry that the member for LaPoile (Mr. Neary) does not appreciate what a wonderful impact that is going to have on his

constituency. It is just terrible. Yesterday I explained to the member for LaPoile, I explained about the shallow political promise that was made for a water system two days before the election when there was no decisions made in Ottawa on it and the member for St. John's West (Mr. Crosbie) had to help the member for LaPoile and got the money for him. We are now going to call tenders and award a contract to start his industrial park. We said to the federal government back when they announced all the industrial parks, 'Why do you not let us carry through on it because we can do it faster than you?' Now, two years later, have there been any contracts let yet for industrial parks? Not one until now. But we are going to go ahead with this, we are going to help the member for LaPoile. We provided a new \$14 or \$15 million hospital to him over there. It was the first major hospital in our hospital construction programme. I think the people over there are beginning to wake up, Mr. Speaker. As a matter of fact, I saw some statistics the other day about the vote in the LaPoile district and it was very, very, very encouraging.

SOME HON MEMBERS:

Hear, hear!

MR. SPEAKER (Russell)

The hon. member for LaPoile.

MR. NEARY:

Mr. Speaker, let it be recorded that the hon. gentleman has stated in this House that he is happy and pleased about what the federal government is doing in setting up a separate Crown corporation for CN. Mr. Speaker, is the hon. gentleman aware that the purpose of that is to make CN pay its own way in this Province, both CN Marine and TerraTransport? The

hon. gentleman may be up crowing today and playing his little partisan political games and acting as a lapdog to Mr. Wilson and Mr. Mulroney, Mr. Speaker, as a handmaiden of Ottawa, but can the hon. gentleman assure this House that as a result of consultation with this Province - the hon. gentleman waves that booklet around, saying now that we have co-operative arrangements, everything is going to be sweetness and light - but will the hon. gentleman assure CN Marine employees and TerraTransport employees in this Province that there will be no layoffs, no cutbacks no slashes and no hardship caused as a result of Mr. Wilson's policy to make CN pay its own way in this Province, and that there will be no increase in the cost of living in this Province? Can the hon. gentleman assure the House of that? And if they try it, will the hon. gentleman assure this House and assure the people of this Province that he will dig in and not let them take away the Newfoundland railway, that he will fight just as hard and demand just as much from them as he demanded from the previous Liberal administration when they were in Ottawa?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Answer, Mr. Speaker: absolutely yes. Absolutely. That is the answer for the member for LaPoile (Mr. Neary). But I must say I do have great difficulty being able to say to the member for LaPoile that I will ensure that the cost of living does not go up in Newfoundland. That is a bit difficult for me to do. I cannot for sure. I mean, I might try to tell the member for LaPoile what the weather is going to be like tomorrow and Sunday and Monday,

something like that, and that would be difficult enough, but I do not think I can give any assurances to the member for LaPoile that I am going to be able to keep the cost of living at its present level. That is beyond my control and it is a very foolish kind of thing for the member for LaPoile to insert midway in his question. But as far as fighting for this Province, and ensuring that the rail mode continue and that we get good service through CN Marine as a separate Crown corporation, that it is operated effectively and efficiently and meets the needs of this Province, the answer is absolutely yes.

The member for LaPoile has a very short memory. Does not the member for LaPoile remember a number of years ago when the federal government wanted to make changes in the fishery, and the government then was of the same political stripe as this government, what did we say, Mr. Speaker? We said that these policies were going to injurious to Newfoundland. We are elected to protect the interests of the people of Newfoundland and Labrador within the Canadian Confederation; that we will continue to do. As a matter of fact, I guess that is one of the hallmarks of this administration, that we have on every front - resource-wise, social-wise, transportation-wise, every-wise - gone out of our way to protect the interests of Newfoundland and Labrador, so much so, Mr. Speaker, that we had the Opposition over there calling us confrontationists, so much so that we were called closet separatists. We were called separatists because we were trying to defend the rights and powers of the Province of Newfoundland within the Canadian Confederation, Mr. Speaker.

Now that is what we did, and the member for LaPoile (Mr. Neary) was over there accusing me of being a separatist of somehow not being a good Canadian. And now, because we have a government that does not do things by unilateralism, that does not think that they have coveted within them the wisdom of all for Canada, that they are going to consult on everything, now I am supposed not to laud that. That is what I have been arguing for since 1979, consultation. That is what I have been arguing, that this country is made up of ten provinces and there is some juridical equality here, and that the Province of Newfoundland, because it has 575,000 or 585,000 people, under the constitution has an equal voice with Ontario, which has 4 million or 5 million people. And now we have a government in Ottawa which has reversed the attitude and tone and tenor of how Canada is going to be operated. How can I say that that is somehow bad if for the last four or five years that is what I have been arguing for, Mr. Speaker? I have got to say that is good. That does not mean I am a lapdog of Ottawa or a handmaiden of Ottawa. That means that we have been successful, this Province as well as other provinces of Canada, in persuading the Canadian people to throw out a government that was arrogant and would not listen to the provinces, Mr. Speaker.

SOME HON. MEMBERS:  
Hear, hear!

PREMIER PECKFORD:  
That is what we have done. So we can stand up proudly today. I know it grates the member for Lapoile (Mr. Neary), Mr. Speaker. It hurts. But we now have both on the federal and provincial scenes right across this nation governments who are willing to

work together for the betterment of Canada.

SOME HON. MEMBERS:  
Hear, hear!

MR. SPEAKER (Russell)  
Order, please!

The time for the Question Period has expired.

PRESENTING REPORTS OF STANDING  
AND SELECT COMMITTEES

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

SOME HON. MEMBERS:  
Hear, hear!

MR. BRETT:  
Mr. Speaker, it gives me great pleasure after eighteen months to present this report of the Select Committee of the House of Assembly on Food Prices. It gives me great pleasure to table it. In actual fact, it did not take eighteen months I would like to explain to the House that it was our intention to have it ready before the House closed last year but there was just the tiniest snag and it was ready for about two weeks after the House closed. So while it was not in this form, it was in fact completed very shortly after the House closed, and this was the first opportunity that we have had to table it.

PRESENTING PETITIONS

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

MR. CALLAN:  
Mr. Speaker, I ask leave to present a petition on behalf of the residents of Markland. This petition, Mr. Speaker, concerns the deplorable condition of the road at Markland. I do not know how often I have stood in this

House, Mr. Speaker, since 1975 and either presented a petition on behalf of the people in Markland or met with various and sundry ministers. I have been talking about the deplorable conditions of the Markland Road since long before the present minister (Mr. Dawe) became Minister of Transportation. I talked to the hon. James Morgan, former Minister of Highways, Senator Doody, former Minister of Highways, and on and on the list goes. Following the last election, Mr. Speaker, in 1982, I wrote the Premier and the Minister of Transportation reminding them that they had gone out to Whitbourne and Markland and said to the people, If you vote for us we will do something with your roads, we will pave the roads. On April 6, 1982, Mr. Speaker, the good people in Markland, believed the Premier, believed the Minister of Transportation and believed Bas Jamieson when they said, We will do something for you, and on that date they cast ninety-nine votes for the Tories and forty-eight votes for the Liberals.

SOME HON. MEMBERS:

Hear, hear!

MR. CALLAN:

They more than doubled the vote in favour of the Tory Party to try to get their roads done. Nothing was done in 1982, nothing in 1983, and, of course, here we have the construction season gone and, again, nothing done in 1984. Mr. Speaker, there are only thirty-three names on this petition. The people out there in Markland are sick and tired of going door to door gathering names for a petition, but there are thirty-three on it.

I held a meeting in Markland a couple of weeks ago with the local service district and they

initiated this petition among themselves and some of their neighbours. The prayer of the petition, Mr. Speaker, says: 'We, the undersigned residents of Markland, do hereby protest the condition of our road. We feel neglected by the Government of this Province to which we pay our fair share of taxes. It is difficult enough that we do not have a paved road, like many of our friends in other parts of the Province, but where our road is not properly maintained during the Summer or Winter, it makes for an intolerable state of affairs indeed. We humbly request', Mr. Speaker, 'we humbly request that funds be made available at the earliest to rectify this situation.'

Mr. Speaker, does the Minister of Transportation (Mr. Dawe) not realize that fish trucks all Summer long are travelling from the district of St. Mary's - The Capes, and St. Bride's, down through Colinet and Markland to fish plants in Harbour Grace and Dildo and other areas? These large trucks, Mr. Speaker, make it difficult enough, but there is all kinds of traffic on this road. Nine months of the year school buses have to travel over it, and the people who work in the area have to use this road on a daily basis. Mr. Speaker, I do not know what the people in Markland have to do. You see, they are not even getting good and fair treatment as far as maintaining the road that they have let alone getting some blacktop on it. They have listened to this government make empty political promises to no avail. They even went along with the government in 1982 but they soon found out, of course, that the Premier was misleading them, he was betraying them; that he betrayed them about their road and what he planned to do with it in



the same way that he betrayed them about the future of their hospital at Markland. 'I will build a clinic next door to the hospital,' he said. Today, of course, the Markland Cottage Hospital has long since closed and now it is up on public tender. That is the kind of empty political rhetoric that the people in Markland had to listen to in 1982. They would be satisfied if they were just getting the bare necessities, getting proper maintenance of their road. A terrible accident happened on the Markland road this Summer, Mr. Speaker. A good friend of mine, a young man, a school teacher, was accidentally killed on the Markland road. I was over the Markland road a couple of weeks ago with the highway superintendent out there and there are not even any signs there warning about the narrow bridges and the dangerous intersections. Mr. Speaker, the Minister of Transportation (Mr. Dawe) promised back in May that he would travel through my district with me. He did not do it in June, as he had promised. I kept after him in July, I kept after him in August and September and here it is, Mr. Speaker, November and the minister did not have the nerve to go out and see these people.

MR. SPEAKER (Russell):  
Order, please!

The time for the hon. the member has expired except by leave. Does the hon. member have leave?

SOME HON. MEMBERS:  
No.

MR. SPEAKER:  
I am sorry, leave is not granted.

MR. CALLAN:  
Mr. Speaker, I ask that this petition be placed on the table of

the House and referred to the department to which it relates.

MR. NEARY:  
Mr. Speaker.

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

MR. NEARY:  
Mr. Speaker, no wonder the Minister of Transportation (Mr. Dawe) would not allow my colleague leave to carry on with his few remarks in support of this petition. The hon. gentleman is too ashamed to allow my colleague to carry on the way he has mistreated and the way he has used his department for political reasons, for partisan political purposes in this Province. My hon. colleague is wondering out loud why the people in Markland cannot get anything done with their roads. This marks eight, nine or ten petitions they have presented to this hon. House and they have to go around door to door and solicit names. Well, Mr. Speaker, the answer is obvious if we look at the statement the Minister of Transportation made earlier this year that no Liberal district was going to get any work, any projects as long as he was minister of that department, and the Premier condoned that. A blatant violation of the new Constitution of Canada! Mr. Speaker, we all know it is going on, but in his stupidity and arrogance the Minister of Transportation came out openly and said it, told the people all over the Province, 'If you do not vote Tory you do not get anything.'

MR. TOBIN:  
Who said that?

MR. NEARY:  
The Minister of Transportation, The arrogant minister from St. George's who has been delegated



the authority to try to get a bit of support in my district and spends more time in my district than he does in his own.

MR. TOBIN:

He is doing some job, I will tell you that.

MR. NEARY:

Yes, he is doing some job all right. He should have been down with me and my colleague on the weekend when they were talking about the road to the gold mine and the hon. gentleman would have seen what kind of a job he is doing. But we will have more to say about that later on. But, Mr. Speaker, the Premier has not reversed that statement that was made by the Minister of Transportation (Mr. Dawe).

PREMIER PECKFORD:

He is getting nervous now.

MR. NEARY:

No, I am not. Mr. Speaker, any time that the Premier wants to pull the plug, I would be glad to have him down there if he wants to come down. He is after sending down a couple of his flunkies. He sent down a couple of flunkies and they were sent back with their tail between their legs. Now if the hon. gentleman wants to come himself, well, I would be glad to accommodate him. Mr. Speaker, I would be glad to accommodate the hon. gentleman any time he wants to intrude in LaPoile district in an election.

But, Mr. Speaker, instead of playing little partisan political games, what the Premier should do is rectify that statement, the damage that was done in that statement by the Minister of Transportation (Mr. Dawe) that did the hon. gentleman and his administration no good. It did not do them any good, Mr.

Speaker. All it did was show how arrogant and dictatorial they are. The hon. Minister of Transportation is so narrow-minded and so bigoted and so prejudiced, Mr. Speaker, that he would not dare do anything about the road to Markland. He is too politically bigoted, he is too much of a political bigot, Mr. Speaker, and too arrogant, and that is why my hon. friend is thinking out loud, why cannot the people of Markland get anything done with their road? Well, all you have to do is go down to the head of Bay d'Espoir and my hon. friend will find out about roads, Mr. Speaker.

MR. SIMMS:

You should have run for the leadership, boy, you would have won it.

MR. NEARY:

But anyway, Mr. Speaker, I am happy to support the prayer of this petition and I believe now that I might have motivated the arrogant, partisan Minister of Transportation to get out of his seat and say something. But what the hon. gentleman should do when he gets up is cut out the arrogance and the political rhetoric and address himself to the prayer of the petition and tell the people in Markland whether or not he is going to improve their road, and whether he is going to recap the road between Port aux Basques and Rose Blanche down on the Southwest corner of the Province. That is what the hon. gentleman should do, and cut out the silly, foolish nonsense that is only getting the hon. gentleman in hot water.

MR. SPEAKER (Russell):

Order, please! The time of the hon. member has expired.

The hon. Minister of Social

Services.

MR. HICKEY:

Mr. Speaker, I wish to present a petition on behalf of some 738 residents of the districts of Mount Scio -

MR. YOUNG:

Oh, who is the member?

SOME HON. MEMBERS:

Hear, hear!

MR. HICKEY:

- Mount Scio and the district of St. John's East Extern. Mr. Speaker, the prayer of the petition is as follows: "A) Whereas the Province annexed the area known as Airport Heights to the City of St. John's, we the undersigned petition hon. members to require the City of St. John's to treat recently expanded areas fairly with respect to levels of taxation and levels of service, specifically that the Province, having recognized the lack of water and sewer and the significant personal investment in private water and sewer systems in expanded areas such as Airport Heights annexed to St. John's by the Province, order or otherwise ensure that the City of St. John's applies an acceptable special property tax rate reduction to areas in the city not serviced by water and sewer pursuant to the recent amendment to the St. John's Assessment Act proclaimed on July 13, 1984.

"B) That the Province arbitrate or otherwise amend legislation to ensure the proper method to calculate the value of the tax rate reduction is used such that all city water and sewer costs, including interest, overhead and maintenance, are factored when determining the reduction of its effective date.

"C) That the Province advise the City of St. John's of the city's responsibility with respect to the following services to ensure that expanded areas are treated fairly and receive a level of service on a par with established areas, such as water and sewer, busing, fire protection, street maintenance, snow-clearing, street lighting, recreational services and capital spending.

"D) That the Province advise the city that in addition to operating grants assistance provided to the city via road grants, level of welfare grants, population grants, tax incentive grants, the Province will give serious consideration to cost-shared capital funding requests made by the city on behalf of the expanded areas, including road improvements, water and sewer servicing and a recreational facilities."

Mr. Speaker, this administration very deliberately amended the St. John's Assessment Act during the past year specifically to address this question of the imposing of taxes on areas taken into the city which do not have full services. We did that, Mr. Speaker, with the interest of justice and fair play in mind. It seems that the city has not paid attention to that although I am sure they are aware of it.

Also, Mr. Speaker, I would like to say via this House to the Mayor of St. John's, who yesterday said that Airport Heights was forced on the city, that he had better check his facts. The fact of the matter is, Mr. Speaker, the Mayor of St. John's has been going all over earth's acre trying to take more areas in and indeed wanted an expanded city, got an expanded and has been offered assistance by this government. So when we amended the Act, Mr. Speaker, we

took that initiative in the interest of providing some fair and just treatment to those people.

Mr. Speaker, I support this petition. I have been involved in this, indeed, throughout the whole issue of boundary expansion and I ask my colleague, the Minister of Municipal Affairs (Mr. Doyle), whom I know has already had discussions with the city, to continue those discussions and if he cannot get the city by way of request to apply some fairness and justice to the people of Airport Heights, that, in fact, he read the law to the city and demand that they follow it and act accordingly.

Mr. Speaker, I have much pleasure in presenting this petition.

MR. SPEAKER (Russell):

The hon. Leader of the Opposition.

MR. BARRY:

Mr. Speaker, I would like to speak in support of this petition. The District of Mount Scio is part of the area that will be affected but there are other areas as well. This is mainly the Airport Heights area of the city which, for my district, covers Firdale Drive, Penetanguishene, Belair Park and Portugal Cove Road area, but there will be families on the Thorburn Road area of the city who are affected as well. They are having higher taxes imposed and they are not receiving the services. They knew that at the time, they knew there was that concern, that risk, and they objected strenuously to being taken into the city. In an attempt to alleviate their concerns, I pushed very strongly and government responded with the amendment to the City of St. John's Act. Now that amendment, Mr. Speaker, by law requires the City of St. John's to impose reduced taxes. That is a matter of law. Now the problem is, Mr.

Speaker, that the amount by which this deduction will take place is not clearly set out in the legislation. Since that is not precisely set out it will fall upon the Minister of Municipal Affairs and Housing (Mr. Doyle), and government generally, to keep the pressure on City Hall to ensure that the reduction in their taxes equitably reflects the lack of services for the people in this area.

I should mention that the member for LaPoile (Mr. Neary) is a constituent of mine living in that area and has signed the petition being presented by the minister. I would like to refer to the letter by Mr. Charles Bown which was contained in The Evening Telegram there a couple of weeks ago. I think he puts forth a very reasoned and a very forceful argument as to why the people in these areas deserve special consideration because through no doing of their own their taxes have escalated enormously but they have not seen no increase in services.

Now the city, of course, Mr. Speaker, says that it has difficulty in meeting the funding needs that would be required in order to expand its services. And I am very interested to see the minister on his feet speaking in support of the petition, because part of the petition, as I understood it, was that they call upon government to supply aid to the city to meet the capital expenditures which may be required in this area.

Now I call upon government, too, and I ask the minister to ensure that his colleagues in Cabinet listen to him when he pushes for this. And it should be pointed out, Mr. Speaker, that it was government's doing that brought

the people of this area into the City of St. John's and these people deserve now to have government protect them and help them in their fight with City Hall to ensure that they get the services.

MR. NEARY:

We were forced in.

MR. HICKEY:

The city wanted it.

MR. NEARY:

No, the City did not want us, they did not. Your colleague wanted the Industrial Park for Mount Pearl.

MR. BARRY:

The City of St. John's, Mr. Speaker, wanted certain areas, but what the City of St. John's ended up losing the area with a good tax base, the Industrial Park at Donovans-

MR. NEARY:

That is right.

MR. BARRY:

-which went to Mount Pearl because the Minister of Development (Mr. Windsor) wanted it so. The City of St. John's lost that and ended up with areas which did not have the tax base that would provide the revenue to permit servicing. So government should give special recognition to the City of St. John's because of this. Because they brought that area into the city, they should specifically earmark certain grants that go from government to the city to ensure that this area of both our districts gets services, but in the meantime government must fight to ensure that the taxes are reduced significantly to reflect the lack of services.

MR. HICKEY:

We voted \$9 million.

MR. SPEAKER (Russell):

The hon. Minister of Municipal Affairs.

MR. DOYLE:

Mr. Speaker, I would like to make a few comments on this petition that was presented by the member for St. John's East Extern (Mr. Hickey), and I think it would be appropriate, Mr. Speaker, for me to make a few comments because the Airport Heights Committee was in my office and met with me just a few days ago and indicated that they had a petition in circulation and would be presenting it through the member for St. John's East Extern to the House of Assembly.

Incidentally, I should mention as well, Mr. Speaker, that these same concerns have been brought to my attention on a couple of different occasions by the member for St. John's East Extent (Mr. Hickey) since I became Minister of Municipal Affairs. However, at that meeting, Mr. Speaker, with the Airport Heights committee a couple of days ago, I indicated to the committee that I would on their behalf contact city council in an effort to determine when this particular tax relief and this tax concession might become operative. And on the same evening, Mr. Speaker, that I met with the Airport Heights committee, I also instructed my officials to draft a letter to the St. John's City Council outlining the concerns that had been expressed to me on that same day by the Airport Heights committee. The committee also informed me, incidentally, Mr. Speaker, that they have been in touch with the city as well on this particular issue and they have presented a brief to city council and they have also spoken to individual councillors on the matter as well in order to get some tax relief in this regard. Now the committee, in the prayer of the petition as I

understand it, Mr. Speaker, is asking that the government ensure that the St. John's City Council apply an acceptable special property tax reduction that was, incidentally, the subject of legislation which as my hon. friend indicated a moment ago, was proclaimed on July 13 of this present year. So, Mr. Speaker, what I am trying to say is that the mechanism has already been put in place by this government, by my predecessor as the Minister of Municipal Affairs (Mrs. Newhook). In bringing in this amendment to the St. John's Assessment Act I would imagine that the St. John's City Council will be initiating some form of tax relief to the residents in the Airport Heights area, and not only the residents in the Airport Heights area but also other areas of the city that this special tax concession might apply. In any event, Mr. Speaker, I have a copy of that letter which I sent to the St. John's City Council a couple of days ago and I would like to read it into the record. It said, "I met with a committee representing the residents of Airport Heights who are going to present a petition signed by approximately 730 people requesting a reduction in the real property tax payable to that area. The St. John's Assessment Act was amended in 1983 to provide as follows: 'The council shall annually fix, establish, and impose special reduced rates of real property tax applicable to buildings in the city to which water and sewer mains or both are not accessible for servicing such buildings with water service or sewer service or both.' The aforementioned amendment to the St. John's Assessment Act was proclaimed on July 13, 1984. I am aware that the council was required by the said act to fix its tax rates by December 15 in the proceeding financial year. I

should therefore appreciate your assurance that the council will be considering the implications of the legislation when setting up its tax rates for 1985."

So in view of the fact that the council do have to set its tax rate by December 15 of the previous year, I am assuming that they will be giving the residents of Airport Heights that tax concession that they are looking for. Hopefully before too long, Mr. Speaker, City Council will be responding to my letter on behalf of the committee on the 400 householders and the 40 businesses in the Airport Heights area. So I can, Mr. Speaker, in one regard, offer to my colleague some assurances that the matter is being dealt with and hopefully the city will be responding in the next few days to the letter that I have circulated. I gladly, Mr. Speaker, accept this petition and will continue an open dialogue with the City of St. John's in that regard.

MR. BARRY:  
Mr. Speaker.

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

MR. BARRY:  
Before the minister sits down, I wonder if the minister would permit a question?

MR. DOYLE:  
Sure.

MR. BARRY:  
In the event that the City of St. John's does not respond to the petition and does not reduce the taxes, would the minister consult with his colleague, the Minister of Justice (Mr. Ottenheimer), with a view to determining what legal action might be taken against the city in order to ensure that the



law which was laid down by this House of Assembly has been followed?

MR. SPEAKER:

The hon. Minister of Municipal Affairs.

MR. DOYLE:

Mr. Speaker, that is a hypothetical question and I really do not want to respond to it. I would prefer to continue an open dialogue with the city in this regard, and hopefully within the next couple of days the city will be responding to the representations that I have made on behalf of the people of the Airport Heights area. The legislation is in place and I have not been given any indication by the City of St. John's that this legislation is not going to be followed and adhered to, so I would prefer to assume at this point in time, Mr. Speaker, that the city will be responding in a positive manner in the not too distant future.

#### ORDERS OF THE DAY

Motion, the hon. the Minister of Justice to introduce a bill, "An Act To Amend The Motor Carrier Act", carried. (Bill No. 36)

On motion, Bill No. 36 read a first time, ordered read a second time on tomorrow.

Motion, the hon. the Minister of Justice to introduce a bill, "An Act To Remove Anomalies and Errors In The Statute Law", carried. (Bill No. 2)

On motion, Bill No. 2 read a first time, ordered read a second time on tomorrow.

Motion, the hon. the Minister of Health to introduce a bill, "An Act To Amend The Dispensing

Opticians Act", carried. (Bill No. 7)

On motion Bill No. 7 read a first time, ordered read a second time on tomorrow.

Motion, the hon. the Minister of Labour to introduce a bill, "An Act Respecting The Department Of Labour", carried. (Bill No. 49)

On motion Bill No. 49 read a first time, ordered read a second time on tomorrow.

Motion, the hon. the Minister of Labour to ask leave to introduce a bill, "An Act To Amend The Labour Standards Act", carried. (Bill no. 37)

On motion Bill No. 37 read a first time, ordered read a second time on tomorrow.

Motion, the hon. the Minister of Consumer Affairs And Communications to introduce a bill, "An Act Respecting The Department Of Consumer Affairs And Communications", carried. (Bill No. 43)

On motion Bill No. 43 read a first time, ordered read a second time on tomorrow.

Motion, the hon. the Minister of Consumer Affairs and Communications to introduce a bill, "An Act Respecting Collection Agencies And Collectors", carried. (Bill No. 38)

On motion Bill No. 38 read a first time, ordered read a second time on tomorrow.

Motion, the hon. the Minister of Career Development and Advanced Studies (Mr. Power) to introduce a bill, "An Act Respecting The Department Of Career Development



And Advanced Studies," carried.  
(Bill No. 42).

On motion, Bill No. 42 read a first time, ordered read a second time on tomorrow.

Motion, the hon. the Minister of Career Development and Advanced Studies to introduce a bill, "An Act To Provide For Payment Of Financial Assistance For Students Attending Post-Secondary Educational Institutions," carried. (Bill No. 35).

On motion, Bill No. 35 read a first time, ordered read a second time on tomorrow.

Motion, the hon. the Minister of Career Development and Advanced Studies to introduce a bill, "An Act Respecting The Establishment And Operation Of The Institute Of Fisheries And Marine Technology," carried. (Bill No. 39).

On motion, Bill No. 39 read a first time, ordered read a second time on tomorrow.

Motion, the hon. the Minister of Public Works and Services (Mr. Young) to introduce a bill, "An Act To Provide For The Calling Of Tenders For The Execution Of Public Works And The Acquisition Of Goods And Services By Government Funded Bodies," carried. (Bill No. 40).

On motion, Bill No. 40 read a first time, ordered read a second time on tomorrow.

Motion, the hon. the Minister of Public Works and Services to introduce a bill, "An Act To Provide For The Calculation And Consideration Of The Provincial Content Factor In The Awarding Of Tenders By Government Funded Bodies," carried. (Bill No. 41).

On motion, Bill No. 41 read a

first time, ordered read a second time on tomorrow.

MR. MARSHALL:

Order 5, Bill No. 18.

MR. SPEAKER (Russell):

Debate on this bill was adjourned yesterday by the hon. the member for LaPoile (Mr. Neary).

The hon. the member for LaPoile.

MR. NEARY:

Mr. Speaker, just to recap what I said yesterday - I do not know if the hon. the minister was listening, maybe he was and maybe he was not - I thought I made some very significant points with regard to the Baie Verte situation. I expressed a desire and a hope that it would not be ignored, that the monitoring that is necessary will be done in future and that Dr. Silikoff will come back to this Province and do his follow-up report. I also ask that the Edstrom report that was paid for by Workers' Compensation be tabled in this House or be made public, or at least be given to the people who are concerned about the asbestosis problem in Baie Verte. Mr. Speaker, there is a situation also in Labrador City that has to be addressed and a situation in the Buchans mine. Buchans is about ready to pull out and I hope that the minister will not allow American Refining and Smelting to withdraw from this Province and give up any obligation that they may have to look after any of the employees out there who may suffer from miner's lung. And, Mr. Speaker, I would like to get an updating on the situation in Labrador City with regard to the dust problem.

And perhaps the hon. gentleman can tell us in a general way when he is closing the debate just how

successful the Occupational Health and Safety Division has been in establishing the committees that have to be set up where you have hazards, and how many instances we have had in the Province where employees, or groups of employees have refused to go to work because conditions were hazardous to their health or to their safety.

I know my hon. colleague, the member for Menihek (Mr. Fenwick), is worried about the number of inspectors that they have. This is a concern, Mr. Speaker, and perhaps the hon. gentleman could tell us if there has been any improvement in that situation, if they have increased the number of inspectors in Occupational Health and Safety in recent times, and if they are able to cope with the complaints and the requests, the demands that are upon them.

Mr. Speaker, one other item I would like to draw to the minister's attention is a brief that was submitted in November of this year to the Royal Commission on the Ocean Ranger Marine Disaster. I am sure the hon. gentleman has a copy of that brief from the Newfoundland Federation of Labour, and, if he does, he will notice that there are some excellent recommendations made in that brief.

The Newfoundland Federation of Labour is recommending that the unions be given access to offshore employment registers. I do not know if the hon. gentleman is going to accede to those recommendations. And on page 36, that the union have access to employees aboard the rigs, including facilities for private meetings. I believe that is a worth-while request, Mr. Speaker, and one that the hon. gentleman should look into.

'The Newfoundland Federation of

Labour recommends reasonable employee access to private radio communications with the shore.' That is another reasonable request. The reason this one was raised, by the way, had to do with a matter I brought to the attention of the Minister of Energy (Mr. Marshall) in this Province prior to the Ocean Ranger disaster, when I wrote the minister about the communications problem aboard the Ocean Ranger, when the Captain was forced to resign because he was not allowed to use the radio to communicate a message to shore about the danger that was encountered while transferring fuel oil aboard the Ocean Ranger. The Minister of Energy pooh-pooed that. I am sure that if he had his time back he might have listened to what the former captian of the Ocean Ranger was saying at that time.

'The Newfoundland Federation of Labour is also recommending the development of special rules and arrangements for the certification of offshore bargaining units by the Canada Labour Relations Board or other relevant authority.' The Development of special rules and regulations: Now, Mr. Speaker, we should all know, but I am not sure if we all know or not - certainly the minister should know and I am aware - that these drilling companies and these oil companies are anti-union, they do not want the workers on the rigs organized. There is no doubt about that. I held meetings with the Ocean Ranger crews before the Ocean Ranger sank. Before that tragedy took place, I had secret meetings down in Torbay, I had secret meetings in the Goulds with the crew of the Ocean Ranger, and I tried to convey the information to this House and the present hon. Minister of Energy (Mr. Marshall) pooh-pooed the idea. I was accused of being an

alarmist and I was this and I was that. Well, Mr. Speaker, these crew members were aware that a pending disaster was looming on the horizon. They were aware of that.

I put them in the hands of a couple of union organizers, I tried the best I could to try to get them organized. They were afraid to be identified, that is the reason we had to have secret meetings, because if it were ever found out that they were talking to me or some labour organizer they would all be fired. These companies are anti-union, Mr. Speaker. And I do not know why they are fighting the union because, if they had to have the union on board of the Ocean Ranger that disaster may not have occurred.

They have the union in other parts of the world and, yet the organizers cannot get aboard the rigs, they cannot get access to the employees or the list of employees on these rigs, and they should be unionized, Mr. Speaker.

The Seafarers International Union have done an outstanding job. And the hon. gentleman who is over there making a snarky remark now, one of the companies that he represented fought the union tooth and nail, Crosbie's Offshore Services.

MR. BARRETT:  
(Inaudible).

MR. NEARY:  
Well, the hon. gentleman was connected, directly or indirectly.

MR. TOBIN:  
Were you ever on a rig?

MR. NEARY:  
Yes, I was on a rig.

MR. TOBIN:  
How did you get aboard it, fly or out of a basket?

MR. NEARY:  
I did not try to do what the Premier is attempting to do now, go out and have his picture taken so he can put it in his next little brochure that he is going to distribute in the next election. Saga Communications is arranging a visit for the Premier to the rig. Saga Communications. Why Saga Communications? What is wrong with Mobil or ODECO?

MR. SIMMS:  
How did you get up? Did you go up in the basket?

MR. NEARY:  
Mr. Speaker, I went man-fashion to Mobile and I asked them to arrange a visit for me aboard of a rig.

MR. SIMMS:  
How did you get up? Did you go up in a basket? Physically, how did you get up?

MR. NEARY:  
Mr. Speaker, the Premier has to do it through Saga Communications. And not only that, but it is arranged for the press to go along with them so he can have his picture taken with his arms up in the air. Can you see this in the election brochure, two hands up in the air, frothing at the mouth, wild-eyed, the sun going down over the rig and there he is with his picture on the front cover?

MR. SIMMS:  
We have seen the brochures and he is not on that one.

MR. NEARY:  
Mr. Speaker, what he should do when he goes out, by the way, is take a look at the lifeboats. I heard, and he did not have to tell me, the Husky-Bow Valley gentleman

this morning on radio saying there is no way that you can get people off these rigs, no way you can get them off safely. Helicopters can take them off, he said, and service vessels can take them off, but in the case of an emergency if you have to resort to the lifeboats the indication that the gentleman left is that you are doomed, Mr. Speaker. They still have not resolved that problem. And I commend the Federation of Labour for presenting this brief and drawing attention to the Norwegian regulations and the situation regarding the unions in Norway and on Norwegian rigs, Mr. Speaker. There are a lot of good recommendations in this report. Mr. Speaker, we know now about the lifeboats, that that matter, that problem is still there, it has not been cured. What about Winter drilling? You know, Mr. Speaker, this morning during the Question Period I started to sort of hint at the things that have gone on in this House in the last three or four years. The Premier demanding a corridor across the Province of Quebec so that we can export our surplus of electricity; asking the Government of Canada to demand a corridor across the Province of Quebec, asking the Government of Canada to force Quebec to re-open the Upper Churchill Falls contract, asking the Government of Canada to do this and to do that, and demanding the Government of Canada stop offshore Winter drilling: Where are all of these demands now? We never hear a peep out of the lapdog now, Mr. Speaker. When was the last time we heard these demands for a full military base and for improved Air, Sea Rescue in this Province? When did we hear them last? We heard them during the federal election campaign and we will never hear tell of them again, Mr. Speaker. That was September 4, in case the hon. gentleman does not

remember. But every day the Premier, in this House and outside of this House, was demanding this and demanding that, demanding control of the fishery, demanding ownership of the offshore, and sometimes supported by my colleague down there from Menihek (Mr. Fenwick). I remember twice he came out and said that the Premier was right. I hope my hon. colleague does not stop demanding these things because obviously the Premier has stopped demanding them now that he no longer has to play his partisan political games, Mr. Speaker.

MR. WARREN:

Ask him if he supports low flying aircraft in Labrador?

MR. NEARY:

I do not know whether he supports low flying aircraft in Labrador or not, but the hon. gentleman would do well to heed the recommendations that have been made by the Newfoundland Federation of Labour. 'The negligent operating procedures which led to the loss of the Ocean Ranger,' they say, 'and its crew are also typical of the industry's conduct in Occupational Health and Safety matters. The Federation compares Canada unfavourably,' they say, 'with Norway, which has established a new regulatory system in the wake of the Alexander Kielland disaster in the North Sea in 1980. It is a brilliant report, Mr. Speaker, and one the hon. gentleman should pay attention to.

Now, Mr. Speaker, let me come to a couple of the items in the bill itself. The administration is going to transfer to Occupational Health and Safety, The Regulation of Mines Act authority to make regulations respecting the health and safety of workers in the mines of the Province. Well, I believe

yesterday I commented on that and I remarked that I thought that all safety and all occupational health matters should be under one umbrella. So that will be a good move in as much as it applies to Occupational Health and Safety.

Clause 3 is one that I am curious about, Mr. Speaker, that would permit changes to the funding arrangement between Workers' Compensation and the Occupational Health and Safety Division of the Department of Labour and Manpower. Now let me, first of all, Mr. Speaker, in relation to that particular clause say this to the hon. gentlemen there opposite, that I met recently with a Chamber of Commerce executive in this Province and one of their chief concerns is the large cost to business of Workers' Compensation payments.

Mr. Speaker, I think they have close to tripled in the last couple of years and yet the Workers' Compensation is \$10 million in debt, in the red, overdrawn. I do not think that situation has improved since we last debated it in this House. And, Mr. Speaker, this Chamber of Commerce was questioning the management of the Workers' Compensation Board, questioning the management and the way they were conducting their business. And they were arguing that there was an unfair burden being put on the employers because of the large cost to business in this Province. We have heard complaints from the Board of Trade. It is not that I am sympathetic with everything the Board of Trade says, but I am concerned about what is going on at Workers' Compensation. Mr. Speaker, a year or so ago I talked about mismanagement of that board by the present Workers' Compensation Board. We saw the

Chairman of the Board the other night make an untruthful statement on television. When he was asked if there was any place workers are being trained for other jobs to get them away from dust hazards and the like, what did he say? He said no, there was no place in the world that he knew of where it was happening, yet it is happening down with the mining company in Labrador City and it is happening with the Workers' Compensation Board in Ontario. The Ontario Workers' Compensation Board, Mr. Frank Sammerdack says that such a policy programme exists under their Compensation Board, under their industrial disease and dependents programme. So, Mr. Speaker, maybe the Board of Trade and the Chambers of Commerce have something there when they talk about the incompetence and the mismanagement of the Workers' Compensation Board. If I could get the attention of the Minister of Manpower (Mr. Dinn) for a moment, Mr. Speaker, am I interpreting this part of the act correctly when I say that what the hon. gentleman is asking for is a change so that occupational health can pay for their own studies but the Workers' Compensation will have to collect the fee?

MR. DINN:

They do not pay for all of Occupational Health and Safety.

MR. NEARY

Who will collect the money?

MR. DINN

This will be done by assessment.

MR. NEARY

There would be an assessment put on by the Workers' Compensation Board.

MR. DINN:

For certain things.



MR. NEARY

A further assessment on the employer.

MR. DINN:

Not an additional assessment. Part of the money that is collected through assessment will be set aside.

MR. NEARY:

Well, here is what it says here. "For the purpose of defraying the"

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MR. DINN:

There will be no special assessment.

MR. NEARY:

But, Mr. Speaker, that is not what it says here.

MR. DINN

Well, look, Section 3(a) part.

MR. NEARY:

Section 3, 62(1).

MR. DINN:

Yes.

MR. NEARY:

"For the purpose of defraying the cost of the occupational health and safety unit and the education and research unit of the Division, the Workers' Compensation Commission shall assess employers under the scope of the Workers' Compensation Act, 1983 on behalf of the Crown in right of Newfoundland." Now if that is not going to create an additional burden on employers, I do not know what will.

MR. DINN:

Do you want me to answer that one?

MR. NEARY:

Yes, go ahead and answer it.

MR. DINN

What that does is it removes the

requirement of doing special assessments. That is what it does. That is all it does.

MR. SPEAKER (Aylward):

The hon. member for LaPoile.

MR. NEARY:

It removes the -

MR. DINN:

- requirement for the Commission to levy special assessments.

MR. NEARY:

But, Mr. Speaker, in order for the Occupational Health branch to get the money to do the studies it has to come from an assessment put on the employer by Workers' Compensation.

MR. DINN:

From the assessment that is applied, yes.

MR. NEARY:

Well, that is not what it says here. They can increase their assessment to accommodate Occupational Health if need be.

MR. DINN:

Well, certainly. Should they not pay for studies, etc., like the one that was done in Western Labrador?

MR. NEARY:

Mr. Speaker, the study that was done in Western Labrador was supposed to be cost-shared, as I understood it, by the union and by the company and by the government.-

MR. DINN

It was, yes.

MR. NEARY:

But there were only two parties contributed to the study.

MR. DINN:

The union did not pay.



MR. NEARY:

But in the meantime, Mr. Speaker, I can see how this can further irritate and aggravate an already aggravated situation between the Workers' Compensation Board and the employers of this Province, who argue that the cost of the Workers' Compensation, their contributions, create too much of a large cost to their businesses, Mr. Speaker. And from some of the figures that I have seen, and I do not have them here with me, I think some of the small businesses are justified in their complaints. And they are within their rights to question the management of that board.

Now, Mr. Speaker, "The amounts and manner of the assessments made under subsection (1) may be prescribed by regulation." I do not know if the minister can indicate how quickly he intends to proceed with the regulations under this act.

Assessments collected by the Workers' Compensation Commission under subsection (1) shall be paid over by the Commission to the Consolidated Revenue Fund of the Province."

"The minister may pay, out of the assessments made under this section, an annual grant to any association established to promote occupational health and safety in the Province."

MR. DINN:

We do it now. The St. John Ambulance, the Safety Council, etc, they receive funds.

MR. NEARY:

But they are being paid out now under a different auspices, under various departments. So the minister now will take over the issuing of assistance to these associations.

MR. DINN:

No, I do that now.

MR. NEARY:

You do it now.

MR. DINN:

It is just the process is changed.

MR. NEARY:

So, Mr. Speaker, apart from that, these are the principle changes in this bill, and we are not going, as I indicated yesterday, we are not going to vote against this bill but we do want additional information along the lines of the questions that I put to the minister yesterday and today. I do not know if any more of my colleagues, Mr. Speaker, wish to speak on this or not. The member for Menihek (Mr. Fenwick) is not in his seat. I am sure if he were here he would want to speak on this, Mr. Speaker. How much time do I have left? I might carry on for a few more minutes to allow the member for Menihek to get back in his seat. How much more time do I have, Mr. Speaker?

MR. SPEAKER (Aylward):

Twenty minutes.

MR. NEARY:

I am interested in hearing what the member for Menihek has to say about these matters, Mr. Speaker, because the member for Menihek has had exposure now to the employees and discussions with the unions in Labrador City and in Wabush where there is a severe health hazard resulting from the dust. Mr. Speaker, I would be remiss in my responsibilities and my duties if I did not hold the fort, and if the member for Menihek is within listening distance of my voice, would he please come back to his seat? The member for Menihek please come back to his seat so that I can take my seat. I have said about everything I want to

say about this bill. I have re-enforced what the member for Menihek (Mr. Fenwick) said about the lack of inspectors. Mr. Speaker, I will now take my seat and look forward to what the member has to say and any answers that may be given by the minister.

MR. SPEAKER (Aylward):

The hon. member for Menihek.

MR. FENWICK:

Mr. Speaker, I thought there were a few certainties in this life and one of them was that the member for LaPoile (Mr. Neary) would take the amount of time that was allotted to him. I apologize for not being in the House when he finished.

There are a couple of specific items that I would like to address to the minister about this particular piece of legislation, and it less about the legislation than about the comments he made yesterday about how finally his government department is running and how well we are instituting all of the things we are in occupational health and safety.

One of the things that I should admit at the beginning is that the legislation is not bad. In terms of comparisons with what exists in other provinces, with what exists in other jurisdictions, it is a reasonably solid piece of legislation, and if it were enforced, I would suggest that we would have probably as good a situation as we possibly could have. But it is the enforcement factor, I think, that is causing some real concern here.

Just before I expand on that, there are a number of things. There was a lot of comment about the dust study in Labrador West. My understanding at this point is that there are still a significant number of valid recommendations in

that dust study that have not been implemented up until now. The minister shakes his head, but that is the information that I have from the people who are directly concerned with it. So we will gladly get together and see how we can implement the ones that he thinks are implemented and that we know are not implemented.

One of the things that is a problem in Labrador West, and I just put it in as an aside because it is really an example, I think, of how good plans sort of fall down in execution, and that is you are required as a miner to take a X-ray once a year in order to continue working for the company that you work for. There is a major problem in Labrador West in that there is no X-ray machine around that is capable of doing the kinds of work that is required. This is a very simple matter, but as it stands now the medical facilities are not up to even complying with what the legislation asked for.

MR. WARREN:

That is nothing unusual for Labrador?.

MR. FENWICK:

To get back to the major criticism I made yesterday, which is about inspection, my information, which, by the way, comes from the workers concerned, not from the employers and so on, is that in terms of inspection the inspection staff that is out there now is hard pressed to meet even the minimum obligations under the legislation. In some instances they cannot even inspect a particular elevator or a particular boiler on the once a year basis that is required. Part of it is the lack of inspectors, but part of it is also empire building in the minister's department. There are inspectors

in various departments and various sections of his department all of whom are highly specialized, but with a small bit of additional training they would become capable of examining different kinds of devices and making sure that they could inspect them on a more reasonable basis. Unfortunately these little empires have been allowed to build up, and as a result we are not getting really performance for the money that we are paying for these inspectors themselves.

But I think the major criticism that I do have on the occupational health and safety legislation is the Provincial Government as an employer. If we had to look for the employer in the Province who has complied least or has complied the worst with that particular piece of legislation it would be the Provincial Government as employer. From my information I single out the Department of Transportation and Communications, which has evidentially done an excellent job in setting up the joint committees that are required under this legislation. But other than that government department the other government departments have been woefully inadequate in putting together in each job site the particular committees that are required under this legislation. I cite specifically the Department of Rural, Agriculture and Northern Development.

MR. WARREN:

There is nothing unusual about that.

MR. FENWICK:

Some parts of their operations do have the committees in place, many others, located all over the city and over the Province, do not have these committees in place right now. Forestry: they have several committees, but a lot of their

work locations have nobody in there whatsoever. The Department of Finance, and I admit it is not a high risk area, has no committees whatsoever. All the other departments also have a degree of deficiency as well. But the point I am trying to make here is that if the government does not believe in its own legislation, I cannot see how it has the moral authority to go and talk to other employers and tell them that they in turn should put their committees together in order to enforce the particular piece of legislation.

Another part of the problem with the provincial government is Public Works. If a hazardous condition is identified it sometimes takes up to a year and a half in order to put good those particular problems. I know there is a bureaucracy that has to be dealt with here but surely if these conditions are hazardous to a person's health they should be looked after a little bit more quickly than that.

And finally, because I do not want to take all of the time that I have available, there is the actual committee itself that we are talking about under this particular piece of legislation. Information I have received from members who have been on the committee indicate that for a period of a year and a half that this committee never met.

MR. DINN:

Is that Western Labrador?

MR. FENWICK:

No, this is the provincial committee. The provincial committee never met. It was without sufficient members in order to meet and it is only within the last couple of months that it has been reconvened and is

actually starting to do its work again.

MR. DINN:

What committee are we talking about?

MR. FENWICK:

The provincial committee.

MR. DINN:

What provincial committee?

MR. FENWICK:

The one here, the Advisory Committee.

If that is an indication of the priorities the government now places on this council and on the committee and on the legislation, then I think we have a long way to go. As I said before, my comments are primarily that the legislation is good but we are really not enforcing the legislation in such a manner as to get the best protection for the workers of the Province.

Thank you very much.

MR. RIDEOUT:

Mr. Speaker.

MR. SPEAKER (Aylward):

The hon. the Minister of Culture, Recreation and Youth.

MR. RIDEOUT:

Mr. Speaker, I would like to have a few words on the amendment to The Occupational Health And Safety Act that we have been debating the last couple of days, particularly, I suppose, Mr. Speaker, because I have an extreme interest in this piece of legislation. I think I can say in all humility that I had a lot of input into the original piece of legislation that went through this House. It was passed through this House five or six or seven years ago or whenever it was.

MR. WARREN:

You were on this side then.

MR. RIDEOUT:

That is true, Mr. Speaker. I mean, that is a fact of history I do not have any problem with that. I supported it then and I made of number of requests for amendments to the legislation that was accepted by the then Minister of Labour, the then member for Labrador West. I have no hesitation in saying that we cooperated very, very well, both sides of the House, myself and the minister, in drafting that original piece of legislation. It was an extremely good piece of legislation, there is no doubt about that, and it has worked well. It is good that we are bringing in the amendments that we are bringing in today. Now I have a couple of concerns relative, I suppose, to some remarks made yesterday and today by the member for LaPoile (Mr. Neary) and I want to address those because I do not have to take a back door to anybody, Mr. Speaker, when it comes to articulating concerns relative to industrial disease. We have that potential problem in Baie Verte, we know we have it, we have lived with it for the last twenty-odd years, and we do not know yet, Mr. Speaker, what the potential consequences of that living is, we do not know. We are working in an environment which makes it very hard to say, because of the latency period, what the consequences of that really is. Most of the experts, whether Dr. Silikoff or Dr. Edstrom or Dr. Anderson or Dr. Anybody, agree that the latency period for asbestos related diseases is approximately twenty years. Now that operation has been in existence for over twenty years, with the exception of the year or year and a half when it was closed down when they were changing

operators, so if the experts are right we should sort of now be at the stage where we should soon begin to see whether there is any potential problem. We believe there is a potential problem, the Workers' Compensation Board believes there is a potential problem, the union and the workers believe it, the government believes it, and we have tried to put in place as best we can through this legislation and other efforts, a contingency plan so that if there is a problem we can deal with it. We tried, particularly through the efforts of the union and the former operators, to make that work place as safe as technology will allow. And I think the union will admit, and I know they will admit because they have admitted, and the operators will admit and government will admit that over the last several years, principally as a result of the efforts of the union, there has been great strides made in that particular operation in making it technologically safe. There is no doubt about that, but that does not take away, Mr. Speaker, the other potential problem that lies lurking there. And I heard the member for LaPoile (Mr. Neary) yesterday saying, you know, do we have another St. Lawrence? Do we? Nobody knows. We have a potential problem, but how great the problem is going to be none of us really know. What we have got to try to do is use our best efforts to make sure that every reasonable effort is taken to minimize the problem, to minimize the dangers, and I think in a large measure that has been done.

I want to address in particular a few of the comments made yesterday, principally, I suppose, as they related, and probably it was timely, to the CBC report a couple of nights ago on On Camera

which again went into the Baie Verte issue, which was sort of lying low for the last several years but now it seems to have gotten a high profile again. I say quite candidly there is nothing wrong with that. In fact, it is good that there be public attention focused on the potentialities of the problem that might exist at Baie Verte.

But I want to get into some of the detail that was mentioned yesterday. Principally I want to talk about, first of all, the Edstrom-Silikoff-union problem that the member for LaPoile (Mr. Neary) referred to yesterday. And, Mr. Speaker, the story behind that is first of all the mine was down, the operation was closed when this particular study was supposed to be done, the \$300,000 study that the member for LaPoile talked about yesterday. What happened here was Dr. Silikoff recommended in his 1976 report that there be a follow-up study done in about three years, so it should have been done in about 1979. It is kind of interesting, however, to note that one of Dr. Silikoff's associates, who happened to be part of the study in Baie Verte in 1976, a Dr. Anderson I believe his name is, has said in writing that in his opinion there is no need for a further formal study until such time as there are some cases of pneumoconiosis or asbestosis or mesotelioma, or any of those asbestos related diseases, go on record. He has said so and indicated in writing that he does not see any need for another study until there is some evidence that the problem is occurring. However, I really do not accept that, government does not accept that, and consequently we tried to put the study in place again. All we did was invite Dr. Silikoff to come back in and do a further



study - we invited him to come back in. The union agreed with that, the Workers' Compensation Board agreed to fund him, there was no problem with that. At the same time, the Workers' Compensation Board had asked Dr. Edstrom, who in his own right is an authority and a world-acknowledged expert, not only in Newfoundland, in asbestos related diseases, the Workers Compensation Board in their own right had asked him if he would go to Baie Verte and do a study for them on what the potential problem might be that the Board might face. Now, to make sure that is clearly understood, Mr. Speaker, Dr. Edstrom was asked by the Workers Compensation Board to go to Baie Verte to do a study on what the potential problem might be that the Board might face, the disaster, if there was going to be disaster, how the fund should be set up to take care of it - a whole range of things Dr. Edstrom was asked to do.

At the same time, it was drawing near the time for the follow-up Silikoff report, so the two were asked if they would co-operate. Dr. Silikoff was not asked to come to Newfoundland and work under a local doctor, some Newfoundland doctor who, because he is a Newfoundlander, might not be as expert as the man from New York or anything like that. He was not asked to do that. They were asked if the two could co-operate, if they could share, for example, the same questionnaire that would go out to the miners, if they could share the medical evidence, the X-ray technology, the X-ray data. That is what they were asked to do and Dr. Silikoff did not want to do that, perhaps for very good reasons - I do not know, I am not questioning his reasons - neither did the union want that to happen, so consequently, the \$300,000

Edstrom study that was referred to yesterday was never a \$300,000 study, it was never done.

There was some work done by Dr. Edstrom that the Workers' Compensation Board asked him to do.

MR. NEARY:

And what did that cost?

MR. RIDEOUT:

I do not know. Perhaps the minister knows but I do not know how much it cost. But there was some work done by Dr. Edstrom, the narrow work that the Workers' Compensation Board asked him to do for their purposes, so that they would have some idea of what they might be facing in the long term as a result of the exposure to asbestos in Baie Verte. So that is the story on that, Mr. Speaker. It was not that Dr. Silikoff was told that he had to come in and work under a Newfoundland doctor or be ordered around by a Newfoundland doctor or take orders from a Newfoundland doctor, that was not it at all. What they were asked to do was co-operate on the questionnaire and to share the information from the miners' medicals and the X-ray data. That was not accepted, as I said, and perhaps for very good reason, I do not know, and I am not questioning the reason why it was not accepted.

I will say this, though, Mr. Speaker, that the doctors in Baie Verte, through the Workers' Compensation Board, had been sent away and trained to read X-rays under ILO standards, standards that are accepted the world over. Since the Silikoff report, traditionally the local doctors in Baie Verte who do the miner's medicals, and there is one doctor pretty well assigned to that task and that task only, have been sent away and trained to read the

miner's medicals using ILO standards, and that training paid for by the Workers' Compensation Board. Not only that, but the Workers' Compensation paid for the installation of the best X-ray equipment that is available to mankind in Baie Verte and it is there in the hospital today, paid for by the Workers' Compensation Board and the doctors are trained to read the results of those X-rays to ILO standards. The union is represented on the Board of Directors of the Baie Verte Hospital so they have a daily input, a day to day input, and if there is any problem from a medical point of view at the hospital, then the union is on top of it on a daily basis. So I just want to make those comments because I think, Mr. Speaker, to leave the kind of impression that can be left in wide open debate that might have been left here yesterday, that there is nothing being done, there is nothing happening and somebody did not come in because somebody was getting their nose out of joint in Newfoundland and that kind of stuff, that is not correct. These are not fact and it should not be left like that. The other thing I want to mention is the figures that were thrown out here yesterday. Twenty former miners, twenty former people who worked at Baie Verte mines, Advocate mines up until a year or so ago, have died, it was said. Seventeen of them, it was said, died because of cancer. Now, Mr. Speaker, as of fifteen or twenty minutes ago there has not been a claim, not one claim made to the Workers' Compensation Board of this Province in this regard. The Workers' Compensation Board - and I am not defending them, I will be the first to knock them if they are not doing their job - but they cannot do anything unless somebody makes a claim. I understand that

there are two enquiries in the mill now being analyzed by the Workers' Compensation Board medical team. What do you say? I mean, you know, you close the barn door after the horse is out but what can you do? The fact of the matter, the reality is that we live in that kind of environment and that kind of situation and we have been trying through all our efforts, union, management and government to make it as technically safe as possible. But if there is any evidence that somebody who was a former employee of that operation died because of asbestos related diseases, then the Workers' Compensation Board will pay the appropriate compensation to the families. But they cannot do that unless somebody files a claim. You cannot guess it. Now that might sound brutal and cruel and one can be accused of everything for saying that but, I mean, how can you guess it? Somebody has got to initiate it. We amended the legislation in this House only two or three or four years ago to make asbestos related diseases compensable. It was not in the legislation three, four or five years ago but now it is and it is within the mandate of the Workers' Compensation Board to compensate the victims and the family of the victims if there are any, but as of today we do not have any claims. So, you know, it is a two-way street. I would assume, Mr. Speaker, living in 1984, that a correct assumption is that when anybody dies in hospital there is a report filed, there is an autopsy or there is something medically done to indicate the cause of death. If there is any evidence that the cause of death was an asbestos related disease, then the legislation is there, the mechanism is there for compensation. So to throw out figures like was done here

yesterday, while there is nothing wrong with that, but you have to put it in context. Somebody has got to initiate a claim to the board. The board just cannot take action unless somebody initiates a claim, is what I am saying. I am not defending them, but everybody knows that is sensible and reasonable and that is the reality of it all.

So that is the story on that. As of today there have been no claims, Mr. Speaker, made to the board for deaths from asbestos related diseases at Baie Verte. That is not to say there will not be any. It is not to minimize the potential of the problem that we are facing out there. I am one of the 1800, Mr. Speaker, who passed through the gates of that mine. I worked there. I worked there for three or four Summers, worked loading the fibre on the boats, worked in the mill where the fibre is processed and fibreized, and I worked in the pit and I worked in the ENR. So I am one of the 1800. My family lives down there in that community, all of them from two and a half years old to eight years old. I have a concern. The people of that community have a concern, and rightly so, and we have to do everything we can to make sure that whatever can humanly be done, can be done technologically, can be done from a health point of view is done. So there is no point of anybody pointing fingers. I live there every day. I know what it is. The Mayor of Baie Verte was just in here a few minutes ago, he knows what it is. All of us who live in that environment know what the potential of the problem is.

Also, Mr. Speaker, there has been a lot of work, a lot of research done on asbestos related diseases over the last several years and

this government have not asked any questions when it comes to doing something to minimize the risk of asbestos. For example, it was only two years ago the federal government did a water study in Canada of asbestos in water and Baie Verte came out the highest in all of Canada. Now there is no medical evidence to suggest that the ingestion of asbestos fibres through water is harmful, there is none to suggest there is not either, so what do you do? You do whatever you can to minimize it. And we went into that community two years ago and put in a brand new water supply system at a cost of \$1.5 million. We did not wait for evidence.

MR. NEARY:

Is that rectified now, the water system?

MR. RIDEOUT:

Well, I mean we put in a new system and everybody thinks it is rectified, but how do you know?

MR. NEARY:

Basically you need a filtration system.

MR. RIDEOUT:

Yes, a whole new system was put in, \$1.5 million. We did not wait for evidence, Mr. Speaker. The potential was shown and we reacted immediately even though there was a perfect water supply in that town for 3,500 people, we just walked in and put in a brand new one to a new source, and with the proper filtration and all that, costing \$1.5 million.

Also, Mr. Speaker, as I said there has been a lot of work done on asbestos and I have made it my business to try to keep on top of it. Just a few months ago the Ontario Royal Commission on asbestos made their report, and if members of the House have not read

it perhaps they should read it because there is some very interesting information in it. I wrote the Premier's Office in Ontario after I had heard in the newspaper that it had been released and asked for a copy and they sent me the volumes a while ago and I have had an opportunity to go through it.

The thing to remember, Mr. Speaker, in terms of Baie Verte, and this not only is said in the Ontario Royal Commission Report but it was said at the world symposium on asbestos, the only world symposium on asbestos ever held which was held in Montreal, in Quebec, a couple of years ago which I attended with representatives of the union from Baie Verte and the mayor of the town and so on, the thing to remember about asbestos is not just to say asbestos because it is not that. Asbestos is like a lot of other things. There is chrysotal asbestos, which we are mining in Baie Verte, and all the evidence indicates that there is no evidence to suggest anywhere by Dr. Silikoff, who is acknowledged as the world's authority on asbestos related diseases, there is no evidence to suggest that the mining of the chrysotal asbestos has any adverse affect on the health of workers. None. Now that got to be said somewhere and it has got to be said and said again. There is no evidence to indicate it. Maybe some will become available, maybe even from Baie Verte over the next number of years because we are now into that twenty year period, but as of today the mining of chrysotal asbestos there is no medical evidence to suggest that it is a problem health-wise. Amesite asbestos, yes. There are scores and scores and scores of documents to suggest that the handling, even in the mining situation, of

amesite asbestos is pretty well deadly and there is some amesite asbestos mined in British Columbia but most of it is mined in South Africa. There is none of it mined in Quebec or in Newfoundland. Amesite asbestos, there is pretty well enough medical evidence to suggest that even the handling of that in mining is very deadly, but chrysotal, which we are mining in Baie Verte and which is mined in the Eastern Townships of Quebec, there is no medical research evidence to suggest that that is a major problem. The other thing, Mr. Speaker, that is clear in the Ontario Royal Commission Report - and it was made abundantly clear at the world's symposium on asbestos in Montreal, and this is the chicken and the egg situation really - that the medical problems from asbestos related diseases is not in the mining sector, it is the manufacturing. That is crystal clear, but like I said it is a chicken and an egg situation: If you do not mine it then people cannot be affected.

MR. NEARY:

There are still fibers in the air, are there not?

MR. RIDEOUT:

Yes, I will deal with that in a second.

But what happens is the disease, asbestosis, medical evidence it is suggests related to the length of the fiber. And what happens when the fiber has been used in manufacturing brake shoes or whatever, then the fiber gets broken down and it becomes much smaller than it is when it is mined, and it is inhaled then if the proper environmental procedures are not followed in the plants and so on. All of the evidence Dr. Silikoff gathered in New York, all the studies done in England during the Second World

War and done in the insulation industry only recently, all of the studies indicate that all of the asbestos related problems are related to people who work in the manufacturing end. Now that does not make it any more of a simple problem; if you do not mine it you cannot manufacture it.

MR. NEARY:

Does that apply to asbestos water pipe? Does it break down?

MR. RIDEOUT:

The thing on the asbestos water pipe, there are a lot of communities in this Province with them. We had them in Baie Verte but, as I said, we corrected it. The thing with asbestos in water is that there is no evidence whatsoever, and the industry and the doctors, the medical people all admit this, there is no evidence, in fact the evidence in the Ontario Royal Commission Report is to the contrary, there is no evidence to suggest that the ingestion of asbestos through drinking water is harmful. Inhalation of asbestos in the ambient air, to me it is a mystery. I mean, if it is a problem to inhale it because it is around the air in a plant, then if you drink it in water what is the difference? But apparently there is no medical evidence to suggest whatsoever, none, to suggest that the drinking of asbestos in water is harmful. Hopefully it is correct, because in Newfoundland, and I suppose in a lot of other parts of Canada, asbestos is quite common in the rock. I mean, out in Port-aux-Basques it is -

MR. NEARY:

In the water lines.

MR. RIDEOUT:

-in the water lines So hopefully that is correct, but at the present time, with the best

medical evidence available, there is no indication that the drinking of asbestos in drinking water is harmful to health.

So, Mr. Speaker, I am very pleased that we are bringing in those amendments to the Occupational Health and Safety Act. I think it is one of the great pieces of social legislation that I have seen introduced in this House in the nine or ten years that I have been here, and it is right and proper that it be reviewed from time to time so that it can be made more operative and more successful.

On the matter of asbestos related diseases in Baie Verte, as I have already said I have made it my business, and I think rightly so as the elected representative of those people, and because I have a family and live there, and because of my roots, it is where I came from, and hopefully will end my days, but it is a problem that we have to be aware of. And all we can do is what we are doing to make sure that every piece of evidence, to make sure that every scientific study, whether it is done in New York or done in England or done in Baie Verte, wherever it is done, is assimilated so that we know the potential of the problem that might face us. Now, God be with us, hopefully the problem is not there, hopefully the problem will not face us. The mine started operation in 1963 and as of today there has not been a case filed with the Board. But the legislation is there. We amended it in this House a few years ago to make sure that if the problem does materialize then the legislation and the process is there to take care of things as best we can as human beings - you cannot put life back in a person after death - but to take care of



them as best we can through the social legislation that we have in place.

And the other thing that we have done, as a government and as operators and a union, is to make sure that that operation is made as safe as technology will allow. And I do not think there is anybody out there who will say that that has not happened. It took a strike, it took marches through the streets, it took it all. I was all part of it, and proud of it I might add; part of it and proud of it. It took it all. But it has been accomplished and what remains our fate God only knows, I do not know. All I can say is that we must keep our eyes and ears open and do the best we can to make sure that we are on top of it. Thank you, Sir.

MR. BARRY:

Mr. Speaker.

MR. SPEAKER (Russell):

The hon. Leader of the Opposition.

MR. BARRY:

Mr. Speaker, I would like to make a few comments on this bill and on the general matter of occupational health and safety. We have had an opportunity to receive a copy of the brief presented to the Royal Commission on the Ocean Ranger Marine Disaster, as indicated by the member for LaPoile (Mr. Neary), and there are some very valid points made in that report, I am not saying that I would agree with them all, but these are recommendations which I am sure will be looked at seriously by the enquiry and I am sure will be looked at seriously by the minister and by government regardless of what position is taken by the enquiry or what recommendations may flow from the enquiry.

There is an unusual situation for workers offshore in that, to a certain extent, as though it were, out of sight, out of mind.' They are so far off the coast that things that might happen in the workplace, whether it be relationships between the foreman and the worker, or the hazards to which a worker might be subjected, I believe there is a greater risk of those hazards, those adverse working relationships going unnoticed. The Federation of Labour used the analogy of the person working deep underground where, granted, in the same way they are far removed from the observance of the normal person on the street or the normal person in the community, but I believe it is even worse offshore in that the geographical location makes it more for government to monitor what is happening, and I suspect it makes it even more difficult for the general community to get a feel or a sense for what is happening in the industry.

So I believe the minister and government should look very seriously at the frequency of investigations. I know it is a time of restraint, I know that there are limited dollars, but this is one area where there is too much at stake to avoid having regular and frequent inspections by government inspectors who are qualified and have the training and can identify and can look at the problems which might exist in the offshore drilling industry.

MR. DINN:

Every three weeks.

MR. BARRY:

It is done every three weeks.

MR. DINN:

Every rig every three weeks.

MR. BARRY:

The minister says, 'Every rig, every three weeks.' Well, that is a start. But I am not sure that that is sufficient either. That would presumably permit an inspector to be on every rig for at least one visit while every drilling crew is there. The crews rotate, I think, on most of the rigs now every twenty-one days, in some cases longer. But this would permit an inspector to be there presumably to get the concerns of employees.

MR. DINN:

The Health and Safety Committee on the rigs.

MR. BARRY:

The Health and Safety Committees have been established on all rigs now?

MR. DINN:

All rigs.

MR. BARRY:

Is there provision now for these committees to get together in a private place and are the drilling operators required to provide facilities for these committees, so that they may discuss their health and safety concerns privately?.

MR. DINN:

They send the Minutes in, and we read the Minutes.

MR. BARRY:

These are steps, Mr. Speaker, that are in the right direction. The thrust of this report is that we make the same conditions basically applicable to the offshore as onshore and I believe that is a reasonable overall thrust. There is no reason why employees should be less protected because they are on offshore drill rigs than they would be if they were involved in an industry on land. I am happy to hear that the

Occupational Health and Safety Committees are operational and do have the opportunity for private meetings. Although I wonder why the Federation of Labour is still dwelling on these concerns if the situation is as rosy as the minister is pointing out?

MR. DINN:

Well it is not rosy.

MR. BARRY:

Well, let me put it another way. I wonder why the Federation of Labour is still pointing this out as something that should be done if in fact the system is working where employees on Health and Safety Committees have the opportunity of getting together and discussing their concerns in private so that these matters may be reported and may be dealt with? It seems to me that there may be a necessity for the minister to take a look at how the system is actually operating. Just how private are the facilities that are provided? Are the employees content that they do have this freedom? Do you have any reluctance of employees to become involved in Health and Safety Committees? Are they concerned that they might be fired if they become to aggressively involved in health and safety concerns? I would hope not, I would not expect that this would be the case, but it is the sort of thing that should be viewed and viewed closely by the minister and government.

With respect generally to the operation of the Workers' Compensation Board, I have to echo some of the concerns raised by the member for LaPoile (Mr. Neary). For some time I have been bothered by, in fact, the whole philosophy of workers' compensation. I cannot say that I have satisfied myself as to where I fall on this

issue, but I have real questions. Just from a broad, philosophical point of view, I have real questions as to whether the workers' compensation approach is any longer needed when it comes to the limitations upon actions by employees as against employers. It is still needed and I completely support the rehabilitative efforts, the efforts to get the employee back into the work force as quickly as possible after being injured, but it seems to me that many workers are injured on the job and end up receiving less in the way of compensation than if the same injury happened five minutes later. If they are injured while driving their employer's automobile on the job they are restricted to certain benefits, whereas five minutes later if they are driving their own automobile off the job and there is the same accident with the same injury, they would recover generally, I believe, much more in the way of compensation. Now I know the board questions that and they indicate that in their belief the awards made by the Workers' Compensation Board rank favourably in comparison with awards made by the courts in injuries that are suffered off the job. I would suggest to the minister that this might be an area where a study could be done to just take a look at what are the extent of the awards and how do they compare with awards for injuries that are incurred off the job. Now I realize that the board is in a difficult position, I realize that the minister and government are in a difficult position in terms of looking at improved benefits for workers because we have to recognize that the other side of the coin is that the employers and the businesses are paying higher premiums as a result of the higher expenditures. I had the

opportunity of listening to a number of businesspeople in LaPoile on our trip there a few days ago and I was amazed at the size of the premiums that were being paid, this was the automotive retail area.

The Chairman of the Workers' Compensation Board has received a letter from a representative of the people who sell used cars and new cars around the Province and they give some figures which indicate that their premiums have gone up tremendously, more than doubled, I think they might even have tripled. And, you know, we are not just talking a couple of hundred dollars a year, you are talking tens of thousands of dollars a year for a good size dealership. It seems to me, Mr. Speaker, that the minister should take a close and a hard look at whether the board is operating as efficiently as it should be. It cuts both ways: It is not just a matter of higher premiums being necessary in order to have higher benefits to employees; it is also a question of whether dollars are being invested properly by the board and whether the whole system is functioning as efficiently as it could be. I have to say to the minister that I feel to a certain extent the injured employee in Newfoundland society today is to a certain extent a forgotten man or woman. Their family, friends and neighbours show immediate concern when when the injury occurs, but what happens eleven months or twenty-one months later when that person is going around with a low back pain and the doctors are saying, 'Well, are you sure it is not all in your mind?' Even if it is in the mind that is not to say the pain is any less real in some cases. And we are not talking about malingerers here; we are talking about the types of injuries it is very

difficult for the medical profession to establish, with an X-ray or with another test, definitely and specifically. There are a lot of people out there who feel that they are being put through a process of sending the fool further. I will give you an example. One individual told me that he came in for treatment, I guess it was at the Miller Center, and he was in for three or four weeks and as far as he could see his treatment consisted of being given a letter every morning to carry up to the third floor and to wait. He would carry it up to the third floor and he would wait for three or four or five hours - I can imagine the mind-boggling boredom that must have set in - and then he would walk back down again. Now the idea presumably is that often, I assume, the diagnosis is that the person does not feel that he is ready to get back into the work force, does not feel that he is ready or able to get back into a routine, and maybe a device like this is being used just to give him something to do each day so he starts to develop a sense of routine. I have to confess it sounds a little bit dumb to me and if anything I do not think a person coming out of the rehabilitative exercise after going through the mind-numbing, mind-boggling boredom of engaging in that sort of activity would be any better off. So maybe the minister should just take a look at how many cases do we have right now on the rolls of the Workers' Compensation Board of people who have been injured but it is difficult to say whether the injury is still there or whether it is a psychological block that they have about going back to work, or possibly malingering. Now I think the percentage of malingerers is fairly small myself but I think there a fairly large number of people who have pains or

problems which compensation cannot diagnose. Some of these are actual cases of people who have come into speak to me about acting for them because of their frustration in dealing with the system. I had one chap, one of the young men from Rushoon who was involved in the terrible accident where we had so many workers killed on the Mainland when an asphalt truck hit the bus they were in. Well, this young man, and I will not mention names because it is a personal matter, was going around for eleven or twelve months trying to get a doctor to treat his arm, which had been badly mangled and had required surgery and so forth. He was saying to the doctor, "There is something wrong with the arm." And the doctor was saying to him, "No, boy, it is all in your mind. It is all in your mind." Well, twelve months later they took from his arm a massive sliver of glass that had been overlooked in the emergency surgery that he underwent immediately after the accident. So, you know, doctors are not always right. They make mistakes, they are only human, like all of us, and we have to give the worker the benefit of the doubt. In fact, the act is supposed to be geared to give him the benefit of the doubt. The reality of the thing, Mr. Speaker, is that when a person is injured he receives reasonably good benefits for a period of time, but then he will come in and he will get a letter saying he is ready to go back to work from the doctor who has analyzed him. Often what the doctor is saying is not that he can go back to the job that he was in before, the doctor will say, "No, you are finished for that type of work, you are too badly broken up, but you are ready to go back to the work force in an easier job."



At that point in time the worker is in a very, very tenuous and precarious position as far as the system is concerned now in Newfoundland because he is cut off from his benefits - I do not remember the terminology of what they call the benefits beforehand and the benefits after - he is cut off from one class of benefits and becomes entitled to a new series of payments. But in order to get the new series of payments he has to show certain things, he has to show that he is out there looking for work. Now just picture this with the state of unemployment that we have in this Province today: He cannot go back to the work that he is trained for, he cannot go back to the work that he has had his career in, he has to go out and he has to find employment, possibly after a period of new training, and there is provision for paying him while he goes to vocational school or whatever, for upgrading and retraining. I have an example of a person who was sent out and given a clerk typist course and then was expected to find a job in today's environment with the thousands of people lined up looking for me. And there are people being cut off. I submit to the minister it is not fair in many cases when a person is cut off because he cannot find a job and the suspicion is he is not looking hard enough. Let us face it, many of these people are not sophisticated enough to deal with this process of preparing a full list of every employer in the area and keeping an agenda and schedule and showing I have been to employer A and employer B and employer C every day for the last week or every week for the last month, whatever it is they require. There are people being hurt and not dealt with fairly by that system. I would ask the minister not to throw the doors

open to the malingerer or to the person who is trying to defraud and trying to get something for nothing, but to take a look at the genuine case of a person who has indicated he is ready to go back to work, who is cut off and who now must satisfy the case worker. These case workers have the power of God over these individuals. These case workers are only human, they can make their mistakes as well. And I suggest, Mr. Speaker, that maybe we should take a look at whether the appeal process, the appeal procedure in the Workers' Compensation system is working as well as it should. Because I have seen some letters written to individuals terminating their benefits that were totally unfounded, based on wrong facts and ended up with these people going for months and months with no income at all, cut off, forced to go to Social Services if they were to have any income and, lo and behold, it turns out it was based on an erroneous assumption. So I am not sure, Mr. Speaker, that the process is as good as it could be for insuring just natural justice. When a person is on Workers' Compensation he is entitled to a hearing. I am not talking about a formal hearing, but he is entitled to have the case worker ask him questions about something that the worker might be concerned about, whether it is his ability or his lack of effort to find employment. He should be questioned, he should be given an opportunity to explain why he has not been sending in his information about the employers he is visiting and so forth. He should not just be terminated and out on the street before he knows what is happening, out on the street with no money and out of the Workers' Compensation process. And then he has to go to a lawyer, and you all know what



happens then, he ends up having to pay a fee. It is not because the person wants to go to the lawyer, he just has no alternative because he has no income and he knows that he is not being dealt with fairly.

MR. NEARY:

That is his last resort.

MR. BARRY:

Yes, and it should be a last resort, Mr. Speaker. Anybody who goes to a lawyer in that types of case should only go as a last resort because the system should provide the mechanism to permit people to recover their Workers' Compensation without relying on the legal profession. That is what it is intended to do and I would hope that that is the way it works, but unfortunately it is not. Unfortunately many people do not -

MR. DINN:

There are not that many.

MR. BARRY:

Well, the minister says 'not many'. Mr. Speaker, one of the consequences of my involvement in the Ocean Ranger, and it is not a consequence that I wanted because it is not an area that I find I have the time to be involved with, is the large number of people, just in my own case I would say I have had in the area of twenty people over the last year, approach with Workers' Compensation problems. Now, I am one lawyer. If that is just the tip of the iceberg then there is a serious problem out there. If I have gotten all twenty of the cases in Newfoundland, then obviously the problem is not as serious. I do not know how many of them are out there. I do know, however, that whenever there is something said in this House or whenever there is something that goes on in the media that

expresses any degree of concern for the Workers' Compensation, victim there is another person or two to call in saying, 'Look, here is my case.' So I would say to the minister maybe the minister should welcome an appeal, welcome letters to himself by these people who are feeling that the system is not treating them fairly. Let the minister issue that appeal publicly and see, maybe have a little enquiry on his own part to determine just how large a problem it is, how many people feel that they are not being treated fairly by the Workers' Compensation system.

Mr. Speaker, with those few remarks I will be interested in hearing what the minister has to say.

MR. SPEAKER (Aylward):

If the hon. the minister now speaks he will close the debate. The hon. the Minister of Labour and Manpower.

MR. DINN:

Thank you very much, Mr. Speaker.

The bill that I introduced with the three amendments to The Occupational Health And Safety Act really sparked a fairly wide-ranging debate and of course I welcome the input provided by all members of the House of Assembly, particularly the comments made by the hon. the member for Baie Verte (Mr. Rideout), who is very, very well acquainted with the specific problems as they relate to the situation in his district in the town of Baie Verte itself.

I would like to go through some of the things because there have been some statements made in the House of Assembly that just simply are not factual. Now, one of the statements was with respect to the

machines that they use down in Western Labrador with respect to miners' medicals, etc. The machines that were used in the study in Western Labrador were turned over to the hospital down there. Now there have been some problems with the machines, they have been down at times, etc., but the machines themselves are good machines, they are state-of-the-art machines. Whilst you have some problems with these machines, I mean there are times that the machines are down and are not working, that happens with just about every machine. I spent some fifteen or twenty years working on radar equipment and computer equipment and obviously machines do not work forever but have some down-time and have to be repaired and so on, and that is the case in Western Labrador. The machines are good machines but they are down at times and we have to get them repaired. I do not know how you get around a problem like that. I do know that the team of experts that were in doing the study in Western Labrador wanted these types of machines for the study, they were approved by the medical group involved, they got the machines, they worked throughout the whole study and then we thought it necessary at the time to take these machines and turn them over to the hospital so that they could be used continually by the hospital down in Western Labrador.

Now the hon. the member for LaPoile (Mr. Neary) talked about Workers' Compensation and the hon. the member for Mount Scio (Mr. Barry) in his few remarks talked about some of the costs involved in Workers' Compensation. The assessments, for example, have gone up somewhat over the past few years and the amount of money that employers pay in some instances have doubled. They have doubled

for two reasons. One reason is that we increased the compensable earnings level of people in the work force up to \$45,500. That is the highest of any province in Canada. In order to cover that, to insure that, the assessments necessarily had to go up, since we are covering a wider group of people than when we had the compensable earnings levels down to \$18,000, and only had to insure for that \$18,000 level. So a miner or a trawlerman, for example, who worked and got \$40,000 or \$45,000 a year and became totally disabled was paid by Workers' Compensation, because of the system we had, a maximum of something like \$18,000. We thought as a government that that simply was not fair. We thought that the Workers' Compensation system was basically an income insurance system so that when a miner became injured his salary, if you will, his insured salary did not drop from \$35,000 or \$36,000 or \$30,000 down to what the compensable level were so, we had to increase the compensable levels to \$45,500.

Now, in my humble opinion that is not enough. There should not really be any ceiling. If a trawlerman or a mate on a boat happens to make \$55,000 a year, why should his income drop because he became totally disabled on the job? It should not. I would say several years ago when a person got injured he went from a fair wage level that he negotiated and worked for and got over the years, then all of a sudden found himself having to work on half of that income, having to live on it. Imagine a person used to making \$45,000 a year, making his car payments and his house payment and his children's schooling payments and everything, all of a sudden having to drop down to, as I believe it was only a few years

ago, \$15,700.

So I mean, Mr. Speaker, we as a government consciously decided that this insurance protection device for people was one of the reasons for Workers' Compensation. That was one of the things Judge Meredith said was needed when he investigated bringing in workers' compensation in Canada back in the 1800s. Over the years that eroded to the point here in Newfoundland we were down to something like \$15,000, so we said we had to get back to that principle of Workers' Compensation as an insurance programme for workers and that the compensable earnings levels should be up there. We are up to \$45,000 now, and employers are having difficulty with this, because the assessments they have to pay are quite high. But we have to decide whether we believe in the principle that this is basically an insurance programme for the income of a worker who gets injured on the job and that he should not really suffer on the basis of the fact that he cannot work any more.

So we brought it in. And just to give hon. members a rundown of how we sit in the Canadian context, ours is \$45,500; British Columbia is \$26,000; Alberta is \$40,000; Saskatchewan \$29,000; Manitoba \$25,000; Ontario \$25,500; New Brunswick \$25,700; Prince Edward Island \$17,000; Nova Scotia \$19,000. What that really means is that over the spectrum of people who are in the workforce, people who work from, say, \$8,000 a year up to \$60,000 a year, that in the Nova Scotia instance their insurance programme really only covers about 40 per cent of the work force.

MR. BARRY:

What percentage would be really

over \$30,000?

MR. DINN:

Well, in PEI's case it is \$17,000, but there is quite a percentage now in the work force that are making over \$17,000.

MR. BARRY:

What about over \$30,000?

MR. DINN:

Over \$30,000? I have not looked at the industrial composite. I suppose the average industrial composite index in Newfoundland now would be about \$27,000. I know five years ago, before we changed the system of Workers' Compensation in this Province, it was \$22,500, and then you gave on the basis of 75 per cent of that industrial composite as the ceiling for Workers' Compensation, which amounted to at that time about \$15,700. So the industrial composite in that period certainly has gone to \$25,000 or \$27,000. I have not had a look at it lately but I am sure that it is gone up to somewhere around there.

So with respect to assessments and the compensable earnings levels, we are the highest in Canada, and it is because I believe that workers who work offshore, some of whom make \$40,000, which is not exorbitant for a guy who does his eighteen trips and gets a couple of other trips in on the trawlers, he can get \$45,000 or \$50,000, the mates and the captains and so on, when these people are injured on the job and become totally disabled, I see no reason why they should drop down to \$18,000 all of a sudden, or \$15,000 or whatever the compensable earnings levels are set at in these other provinces.

MR. BARRY:

Very few of the offshore workers are making over \$30,000.

MR. DINN:

I am talking about the trawlermen. We have to look at the whole spectrum. The miner in Western Labrador, for example, I do not know what the average wage is but I would say they are up around \$30,000 now. Why should they drop down to \$15,000? That is the question. The question is is this an income insurance programme or not? If it is, then let us insure the income of the person.

So that is why over the past few years the assessments have gone up. But having said that, I have gotten complaints, as the hon. the Leader of the Opposition (Mr. Barry) has, from different employers throughout the Province. I have not got it totally completed now so I could not answer the hon. member's question, but with respect to automobile dealers, I did look at that for some automobile dealers and when I got back with the explanation they had found, "Okay, fine, we are guilty, we have not paid enough in assessments to pay the compensation." And in the majority of cases that is what happens when I do get a complaint. If the hon. member one or two that he would like to send to me, I will have it investigated and get back to not only the person who is complaining but to the hon. the Leader of the Opposition.

I just did a little check with respect to some of the assessment levels in the construction industry because the Construction Association complained a little about the high levels of assessments they had to pay and the increases that they had to go through over the past few years. Just to give you an example, in Newfoundland, and I will not say what they are for although I can,

I will give you this one, for example, bridge construction in Newfoundland, the assessment is \$3.50. Now Nova Scotia, because their compensable levels are down so low, is at \$3.00; Quebec for the same coverage pays \$8.54; Ontario pays \$17.81; Manitoba \$7.20 and BC \$8.85. So if you look at it ours is about one-third of the average and our employers in that category are paying about one-third of the average assessment in Canada.

I am sure there are employers out there who feel that they are paying too much in Workers' Compensation, so if any hon. member wishes to have a category checked then I would be only too happy to send over to the Workers' Compensation Board and get the facts on it, just to allay their fears.

With respect to the administration of the Workers' Compensation Board, I can tell the hon. member for LaPoile (Mr. Neary) that the administration of the Workers' Compensation Board in this Province is not the lowest in Canada. Some boards just do not have as big an administrative structure nor do they have the rehabilitation programmes and the occupational health and safety things, but I have requested a check on the administrative costs of Workers' Compensation across Canada and we rate somewhere around seventh. So administration costs in other provinces are up there; Alberta is fairly high and Manitoba is fairly high, ours is down around seventh. There are a couple that are below us. Nova Scotia, for example, the administrative costs in Nova Scotia for the Workers' Compensation Commission there is the lowest in Canada. But then their rates are low, their rehabilitation programmes are not

as good as here in the Province. But on a comparison, I am having this done and I will make it available to members of the House of Assembly when it is totally completed. I am having this done now and the preliminary reports that I am getting are that -

MR. NEARY:

On a point of order, Mr. Speaker.

MR. SPEAKER (Aylward):

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

MR. NEARY:

It is only a minor point, but it happens too often on the part of the member for St. John's North (Mr. Carter), Mr. Speaker, who does not seem to understand the ordinary decorum, ordinary courtesy and he keeps crossing between Your Honour and the speakers and between the Opposition and the speakers, Mr. Speaker, and he is such a large galoot that he distracts us. Here is the Minister of Labour and Manpower (Mr. Dinn) is trying to answer some queries and questions that we posed to him yesterday. I would submit, Mr. Speaker, that the hon. gentleman be asked to go back and to stay in his seat. The hon. Government House Leader should get him a seat belt, Mr. Speaker.

In my opinion, Mr. Speaker, it is grossly ignorant on the part of the hon. gentleman to be wandering around between Your Honour and the speaker, and between the Opposition and the speakers, and I think he should be instructed to discontinue that practice because it is against the rules of the House.

MR. MARSHALL:

Mr. Speaker, to that point of order.

MR. SPEAKER:

Order, please!

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

MR. MARSHALL:

Mr. Speaker, that is just comic relief. All I can say to the hon. gentleman is that I am so glad now that the knives are out of his back and that his tongue has been loosed again to all of our amusement.

MR. SPEAKER (Aylward):

To that point of order. The hon. member for LaPoile (Mr. Neary) does have a point. One of our rules does say that a person is not supposed to pass between the Speaker and the member who is speaking. So I would remind hon. members of this rule again.

MR. NEARY:

Thank you, Mr. Speaker.

MR. SPEAKER:

The hon. Minister of Labour and Manpower.

MR. DINN:

Thank you, Mr. Speaker.

So with respect to the administrative of the Board I am having that looked into very closely now. I have a preliminary report on it. I have more questions that I sent back to the people who are doing it. When it is done I will make the information available to hon. members.

The other thing that we hope to do is to set up an Advisory Committee in Workers' Compensation that will be made up of representatives of labour, business, Occupational Health and Safety and the Workers' Compensation Board, so that there can be closer scrutiny of what is happening at the Board, because



there are some doubts out in the public as to what is happening with respect to Workers' Compensation, especially over the past few years, because the rates have gone up. I just want the business community to understand what is going on, I want the labour community to understand what is going on. I am having a bit of a problem with the Federation of Labour. I have recommendations in for members to that board from the Construction Trades Council, but the Federation of Labour is not in favour of this Advisory Committee at this point in time.

MR. NEARY:

A point of order, Mr. Speaker.

MR. SPEAKER (Russell):

Order, please!

The hon. the member for LaPoile on a point of order.

MR. NEARY:

Mr. Speaker, again I have to rise on a matter involving the member for St. John's North (Mr. Carter). There is a little meeting going on. I am trying to hear what the Minister of Labour and Manpower (Mr. Dinn) is saying, Mr. Speaker, because I was the one who raised these matters yesterday. The hon. the gentleman is trying to give us some information, to answer some of our questions, and I am being distracted by the member for St. John's North who wants to carry on a meeting with the Government House Leader (Mr. Marshall). Why do they not go out in their common room or out in the corridor somewhere, Mr. Speaker? Mr. Speaker, it is interfering with the ordinary decorum and operation of this House.

MR. SPEAKER (Russell):

To that point of order, I can only

remind hon. members that when a member is speaking he does have the right to be heard in silence.

MR. DINN:

So, Mr. Speaker, I will make that available.

The point I was making before I was interrupted by the point of order was that I am attempting to set up this Advisory Committee so that they can have regular meetings over there, so that the business community can be made aware of what is happening with respect to Workers' Compensation, so that the labour people can understand more readily how the board operates and understand all the ramifications of what happens at Workers' Compensation. I will be meeting, hopefully in the next week or so, with the President of the Federation of Labour with respect to getting his recommendations for appointees to that Advisory Board. I think that will be a very important board, not only from the point of view of these people finding out what happens with respect to how the board operates, etc., but so they could provide advice to me as to how they would recommend changes and so on to the system that we have in place.

Now just to get to one or two of the points that the hon. the member for Menihek (Mr. Fenwick) has made in the debate, and I thank him for participating. He talked about the fact that we were not carrying out enough inspections, that we did not have enough inspection staff. I just tell the hon. the member that the cost of Occupational Health and Safety in this Province on a per capita basis is higher than any province in Canada. That is part of another study that I have been involved in and where I have inquired from the other province

about their costs. I also tell him that when Workers' Compensation was consolidated into one group under the Department of Labour and Manpower we had eighty-four people and we now have 102 people. There are other people who may be required over the coming months and years and of course we will attempt to do that within the constraints that we are attempting to operate under. But I would suggest in answering the hon. member's questions it may make my life a little more difficult to get the people that I feel are required for Occupational Health and Safety because I have had to refute the fact that the hon. member feels that we do not have enough. I have just told my colleagues here that we are spending more on Occupational Health and Safety in this Province on a per capita basis than any other province, and it may make it a little difficult at budget time to put the case forward for additional staff. But when the hon. member brought it up, I had to obviously inform him as to what we are doing.

MR. SIMMS:

A good point. He is only a rookie. He is just learning.

MR. DINN:

Now with respect to the dust study in Western Labrador the hon. member indicated that there were not very many of the recommendations carried out with respect to that dust study. Well, there were twenty recommendations involved in that dust study - I think I could probably recite them but we do not have the time now; I could go down through the twenty and tell what has happened to all of them - but the fact of the matter is that just about all of them have been carried out now, just about all of the twenty have been carried out. I will go

through the ones that have not been carried out so the hon. member can be aware of what is happening here. One that has not been carried out was assigned as a responsibility of the company where they would assign three people on a full-time basis to the health committee and they would be paid for doing nothing else on the job only on that health committee. Well, we have not been able to get agreement on that one. From the point of view of the report, the committee that made that recommendation will be going to Labrador West, as I indicated to the hon. member, later this month, and will be sitting down to conclude the code of practice, which was one of the major recommendations of that dust study, for the operations in Labrador City and in Wabush. So that code of practice should be completed if we get agreement, and we want to get agreement.

MR. NEARY:

What is that code of practice?

MR. DINN:

A code of practice. It is a code under which the operations will operate.

MR. SIMMS:

Three words, code of practice.

MR. DINN:

Code of practice.

MR. NEARY:

Code of practice.

MR. DINN:

Yes. Basically these mining operations operated under what we call a national code. This national code was found to be deficient in certain areas. Where they talked about a threshold limit values of dust in certain areas, they did it on the basis on almost an overall operation. What

came out of this study was that they are using different types of measurements. They are using the gravimetric as well as the midget impinger type method of measuring dust samples.

MR. SIMMS:

That is a good one. Do you want to hear that one again, Steve?

MR. DINN:

This code of practice will involve taking these measurements in specific areas of the operations. Some have been identified as a little bit worse than others, so we want to get a better fix on these heavy dust areas. Well, the code of practice, which is the main part of the recommendations that came out of the dust study, is the other recommendation that is not completed and it is not completed for several reasons.

MR. SIMMS:

So eighteen were completed.

MR. DINN:

Seventeen of them have been concluded. The code of practice is not concluded and the three people on the Health Committee is not concluded. The code of practice should be in place, as I say, at the end of this month. By then it should be submitted to me and the companies will agree, the unions will agree, and we will be a big happy family. We will have the operations such that we will have the measurements required so that the operation is safe, or as safe as it possibly can be.

I think I have answered most of the questions raised by hon. members. I would have had to spend a great deal of time with respect to Baie Verte but my colleague the member for Baie Verte (Mr. Rideout) answered all of those questions.

MR. NEARY:

Are you going to give the Edstrom Report to the Steelworkers?

MR. DINN:

Am I going to give the Edstrom Report to the Steelworkers? I will have to check into that for the hon. member. So with that, Mr. Speaker, I will move second reading.

SOME HON. MEMBERS:

Hear, hear!

On motion, a bill, "An Act To Amend The Occupational Health And Safety Act," read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill No. 18).

MR. SPEAKER (Russell):

The hon. President of the Council.

MR. MARSHALL:

Mr. Speaker, before I adjourn the House, I advise the gentlemen of the Opposition that on Tuesday we will finish the debate on Order 4. We will do Order 8, that is the award for bravery. The hon. gentleman will be very interested in that. And we may then, possibly, do Supplementary Supply.

Mr. Speaker, I move the House at its rising do adjourn until tomorrow, Tuesday at 3:00 p.m.

On motion the House at its rising adjourned until tomorrow, Tuesday, November 13, 1984 at 3:00 p.m.