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PRELIMINARY
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TRANSCRIPT

HOUSE OF ASSEMBLY
FOR THE PERIOD:
10:00 a.m. - 1:00 p.m.
FRIDAY, DECEMBER 2, 1983

The House met at 10:00 A.M.

Mr. Speaker in the Chair.

MR. SPEAKER (Russell): Order, please!

ORAL QUESTIONS

MR. NEARY: Mr. Speaker.

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

MR. NEARY: Mr. Speaker, I have to ask my usual question. Is the Emperor going to be in his seat today, can the hon. gentleman tell the House, or do we have to direct our questions to the junior members of the Cabinet? No response. Dummies.

Mr. Speaker, in that case I will direct my question to the Minister of Manpower and Industrial Relations (Mr. Dinn). I have here in front of me the unemployment figures right hot off the wire from Statistics Canada which shows that the labour force -

MR. ANDREWS: The Canadian unemployment figures, are they not?

MR. NEARY: No, I am talking about Newfoundland and Labrador, Canada, the world. Now, Mr. Speaker, the figures show that the labour force for November dropped by 11,000 people, went down from 225,000 down to 214,000. The number of people employed dropped by 13,000, went from 185,000 down to 172,000. And the unemployed rate increased by 2.3 per cent. The unemployment rate in this Province is now 19.7 per cent. The official figures say that 42,000 people are unemployed. If you add the 11,000 drop in the labour force, you are talking about close to 60,000 Newfoundlanders and Labradorians who are currently unemployed, hopelessly walking the streets looking for jobs that are not available.

MR. SPEAKER: Order, please!

MR. SPEAKER (Russell): I think the Chair has allowed a pretty fair preamble starting off the Question Period and I would request the hon. Leader of the Opposition (Mr. Neary) to direct his question.

The hon. Leader of the Opposition.

MR. NEARY: Mr. Speaker, I would like to ask the Minister of Manpower (Mr. Dinn) what plans the administration have to deal with record unemployment, the highest unemployment in our whole history?

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

MR. DINN: Mr. Speaker, first of all, for the benefit of the hon. Leader of the Opposition, the 19.7 per cent unemployment rate is not the highest in history. We have had worst times. The 172,000 who are employed is not the worst thing that has happened to the Province of Newfoundland. What has the government

MR. DINN:

done or what is the government doing? It is very difficult to deal with a 19.7 unemployment rate. But the government has, through the Minister of Fisheries (Mr. Morgan) as an example, through his plants programme and guaranteed loans to companies, provided 6,000 to 8,000 jobs. The Minister of Social Services (Mr. Hickey), with the \$6 million that we provided in the budget and an additional \$3 million, which is \$9 million, has provided something like 5,100 jobs. The Department of Labour and Manpower, through the NEED Programme, which was federal/provincially funded, we signed the best, despite what the hon. the Leader of the Opposition (Mr. Neary) likes to put out in the public that we cannot sign agreements, we signed the best NEED agreement in Canada this year between the federal government and any other province; we got \$30 million from the federal government - or \$27 million and we put \$3 million with it, and with that funding we provided 5,000 jobs.

The Cat Arm Development peaked out this year with 800 jobs. Offshore, contrary to what the hon. the Leader of the Opposition likes to put out and despite the fact that he is against our local preference policy in the offshore, that peaked out this year at 2,500 jobs. He was in power, for some ten years, disbursing building supply funds over on Bell Island opposite to what the regulations said, We, Mr. Speaker, did something about the offshore. When he was in, and if somebody in the Opposition, when they did not have a Question Period, had been able to get up and ask him what he was doing about jobs he

MR. DINN: would say he was creating
a few over on Bell Island for building supplies -

MR. NEARY: That is right. Hear, hear!

MR. DINN: - but no jobs offshore.

We currently peaked out this year at 2,500 offshore, Mr. Speaker,
and just to continue on, the Minister of Culture, Recreation
and Youth (Mr. Simms), who just walked into the House of
Assembly created 200 jobs this year. The

MR.DINN:

Minister of Transportation (Mr. Dawe), with an expanded highway's programme, created 4000 jobs this year. Mr. Speaker, I could go on but I do not want to take up the whole Question Period as to what the government is doing.

SOME HON.MEMBERS: By leave.

MR.DINN: By leave. Well, I will continue on, Mr. Speaker. I have not got the stats in from the Minister of Municipal Affairs (Mrs Newhook), who created more jobs this year, but just from what I have gotten, I have checked some of the resource departments, and just from what I have gotten the government, with federal/provincial funds, and with mostly provincial funds in the other resource departments, created something like 25,000 jobs this year and we want to continue on with that programme so that we do not have a 25 per cent unemployment rate.

SOME HON.MEMBERS: Hear, hear!

MR.NEARY: Mr. Speaker.

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

MR.NEARY: Mr. Speaker, the spokesman in the administration for the Telephone Company just got up and babbled like the baboon that he is, Mr. Speaker, and side-stepped my question as to what plans the administration have, what policies they have in order to help the highest number of unemployed in our whole history in this Province, what they intend to do about it. Now could the hon. gentleman tell the House what extraordinary measures, what specific plans the administration have to help those people who are unemployed, especially young people who are unemployed, who are properly trained and cannot find jobs, who should be working at the most crucial

MR. NEARY: time in their lives, Mr. Speaker, embarking upon their careers? Could the hon. gentleman tell us what extraordinary measures, what specific measures? Never mind babbling about the few hundred jobs that would have been there anyway, that any administration worth its salt would have created, most of them financed by the Government of Canada.

MR. MARSHALL: Mr. Speaker.

MR. SPEAKER (Russell) Order, please! The hon. President of the Council on a point of order.

MR. MARSHALL: Mr. Speaker, the hon. gentleman is making a speech and this is Question Period.

MR. SPEAKER: The point of order is well taken. The hon. Leader of the Opposition (Mr. Neary) was giving a speech and indeed he should have been directing a very precise and very specific question.

MR. NEARY: Well, Mr. Speaker, I have asked a specific question.

MR. NEARY: Would the minister also tell the House what the administration plan to do to help large numbers of construction workers, fish plant workers and fishermen who, for the first time since Confederation, do not have enough stamps to qualify for unemployment insurance benefits this coming Winter?

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

MR. DINN: Mr. Speaker, the hon. the Leader of the Opposition asked me to be specific with respect to what government is going to do about unemployment in Newfoundland and I tried to be very specific the last time I stood up in this House. I told him that the Minister of Fisheries (Mr. Morgan), through his department, provided something like 6,000 to 8,000 jobs because he provided loan guarantees to fish plants. That is relatively specific.

The Minister of Social Services (Mr. Hickey), with a special programme this year, provided 2,600 jobs with the \$6 million that was provided in the budget, and we just approved another \$3 million which will provide 1,800 jobs for a total of 4,400 jobs. That is relatively specific.

Through a NEED programme with the federal government, where \$27 million was provided by the federal government and \$3 million was provided by the provincial government, we provided 5,100 jobs, and it was the best NEED agreement signed in Canada this year.

We have an energy development out in Cat Arm that provided this year 800 jobs.

We have a local preference policy for the offshore which this year peaked out 2,500 jobs. These are specific things.

MR. DINN:

The hon. the Leader of the Opposition (Mr. Neary) asked what specifically are we going to do, for example, for the unemployed fishermen in Newfoundland who do not qualify for unemployment insurance. The federal government has a programme in place that should take care of that problem, in that \$9 million is provided, which should look after approximately 2,500 jobs or will bring the people in the fishing industry who do not have enough stamps up to the requirement so they will get UIC this Winter.

The extra part of the highways programme this year, I have not checked with my colleague, the Minister of Municipal Affairs (Mrs. Newhook), but the highways programme this year provided 4,000 jobs, that is in construction. We had the biggest construction year ever in government this year, the

MR. DINN:

biggest construction year ever which, provided many construction jobs, We have hospitals being built, we have the addition to the Confederation Building being built, all of these things are relatively specific. Despite what the hon. the Leader of the Opposition (Mr. Neary) said here in the House last year when we were struggling to keep Baie Verte and to do something about Baie Verte, we now have 310 people working in Baie Verte when he said it was impossible, it would never happen. We have 310 people working in Baie Verte, which we are proud of. The Flintkote operation has increased in size this year; we have ninety working at Flintkote instead of seventy last year, Trinity Brick, because the Minister of Public Works (Mr. Young) is so interested in attempting to keep Newfoundland industry alive, in the specifications for the Confederation Building Complex, the addition to Confederation Building, we will keep that going fairly well with thirty-one people employed out there.

MR. SIMMS:

The hospital at Port aux Basques.

MR. TOBIN:

The hospital at Clarendville and the Burin Peninsula.

MR. DINN:

I could go on for the rest of the Question Period with specific things that the government has done this year and will continue to do to attempt to alleviate the high unemployment situation in the Province.

MR. SIMMS:

Hear, hear! Good answer.

MR. NEARY:

Mr. Speaker.

MR. SPEAKER (Russell):

The hon. the Leader of the Opposition.

MR. NEARY:

Mr. Speaker, the hon. gentleman indicated that some of these programmes he mentioned are being

MR. NEARY: funded by the Government of Canada, and let me say in response to that that if it were not for the Government of Canada people would be starving in this Province today.

Now, Mr. Speaker, let me come back again. I did not ask the hon. gentleman to rehash the few paltry jobs -

MR. DINN: Twenty-five thousand jobs.

MR. NEARY: Mr. Speaker, it is doubtful if many of them are there now at this moment. And the Social Services one is merely to get people off social assistance onto the unemployment roll to save the Province a few dollars, Mr. Speaker. That is the purpose behind that plan.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Russell): Order, please!

MR. NEARY: Now, let me come back to the hon. gentleman again. Could the hon. gentleman tell the House now, Mr. Speaker, never mind rehashing and babbling about these handful of jobs that would have been there anyway no matter what government was in power, what does the administration plan to do? What plans do they have? Let the hon. gentleman articulate the plans, tell the House, tell the people, tell the young people of this Province what plans the administration have to deal with this horrendous unemployment problem we have in this Province, not what happened yesterday

MR. NEARY:

or the day before yesterday or last week, what will happen in the days and weeks ahead to help these people find jobs? What can we look forward to in the way of new business and industry? What can we look forward to in the way of job creation projects? Never mind about babbling about what happened yesterday and the day before yesterday. Give us the plans or, Mr. Speaker, let them admit that they do not have any plans to deal with this problem.

MR. SPEAKER (Russell): The hon. Minister of Labour and Manpower.

MR. DINN: Mr. Speaker, the hon. Leader of the Opposition (Mr. Neary) obviously cannot hear, he has another deficiency, and possibly Mr. Speaker could provide him with a hearing aid so as he could plug in.

What are we specifically doing now? As I said to the hon. member, who cannot hear, the Minister of Social Services (Mr. Hickey) was provided in the Budget with \$6 million with which he provided 2,600 jobs.

MR. NEARY: That will not solve the unemployment problem.

MR. DINN: It will not solve the unemployment problem. Now the hon. Leader of the Opposition -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. DINN: - he cannot take it. He cannot listen. He wants to break the rules of the House.

MR. NEARY: All you are talking about is the federal role.

MR. SPEAKER: Order, please!

I have to remind hon. members that when a member is speaking he does have the right to be heard in silence. I would ask all hon. members to obey that rule.

MR. NEARY: And that applies to both sides of the House.

MR. SPEAKER (Russell): I said all hon. members.

MR. DINN: So , Mr. Speaker, he asked me to be specific and when I am specific, then he interrupts.

MR. NEARY: What are your plans?

MR. DINN: Now he is breaking the rules again.

MR. SPEAKER: Order, please!

MR. DINN: Now he is there sitting in his seat -

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

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

MR. MARSHALL: Your Honour gave his ruling a moment ago and the hon. gentleman persists in flouting Your Honour's ruling. When Your Honour gave the ruling the hon. gentleman said quite distinctly, 'It applies to both sides,' or words to that effect, with the obvious innuendo with respect to Your Honour's partialty. After Your Honour gave the ruling, Mr. Speaker, the hon. Leader of the Opposition (Mr. Neary) persisted, there was hardly a second transpired from the time Your Honour sat down when he was shouting across the House again.

Now this House does not belong to the Leader of the Opposition, it has traditions -

MR. NEARY: It does not apply to you either.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. MARSHALL: - much older than all of us, Mr. Speaker. And there is an obvious remedy to deal with the hon. member that, I would suggest, will have to be brought into play.

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MR. NEARY:

of order.

Mr. Speaker, to that point

MR. SPEAKER (Russell):

Order, please!

The hon. Leader of the

Opposition to that point of order.

MR. NEARY:

big bully now,

Mr. Speaker, there is the

MR. NEARY: Mr. Speaker, there is the big bully now. Mr. Speaker, the fact of the matter is that the tradition in this House is there is banter back and forth and, despite what the hon. bully boy says, the hon. gentleman who looks down his nose at anybody else who is not in his social class, Mr. Speaker, the St. John's mucky-mucks who think they own this House of Assembly, who turn down their nose at the outport people -

MR. SPEAKER (Russell): Order, please!

The hon. Leader of the Opposition was recognized to speak to a point of order, which he certainly is not doing. I indicated earlier that when an hon. member is speaking he does have the right to be heard in silence and all hon. members should adhere to that. If hon. members persist interrupting anybody when they are speaking, then the Chair will have no other alternative than to name them.

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

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

MR. NEARY: Mr. Speaker, the hon. gentleman indicated in his remarks that aspersions and reflections were being cast on the Chair. I think what I said was that the rules apply to both sides of the House and Your Honour agreed. So, Mr. Speaker, the hon. gentleman should get up and withdraw these remarks and apologize to the House because all he is doing with these points of order is trying to use up the time of the Question Period.

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

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

MR. MARSHALL: Mr. Speaker, from the way the hon. gentleman performs in Question Period, it is he who is trying to cause the time to elapse because he has very little of substance to ask in the House. Now the position is when any member of this House on any side makes a statement that

MR. MARSHALL: the hon. gentleman indicated that he made, and everyone heard him make, that the rules apply to both sides, it can be construed as nothing other than an asperation on the authority of Your Honour and this House. And any member who makes that should be called upon immediately to withdraw it. Now instead of the hon. gentleman having the good grace to withdraw it, he gets up and tries to press it even further in his point of orders, It is despicable

MR. SPEAKER (Russell): To that point of order, the hon. Leader of the Opposition (Mr. Neary) did not raise a valid point of order.

The hon. Leader of the Opposition.

MR. NEARY: Mr. Speaker, my question to the Minister of Labour and Manpower (Mr. Dinn) is this: one of the programmes he keeps harping on is the Social Services make work programme. Now would the hon. gentleman indicate how that helps solve the unemployment problem? Is it not true that all that does is transfer people on social assistance to the unemployment insurance roll? Is it not correct that it transfers people from the provincial payroll to the federal payroll? Now could the

MR. NEARY: hon. gentleman
explained to the House how that creates additional jobs?

MR. SPEAKER (Dinn): The hon. Minister
of Labour and Manpower.

MR. DINN: I am sure the hon. member would want to have total accuracy in an answer provided by me, so for that part of the question I will defer that to my colleague, the Minister of Social Services (Mr. Hickey), who undoubtedly will answer that. But before I get to that, I did not quite get to finish my reply to the question which was asked by the hon. the Leader of the Opposition (Mr. Neary) last time. As Your Honour will recall, there were interruptions from the hon. member. I was attempting to answer the question, he was breaking the rules of the House, and a point of order intervened and I did not get to answer the question. But I would like to say that we are not proud of a 19 per cent unemployment rate in this Province, I do not think any government could be proud of it, but we are attempting to deal with it. As I said, just to repeat some of the things that I have said, just to make it clear what has happened, is that through loan guarantees to fish companies we did provide 8,000 jobs. We have a restructured fishery now. Some parts of it the hon. the Leader of the Opposition does not agree with. We, for example, tried to get foreign ships to supply the resource-short plants so that we could provide some employment there and that was opposed by the Opposition and I think that was an unwise move. We did have a NEED programme this year that created, as I said, something like 51,000 jobs and those are continuing, that is not past. These are not jobs that started last year and are finished. They will continue up to something like June or July of 1984.

MR. DINN:

As I said, the Minister of Social Services (Mr. Hickey) through his department, with \$9 million to start out, we put \$6 million in it and the programme was so successful that I believe we added another \$3 million this year, and that is immediate, that is now. We do have a proposal, as a matter of fact my colleague, the Minister of Culture, Recreation and Youth (Mr. Simms) and I, to the federal government his year for a job sharing programme with the federal government for youth unemployment. We were not successful in getting anything there, as a matter of fact we did not get the courtesy of a reply, but I will be discussing that, youth employment, among other things with the Federal Minister of Employment and Immigration (Mr. Axworthy) in January. We had our deputy ministers meet this week, as a matter of fact, Monday and Tuesday, and I will be meeting with the minister in January to see if we can put something together for the next year.

As I said, just about

MR. DINN:

everything government can do - we have, of course, our programmes in Municipal Affairs and Housing and Transportation - just about everything government can do. The Minister of Public Works (Mr. Young) specifically said, just to keep the Trinity brick thing going a little bit longer -

MR. NEARY: The rules apply to both sides, do they not, Mr. Speaker? The answers to questions should be brief.

MR. DINN: The hon. member asked me to be specific, Mr. Speaker, and to be specific I have to go through the programme.

MR. DAWE: If he has a point of order, he should stand up and state it.

MR. DINN: As my colleague says, if he has a point of order, he should stand up on that point of order.

But I defer the part of the question that relates to the Department of Social Services to my colleague, the Minister of Social Services (Mr. Hickey) so that he can provide specific details to the hon. member with respect to the programme I talked about earlier, the \$9 million.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: Mr. Speaker.

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

MR. NEARY: Mr. Speaker, the hon. gentleman again is talking about federal programmes to create jobs, the \$175 million for restructuring, and the only thing I can say to that, my only comment, is thank God for the Government of Canada coming to the rescue of the fishery that they

MR. NEARY: brought to the brink of ruin.

MR. SIMMS: Get down on your knees.

MR. NEARY: Yes, we should thank God for Confederation and for the Government of Canada.

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

MR. NEARY: Now, Mr. Speaker, the hon. gentleman keeps harping on this Social Assistance programme that, as he is aware -

MR. DINN: You want the answer but you would not let the minister speak.

MR. NEARY: No, Mr. Speaker, I am not going to ask one question and then have the two ministers passing the ball to one another to get up and answer.

MR. WARREN: He does not know the answer, that is why.

MR. NEARY: No, the hon. gentleman does not know the answer, that is true.

Would the hon. gentleman tell the House why young, able-bodied men and women, boys and girls who cannot qualify for welfare, who have been cut off from welfare by the Minister of Social Services, cannot qualify for these jobs under the Social Assistance make-work programmes, Mr. Speaker? Why can they not? Can the hon. the Minister of Labour and Manpower (Mr. Dinn) give us the answer to that?

MR. WARREN: The Minister of Labour and Manpower, right.

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

MR. NEARY: Oh! Pass the ball around!

MR. HICKEY: Mr. Speaker, the hon. the Leader of the Opposition (Mr. Neary), since he has been in this House - and he is the senior member of the House - has used one tactic over the years, and he continues to,

MR. HICKEY: and it is contemptible!
He will talk about another ministry, direct his questions to another minister who is not responsible -

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

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

MR. NEARY: Mr. Speaker, when I asked Your Honour if the rules apply to both sides of the House, Your Honour said yes. I directed a question to the Minister of Labour and Manpower (Mr. Dinn) and he referred it to the Minister of Social Services (Mr. Hickey). I would not mind if the Minister of Social Services were answering the question,

MR. NEARY: but what he is doing is heaping abuse on me, Mr. Speaker. The hon. gentleman is questioning my motives. Perhaps the hon. gentleman did not hear the question that I put to the Minister of Manpower (Mr. Dinn). I would submit that the minister is completely out of order and if the rules apply to both sides of the House, Mr. Speaker, then I ask Your Honour to enforce these rules.

MR. MARSHALL: Mr. Speaker.

MR. SPEAKER (Russell): The hon. President of the Council to that point of order.

MR. MARSHALL: The hon. gentleman is obviously getting tired and it is indeed time for the hon. gentleman to take flight to the Senate when the time comes. Mr. Speaker, if the hon. gentleman is asking for information, he will get information from the government. If he asked the Minister of Labour and Manpower (Mr. Dinn) for an answer to a matter that is not within his jurisdiction, and it is in the Minister of Social Services' (Mr. Hickey) and he responds, what is the hon. gentleman interested in? Is he interested in information or is he interested in trying to turn the House of Assembly into a circus?

MR. NEARY: No, a beer garden like you are turning it into over there.

MR. MARSHALL: Now the hon. gentleman has once again, and I draw it to Your Honour's attention, has once again used the words 'do the rules apply to both sides of the House?' and I can only say to Your Honour that has a connotation that calls into question the impartiality of Your Honour.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. MARSHALL: Now Your Honour's impartiality in this chamber is not just a matter for Your Honour, it is a matter for all members of this House to protect. This Assembly, Mr. Speaker, is the Assembly of the people of the Province of Newfoundland, and every single member in it is charged with the protection of the traditions of the Assembly. Now the hon. gentleman has made that accusation to Your Honour and I would suggest that the hon. gentleman should be asked to withdraw it.

SOME HON. MEMBER: Hear, hear!

MR. NEARY: Mr. Speaker.

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

MR. NEARY: We have just seen another classic example of the class distinction in this House of how the hon. minister tries to bully the Chair, how to browbeat the Chair. That is the purpose of that exercise, Mr. Speaker. I in no way cast any aspersions. Not only that, it is also intended to distract from the issue that we are asking questions about, the record unemployment in this Province.

MR. NEARY: That is the purpose of the exercise, to browbeat and bully the Chair. We know how to appeal Your Honour's rulings if we so desire, we did it already once this session. And we follow the rules of this House, Mr. Speaker. That is more than you can say about that side. And all we are asking - and Your Honour told me earlier, nodded to me and said yes - is that the same rules apply to that side as apply to this side. And we have no doubt but they do. But we are asking to have the rules enforced as far as the answers to questions are concerned.

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

MR. SPEAKER (Russell): To that point of order, the hon. member for Eagle River.

MR. HISCOCK: Mr. Speaker, we have seen time and time again in this House that the Opposition here respects the Chair and parliamentary procedure. But we have seen, time and time again, the President of the Council (Mr. Marshall) to get up on points of order and putting the Speaker in a position of having to defend himself. And I think that is where the abuse comes from, the President of the Council standing periodically, four or five times throughout Question Period, which is supposed to be the time for this side of the House, but we find the President of the Council gets up and puts the Speaker in an embarrassing position to have to defend himself.

MR. SPEAKER: To that point of order, which was originally raised by the Leader of the Opposition (Mr. Neary), he had directed a question to the hon. Minister of Labour and Manpower (Mr. Dinn) and perhaps the question rightfully should have been directed to the Minister of Social Services (Mr. Hickey). However, the Chair did recognize the Minister of Social Services and shall recognize him in answering the question.

The hon. Minister of Social Services.

MR. HICKEY:

Thank you very much, Mr. Speaker.

All I can say is what an abysmal state of an Opposition and we will just leave it at that!

Mr. Speaker, the hon. gentleman is obviously not interested in getting facts from my department or he would have very appropriately and very simply put the question. But let me give him some anyway, Mr. Speaker. He makes the unfounded charge that we take people off social assistance and transfer them to a federal payroll. I want to deny that categorically. We do not do that, Mr. Speaker. The unemployment insurance programme is but a part of the community development programme of my department.

MR. HICKEY: If the hon. gentleman finds it so awful that through the process of rehabilitating people and helping them back into the labour market we use the unemployment insurance programme, let me answer by putting a few questions to him. Does he not favour equal rights for people who are on social assistance, the opportunity to in fact draw from the unemployment insurance programme? Is that not a profound right of a social assistance recipient, the same as it is for any other citizen, point number one, Mr. Speaker. Point number two, is he not aware and does he not support the direct initiative by the federal government to create jobs simply to provide three, four, five or six stamps or contributions to enable people to go on that very programme he is decrying that we are using? Is he not aware of that? And, Mr. Speaker, finally let me give the hon. gentleman a few figures that he might consider. As opposed to what he says, as opposed to how he plays down the importance and the success of this programme, over the last seven or eight years my department have removed from the social assistance payroll approximately 23,000 family heads and put them into employment. Out of that, Mr. Speaker, because I got sick and tired of hearing the Leader of the Opposition (Mr. Neary) say we were just putting them on unemployment insurance, two years ago, Mr. Speaker, I commenced a survey of those people whom we removed from the case load to find out where they had gone, what had happened to them and what had been their experience. And this year, Mr. Speaker, that survey is in its second phase, doing profiles on those people to see the success ratio of those people who were removed from the case load. I can tell the hon. gentleman, out of random sample of 6,000 all over the Province, that were surveyed, 78 per cent, Mr. Speaker, were not on social assistance, 22 per cent were but -

SOME HON. MEMBERS:

Hear, hear!

MR. HICKEY:

-78 per cent, Mr. Speaker,

has found their way into employment.

MR. NEARY:

On a point of order, Mr.

Speaker.

MR. SPEAKER (Russell):

Order, please!

The hon. Leader of the Opposition

on a point of order.

MR. NEARY:

Mr. Speaker, while we appreciate

the hon. gentleman in his ivory tower, in his dream world, the hon.

gentleman who will not give funding to the Senior Citizens

Committee in Gander to expand the home to create employment-

MR. SIMMS:

This is not a point of order.

MR. NEARY:

- while we appreciate his

ramblings and his babbling, Mr. Speaker, the hon. gentleman

is not following the rules of the House. One of the rules

of this House is that during the Question Period the answers

have to be brief. Now, Mr. Speaker, all we are doing is

asking Your Honour to direct the hon. gentleman, who is

babbling, to answer the question and be as brief as he can

in his answer.

MR. SPEAKER:

Order, please!

To that point of order,

it is basically correct that for the purpose of the Question Period

questions and answers should be as brief as possible. However,

on some occasions that may depend on the type of question

asked.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

Asking the question on policy

or programmes, maybe the answer is a little longer than

perhaps it should be and we have to take a look at that.

Anyway, the time for the

Question Period has expired.

MR. NEARY: Well, the question I put he certainly was not answering it.

PRESENTING REPORTS OF STANDING AND SPECIAL COMMITTEES

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

DR. COLLINS: Mr. Speaker, the Province of Newfoundland Pool Pension Fund Financial Statement for The Year Ending June 30, 1980; For The Year Ending December 31, 1981 and For The Year Ending December 1, 1982.

SOME HON. MEMBERS: Hear, hear!

PRESENTING PETITIONS

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

MR. NEARY: Mr. Speaker, it gives me great pleasure to present a petition on behalf of ninety-one residents of the town of the Goulds, and I believe these residents reside in the provincial district of Ferryland. The ninety-one residents who signed this petition live along the road known in the area as the Shoal Bay Road.

Now, Mr. Speaker, the prayer of the petition is that these people are protesting the fact that a sewer line currently being installed in the Upper Goulds will go directly through their property, go along by their front doors and their back doors,

MR. NEARY: and they will not be able to hook into this sewer line, they will not be connected, Mr. Speaker, because of the type of sewer system that is being installed in the town of the Goulds. The town council of the Goulds, as the Minister of Municipal Affairs (Mrs. Newhook) is aware, adopted a force fed sewer system for the town and rejected a method that the residents feel is far superior. A better method could have been adopted, called the lagoon system, and it would have been less costly to the provincial treasury if they had put in the lagoon type system. Mr. Speaker, if they had followed this strategy, then a sewerage line would have provided service to all residents of the Goulds. We are told that 20,000 families could have benefited by the lagoon system whereas now, the petitioners tell us, that only 6,000 will benefit by the system that is currently being put in.

I might say, Mr. Speaker, for the benefit of hon. members, that two of the gentlemen who circulated this petition and who are very concerned about this matter are seated in the public gallery today, Mr. Fred Squires and Mr. Paul Shortall. Mr. Shortall, as the hon. the member for Ferryland is aware, is a former member of the council.

Now, Mr. Speaker, that is one problem. Another problem with the Shoal Bay Road is that there was a commitment on the part of the Department of Municipal Affairs to upgrade that road. Now that commitment somewhere has been lost, a commitment of \$185,000 that has either been put on hold or the people in authority cannot explain what has happened to that \$185,000.

Another problem in connection with the water and sewer line, Mr. Speaker, is the fact that people whose property is being expropriated are only getting

MR. NEARY: fifty cents per foot for their land, and land is being expropriated to the extent of lots 25 by 100 which, as Your Honour knows, is the equivalent of a building lot. Now, Mr. Speaker, although residents are complaining about the fifty cents per foot, they are not complaining about the expropriation if, Mr. Speaker, they were hooked into the sewer line, and they cannot be hooked into it, as I indicated, because it is a forced fed sewer line that the Department of Municipal Affairs and the council decided to put in. And there are 700 families, by the way, in the lower Goulds area who will not be serviced even though it is costing \$3.8 million to put in that system, 700 householders will not be able to be hooked in. If they did hook in in the lower Goulds, what would happen, Mr. Speaker, under a forced fed system is that the sewerage would be forced into the houses of the people and come up in their kitchens and in their bedrooms everywhere. So it is impossible to hook into it.

Now the member for the area, the member for Ferryland (Mr. Power) did write a letter to the Minister of Municipal Affairs (Mrs. Newhook) that I have in front of me raising all of these questions to the minister. I have not seen any reply, I do not know if the member has received a reply to his -

MR. POWER: I have.

MR. NEARY: Well, if he has then the people have not been given the information yet. I trust the hon. the member for Ferryland will be passing the information along to his constituents. And I do hope that the answers are satisfactory to the constituents, because the minister should really take a good hard look at this development, Mr. Speaker, to see if the consultants gave the right

MR. NEARY:

advice. It should be thoroughly investigated and a remedy should be taken to rectify the situation so that, for the amount of money that is being spent, all residents of the Upper and Lower Goulds will be sure that they will be getting adequate water and sewer services. I am delighted to have the opportunity to present this petition, Mr. Speaker. I ask that it be laid on the table of the House and referred to the department to which it relates, namely, the Department of Municipal Affairs. And I look forward to any comments that the minister may have to make on this particular matter.

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

MRS. NEWHOOK: Mr. Speaker, there has been an ongoing study with regard to the sewer outfall and the sewer system in the Goulds. It is completed now, of course, but it was a very intensive study and we have been consulting with the town council and with Delcan, which is the town's consultants. And finally it has been agreed with the consultants and with the town council that the methods we are using now, that the route being taken with the sewer line, the sewer outfall, is the best and the only one that can be approved at this time.

There are environmental concerns with regard to an area with the lagoon system and it is not feasible for the town of the Goulds. So the town council has agreed to the present system being used, the present design. There has been contact with Delcan, the work is underway and our department, our engineers, are convinced that it is the best way to go.

With regard to the expropriation of land and the road paving, the road will be paved when the sewer line goes through. I am sure that the people of the

MRS. NEWHOOK: Goulds must realize that you cannot pave and widen the roads and upgrade them if they are going to tear it up again. So that will be done. And, Mr. Speaker, our department is quite satisfied with the studies and that the route being taken and the design that has been done are the best ones.

MR. SPEAKER (Russell): The hon. member for Eagle River.

MR. HISCOCK: Mr. Speaker, to that petition, I also support the petition. The Minister of Municipal Affairs (Mrs. Newhook) did not say when the people on the Shoal Bay Road, the Lower Goulds, will be getting water and sewerage. We realize why they are not getting it now. We also realize that with regard to once it is done, the force fed phase goes through now, we will end up getting a new paved road there, but they have expropriated land and still not said when the 700 families will get a sewer system. I would assume if they do get it in the future, they will have to tear up the road again and end up having to repave it again. It is something that this government does. But with regard to the petition, I am sure the 700 residents are wondering when they are getting it and what a waste of money to expropriate land and then repave a road and then tear it up again at some other date. But with regard to that, Mr. Speaker, we find that this is not only prelevant to the Goulds; the same thing happened with Makkovik, the same thing happened with Rigolet and L'Anse-au-Clair, L'Anse-au-Loup and many places in my district, that only half the community is getting water and sewerage or one-quarter is getting water and sewerage, and the other part, because it is on the side of a bridge and expenses involved, are not getting it. The problem that happens with the Department of Municipal Affairs is the consultants. The consultants have to be recommended by the department itself and I find sometimes if we go and

MR. HISCOCK:

check the political party label we find that a lot of patronage is involved there. And I think we as taxpayers in the Province are paying a lot more for these water and sewerage systems than is really needed, and they are not for the benefit of the people but sometimes for the construction companies and for the consulting groups.

So I support the petition, Mr. Speaker, but I have to say what a waste of money to expropriate land and end up having to pave it and at some later date find out that we are going to end up having to put water and sewerage in.

MRS. NEWHOOK:

A point of order,

Mr. Speaker.

MR. SPEAKER (Russell):

Order, please! The

hon. Minister of Municipal Affairs, a point of order.

MRS. NEWHOOK:

That is completely false

what the member for Eagle River (Mr. Hiscock) is saying. We do not appoint the consultants. If they are working on the town system, they have done the work, they are familiar with it, then we just make recommendations to the council and the council approves the consultants.

MR. HISCOCK:

To that point of order,

Mr. Speaker.

MR. SPEAKER:

To that point of order,

the hon. member for Eagle River.

MR. HISCOCK:

We find out that with regard to the consultants that the Province has a list and they recommend to the council two or three, and it is up to the councils to pick out one out of those two or three. That is the rule.

MR. SIMMS:

That is not what you said.

MR. HISCOCK:

Probably still three Tory firms.

MR. SPEAKER (Russell): Order, please! The point of order raised is a difference of opinion between two hon. members.

ORDERS OF THE DAY:

Motion, the hon. the Minister of Social Services to introduce a bill, "An Act To Amend The Social Assistance Act, 1977", carried.

(Bill No. 82)

On motion, Bill No. 82 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 Newfoundland Medical Care Insurance Act", carried. (Bill No. 92)

On motion, Bill No. 92 read a first time, ordered read a second time on tomorrow.

Motion, the hon. the Minister of Culture, Recreation and Youth to introduce a bill, "An Act To Amend The Wilderness And Ecological Reserves Act (No. 2)", carried. (Bill No. 93)

On motion Bill No. 93 read a first time, ordered read a second time on tomorrow.

MR. SPEAKER: Motion 1. The resolution introduced by the hon. the Premier, and the hon. the member for Torngat Mountains adjourned the debate yesterday.

MR. WARREN: Thank you, Mr. Speaker. Yesterday when I was speaking in favour of this resolution, I did indicate, Mr. Speaker, at the time that the Premier made a 360 degree turn since November 24, 1981. And it is public record, Mr. Speaker, that the Premier in 1981, at the

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MR. WARREN: time the Constitution
was in the process of being brought home to our country
the Premier was content, at that time the Premier was
contented to go ahead, having the

MR. WARREN:

unanimous support of Newfoundlanders and Labradorians of retaining the word 'existing' in Clause 34. And it was, Mr. Speaker. The the Premier cannot get any credit whatsoever for this resolution that he brought in yesterday. The credit for this resolution lies solely on the native people across Canada. The native people across Canada have stood up in force with the backing of the federal MP, Warren Allmand. Warren Allmand was one of the backers, one of the MPs, along with Peter Ittinuar, an Inuit who represents the Eastern Arctic. He and Warren Allmand were the two federal MPs who were backing the native people across Canada in order to have the word 'existing' deleted or have something added to it. But the resolution that the Premier brought in yesterday did what the native people wanted done in 1981, it extended the word 'existing' to include any other ongoing talks between the native people and government.

Now, the Premier said yesterday that so far the federal government have not been willing to look at the land claims of the native peoples. Now, Mr. Speaker, that is incorrect.

I would like to quote from a statement of the Labrador Inuit Association under the signature of Enoch Obed, who was the Land Claims Director for the Inuit Association: "The Supreme Court of Canada came very close to saying that the native people had traditional and aboriginal titles to their land in January, 1973. The government at that time got scared that if the Inuit and Indians ever went to court, it might get beaten and the native people would win their case. In order to forestall this possibility, the federal government reversed its 1969 policy and on August 6, 1973,

MR. WARREN: announced that it was prepared to settle land claims with natives without treaties if those people could show that they had traditional interest in their lands." Now, that was on August 6, 1973, Mr. Speaker, some ten years ago.

Now, Mr. Speaker, the Premier was the gentleman who said yesterday that the federal government was not concerned about land claims. It is this Province that is not concerned about land claims. This Province is concerned that what will happen is the native people in this Province will have some say about their destiny.

The Premier met with the native leader on November 23rd. I want to read for you, Mr. Speaker, what the native people said on November 24th:

MR. WARREN:

'We met with Premier Peckford this morning where we were presented with a new version of Section 34 that the Premiers across the country had agreed on last night.' Again I reiterate, Mr. Speaker, 'The Native people were left out of these consultations and we were asked to support a document that we knew nothing about.

'We hope that Premier Peckford will support the request of the Native peoples of this Province and have the word dropped,' in other words, the word 'existing'. And, Mr. Speaker, if that was dropped then at that time, November 24, 1981, the Native peoples of this Province would agree wholeheartedly with the constitution and the Premier would not have been required to come into the House yesterday with his tail between his legs and expect hopefully that everything would be forgiven.

Mr. Speaker, in the remaining few minutes I have left, for the record let us look at what this government has shown in favour of the Inuit people. Let us look at what they have shown in the past and see if there is any desire in this resolution to be better to the Native people.

Mr. Speaker, in September, 1978, the Premier, who at that time was the Minister of Rural Development, on September 18, 1978, at that time issued a directive to all the managers of government owned stores in Northern Labrador that the stores would be no longer carrying hardware, furniture or appliances. Now the Premier made that, as Minister of Rural Development at that time, in 1978, he made that decision without even consulting the Inuit people. Instead who did he consult? He consulted two individual business people who were living

MR. WARREN: in Nain, who wanted to carry those commodities. Instead of stocking them in the government store, he was receiving federal money for the operation of government stores in the communities, this government just turned their backs on them and started taking things away.

'This is another sorry episode, this is what the statement said by the Inuit Association in 1978, 'this is another sorry episode of government officials listening to and being influenced by a couple of white businessmen and discarding the opinions of the true citizens of Labrador.' Mr. Speaker, it asks as final questions, 'What about the people who live there? What about the people that this agreement is meant for?'

Now, Mr. Speaker, this resolution will, I hope - I do have a little confidence in the Premier - I hope that he will now have learned his lesson that the Native people will no longer be trodden on. I am surprised also, Mr. Speaker, that the Premier said yesterday, he said, 'We have done extensive, detailed research and can find no evidence to support the aboriginal title by the people of Conne River.' That, Mr. Speaker, is

MR. WARREN:

not correct, that is not correct, they have not done an extensive search. They may have done research, but not an extensive research. Because if they had done extensive research, they would have come up with some ideas supporting the Conne River Indians. All the Premier has done was listen to some research from his flunkies, that was the research that he listened to. There is research that he will not ever listen to at all, Mr. Speaker, that was done by a Memorial University professor. He will not even listen to that because he thinks it is no good. But why does he not play all the evidence? Maybe the Conne River Indians do not have a claim to any territory, maybe they do not, but I believe it is unfair for the Premier to come into this House and say they did extensive research which they have not done. The Premier also said, 'We are prepared to sit down with the groups,' meaning the Indian groups, 'and recognize right from the start that they are different from the rest of us on the Island.' Mr. Speaker, what a laugh! What a laugh! It was only just last winter, Mr. Speaker, when this government had it in its power, and the money was there available to assist the native people in recovering their skidoos and their caribou meat that was left in the country because of bad weather, but this government did not see fit to do it. This government could not stand on its two legs and support those people, instead we had to go to the Germans to help those Inuit and Indian people and help them to retrieve their caribou meat from the interior. Does this government care? No, Mr. Speaker, this government does not care. If it

MR. WARREN: cared it would have been in there the first day it was requested. And from that day, Mr. Speaker, this is one of the reasons why the Executive Assistant to the Minister of Rural Development (Mr. Goudie), Mr. White, was released of his duties, because Mr. White stood up for the principles of the Inuit people at that time. He requested that the department act and help those people to get their meat and their skidoos out of the country. And I wonder if this is one of the reasons why Mr. White is no longer employed with that department? Mr. Speaker, in conclusion -

MR. CALLAN: Are you going to read the letter?

MR. WARREN: I will read another letter after.

MR. SIMMS: Are you going to table it?

MR. WARREN: I will table any letters, yes, my friend. Mr. Speaker, I want to quote a copy of a letter that I received in 1979 and it shows and I hope that this will sum up, Mr. Speaker, the frustrations of the native people of Labrador as it pertains to governments. I am not pointing particularly to the provincial government but to both governments. Mr. Speaker, this letter was written by the late William Edmunds, who was then the President of the Labrador Inuit Association. It is not necessary to repeat the first paragraph, it is just congratulating me on my election and so on. The second paragraph, 'I am sure you will agree with me when I say that the Torngat district is one of the most neglected financially not only in the Province but in the whole of Canada. I could add that there is also

MR. WARREN:

'a special area in another sense as it contains in your Inuit population in the Province. This fact alone makes it completely different from all other districts. The Inuit people are different, they have different dreams and hopes than does the average Canadian. Theirs is not a world of pavements, highways, automobiles, offices and high-rises' - such as the Tiffany Towers - 'but of water, ice and snow, hunting, trapping and fishing and a healthy environment' - which the minister is trying to destroy at Strange Lake, their healthy environment. 'Government Services such as housing, social services, are geared to the outside world and are more often detrimental than beneficial to the native population.

MR. SIMMS:

What are you reading from there?

MR. WARREN:

I will table it, do not worry.

Mr. Speaker, it says the problems are, and I repeat, 'A lot of these problems, by the way, are initiated by the provincial government.' Mr. Speaker, the native people in this Province do not have any ambitions of running this Province, they also do not have any ambitions of separating from the Province. The only ambition they have is to be respected. They were the first born of this Province, they were the first settlers of this Province before it became a province, They were the first ones here, so let us respect them and let us not take away the little that they have left. I am hoping, Mr. Speaker, in concluding, and I am sure that the Minister of Rural, Agricultural and Northern Development (Mr. Goudie), who espouses being a Labradorian and being proud of being a Labradorian, will show his convictions and naturally will support the resolution as I will support the resolution. And not only support the resolution, but to stand up and show once and for all that we have to respect

MR. WARREN: these people, that these people cannot be trod on any longer. It is through the good graces of the Labrador Inuit Association and the NMI Association, these two groups have been the powerful force that is forcing this government to at least listen to their desires and their ambitions. And their desire and ambition, Mr. Speaker, is to be treated as true Canadians and true Newfoundlanders and Labradorians. With that, Mr. Speaker, I support the resolution that was put forward by the Premier and I hope and pray, Mr. Speaker, that this resolution will open the Premier's eyes to realize that the native people who live in Labrador are part of this Province. There would not have been any need for the Premier to bring in this resolution if he had done his homework in November 1981, but, Mr. Speaker, he was too headstrong, as he is in many other things, and what has happened now is that

MR. WARREN:

we have to have this debate, and I hope that the benefits derived will be the benefits for the minority groups in this Province. And sometimes, Mr. Speaker, it is worth our while to listen to what those minority groups have to say, whether they are French Canadians, whether they are natives or whether they are some minority religious group, because, no matter who they are, whatever they have to say sometimes let us not be too high and mighty not to listen to them because they are an important segment of our society. And with that in mind, Mr. Speaker, I support the resolution.

SOME HON. MEMBERS: Hear, hear.

MR. SPEAKER (Aylward): The hon. Minister of Rural, Agricultural and Northern Development.

SOME HON. MEMBERS: Hear, hear.

MR. GOUDIE: Mr. Speaker, I am not quite sure how to begin this debate this morning. After listening to the gentleman who represents Torngat Mountains (Mr. Warren) yesterday and again today, perhaps I should not say I am embarrassed to follow him as he obviously does not understand what this resolution is about and he sure does not know what he is talking about. All he has done for the last hour or so, combining his words yesterday and today, is quote from letters from some place or other, letters that he has not tabled—and I do not care whether he tables them or not, it does not matter to me—quoting so-called experts on native peoples in Newfoundland and Labrador and in Canada, offered no opinion -

MR. SIMMS: Yes, and British Columbia.

MR. GOUDIE: In British Columbia, yes, of course.

He offered no opinions on anything. I have to congratulate him for one thing and that is in the last couple of minutes of his speech he did make reference to one of the greatest and certainly most effective native leaders we have had in this Province, in my recall of the last thirty years or so, and

MR. GOUDIE: that is the late Bill Edmunds, and I want to have a couple of words about him a little later on.

MR. WARREN: A good man, a good man.

MR. GOUDIE: I must compliment him for that, although I think he just happened to slip it in as an after thought at the tail end, which is the way he usually approaches things.

In any event, Mr. Speaker, the gentleman says he is going to begrudgingly support this particular resolution. The only elected representative in this Legislature who represents the majority of native peoples in this Province is going to begrudgingly recognize the rights of native peoples in the Constitution of Canada.

SOME HON. MEMBERS: Shame, shame.

MR. GOUDIE: The man should hang his head in shame and resign from the House of Assembly.

SOME HON. MEMBERS: Hear, hear.

MR. GOUDIE: I never thought I would ever be embarrassed, Mr. Speaker, to recognize a fellow representative from a Labrador riding in this Province.

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

MR. SPEAKER (Aylward): A point of order, the hon. member for Torngat Mountains.

MR. WARREN: Mr. Speaker, if the minister would look back over Hansard he will see that right from the beginning I said that I would support the resolution. I said today on two occasions I would support the resolution. And that is more than the minister would do in 1981, and he is a true-blooded Labradorian.

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

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

MR. OTTENHEIMER: Obviously it is not a point of

MR. OTTENHEIMER: order but it is a point of great rudeness because the hon. gentleman from Torngat Mountains (Mr. Warren) spoke for over an hour without one interruption or a point of order from the hon. minister, and he should extend the same courtesy to that hon. gentleman who has only spoken for a minute and a half.

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

MR. SPEAKER (Aylward): To that point of order, the hon. member for Eagle River.

MR. HISCOCK: Mr. Speaker, he may have spoken for an hour but he did not at any time end up saying that the Minister of Rural, Agricultural and Northern Development (Mr. Goudie) should resign. The member for Torngat Mountains (Mr. Warren) is, like all members of the House of Assembly, in here by the due wishes of the people and it is up to the people of each district to turn around and decide whether they should resign or turned out of office in a general election. So it is not a point of order, Mr. Speaker, whatsoever and it is not a point of rudeness either.

MR. SPEAKER: Order, please!

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

MR. SPEAKER: To that point of order, the hon. Minister of Culture, Recreation and Youth.

MR. SIMMS: Mr. Speaker, I just want to make the point that the member for Torngat Mountains raised the point of order, and it is very pleasant indeed to see that his colleague from Eagle River (Mr. Hiscock) now agrees that it is not a point of order.

MR. SPEAKER: To that point of order, I rule there is a difference of opinion between two hon. members.

The hon. Minister for Rural,
Agriculture and Northern Development.

SOME HON. MEMBERS: Hear, hear.

MR. GOUDIE: Thank you, Mr. Speaker.

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MR. GOUDIE: I did not say that the hon. gentleman from the Torngat district (Mr. Warren) did not support the resolution. I said he supports it begrudgingly, which was obvious for the last hour that the hon. gentleman spoke to this resolution. He has no interest,

MR. GOUDIE:

I do not think, in promoting the welfare or raising the concerns, or acting upon the concerns of the residents of Torngat district, again I will repeat, the district in this Province which has almost a total population of Native people. There is one other community in Labrador, in my district, the community of Shesheshit, which has an Indian population, there is a community down here on the Island part of the Province, Conne River, that we are all aware of, and there are Native peoples in a few other communities scattered throughout the Province.

So that gentlemen represents the majority of native peoples in this Province, and he stands here and begrudgingly supports this resolution.

MR. BAIRD:

He should resign.

MR. GOUDIE:

He is confused, Mr. Speaker.

He deliberately misconstrues information, he has been doing it since he has been a member of this Legislature, and persists in doing it again. Just let me give the hon. gentleman, through you, Mr. Speaker, one example. He says that the Premier does not consult, I think he meant with anyone in the Province but he certainly referred specifically to Native people, that he does not consult with them. He raises something about a resolution that was brought in here a couple of years ago and expresses great concern that the Premier, and myself, he mentioned me specifically several times, did not have the nerve to support Native peoples, etc., etc., etc. I want to assure the hon. gentlemen and all members of the Legislature, Mr. Speaker, that I most certainly support native peoples. Perhaps, thankfully, in my opinion, but perhaps the gentleman may be upset that he

MR. GOUDIE: is not sitting around the table in Ottawa involved in these discussions, an opportunity which I have to take part in -

SOME HON. MEMBERS: Hear, hear!

MR. GOUDIE: - and something which I do with a great deal of pride, Mr. Speaker, and will continue as long as the Premier and this government designates me as one of the people to represent Native people in this Province at the national level in the constitutional talks. When that particular resolution that he referred to, which was brought in a couple of years ago, Mr. Speaker, was dealt with, I met with all the leaders of the native groups in the Province and talked with some individuals about their concerns. They wanted to be assured that their rights and aspirations were going to be covered under the Constitution. The proposal put forth by the Premier, as I understand it - perhaps I misunderstood it but as I understand it - was to assure the native peoples of Canada that within a year, I believe, subject to correction by the Minister of Justice (Mr. Ottenheimer), he is better informed on a lot of the details than I am, but I understood within a year or two that native peoples' rights would be debated under the constitution and appropriate amendments made thereto, which is what we are in the process of doing here right now.

Talk about consultation!
The Premier and myself made telephone calls, his staff made telephone calls, sent letters to the leaders of the three native groups in this Province, the Labrador Inuit Association, the Naskaupi, Montagnais, Inuit Association and the Federation of Newfoundland Indians, indicating to them, prior to the first First Ministers' Conference, that such a conference was taking place dealing with aboriginal

MR. GOUDIE: issues, and rights, etc., are you prepared to come into St. John's, or select a location, to talk about your concerns so that we may address them a little more accurately and in turn present them during the discussions at the First Ministers' level? There was one response, Mr. Speaker, from the three groups, and that was from the Labrador Innuit Association. The other two groups, the NMIA and the Federation of Newfoundland Indians, either did not have an interest or did not care that we wanted to represent them during the constitutional talks. They did not wish to meet with us. As a matter of fact, they stated they do not recognize the Government of this Province, and I believe they further do not recognize the Government of Canada but I am not sure about that, but they certainly do not recognize the Government of this Province.

I sat in for about three hours, Mr. Speaker, along with my colleague, the Minister of Justice (Mr. Ottenheimer), the Premier, and representatives of the LIA, downstairs in the Cabinet Room, and discussed their concerns and they had with them a Mr. Charlie Watt, a gentleman who I believe at that time was with the ICNI, the Inuit Committee on National Issues. And the discussion I thought was extremely fruitful. We presented our position to them on constitutional matters. They in turn presented theirs, and we walked out of the meeting with agreement, as I understood it. And the positions that they put forth were subsequently put forth by myself, by my colleagues the Minister of Justice and the Premier, at these constitutional talks.

So do not anyone get the impression that the Government of this Province does not consult with Native peoples or any other groups in Newfoundland and Labrador. It does and will continue to do so.

MR. GOUDIE: The Premier, he says, betrayed the Native people, betrayed the Native people of Labrador, specifically he was referring to, and made reference to an activity which took place last Spring involving the West German Air Force at Goose Bay airlifting some caribou from the interior of Labrador out to Nain, and also assisting the hunters with their equipment, and so on, which was in the country because of an early and heavy thaw.

Mr. Speaker, what the gentleman does not mention - and, of course, why would he mention this? It is not in his best interest, although it is in the best interest of the report that he presented -

AN HON. MEMBER: And in the people.

MR. GOUDIE: - And in the people, obviously - my staff and I were in touch with leaders up in that area and explained to them that funding was available under the Native Peoples agreement, 'If you want to hire a chopper in the next hour, hire a chopper, hire an aircraft, go in, haul out what you want.' No, Mr. Speaker, they would not take advantage of it, would not use the funds. So someone else is brought into the fray, that was at the time the only way that the government of this Province could assist. We agreed to make choppers available, we agreed to pay for the helicopters, we agreed to fly the meat out and everything else, which was done by the West German Air Force, which I thought was a great humanitarian act on their behalf, and they have been complimented, I personally did it myself as did my former executive assistant.

MR. WARREN: So did I.

MR. GOUDIE: Good! Good! At least he had the decency to do that.

In any event, Mr. Speaker, it was late in the game when the West German Air Force finally came in and did something about it; some of the meat was spoiled

MR. GOUDIE: and there were other difficulties as well.

All I am suggesting is that the government of the day, this administration in place now, made an offer to resolve the problem: the offer was rejected. I do not think we can go any further than that. If we had made the decision to go ahead and do it anyway, then the hon. gentleman would stand in the House and say, You are making decisions on behalf of the Native people and ramming it down their throats.

MR. ANDREWS: There you go.

MR. GOUDIE: So what do you do? You do the best you can.

AN HON. MEMBER: You did what?

MR. GOUDIE: Now, Mr. Speaker, I want to make reference to a gentleman. One of the other things that the gentleman representing Torngat district did not do was talk about Native people. He did not discuss them at all. I do not know if it is because he knows nothing about them or has no concern for them, or is just furthering his political future; I understand he is running for leadership of the party. I was also told that he is going to decide by the 24 of November whether or not he was going to go and make his announcement. Now I do not think he made an announcement, I did not hear an announcement. Perhaps he did, I have no idea, I did not hear it.

MR. ANDREWS: It was a quiet announcement.

MR. GOUDIE: A quiet announcement.

Well, perhaps he is delaying a little bit further until after the by-election is over before he makes that type of announcement. I do not know.

MR. BAIRD: Probably he is looking for a seconder.

MR. GOUDIE: That is the problem, trying to get a seconder. I do not know what his aspirations are for not talking about the Native people or their concerns in his discussions on the constitution -

MR. ANDREWS: He knows nothing about them.

MR. GOUDIE: - and I cannot and will not attribute motives to the hon. gentleman, but I did compliment him on one thing, and that is the only thing I can compliment him on in his speech which lasted an hour or so, and that was his very minor reference to the late Bill Edmunds. I thought Bill Edmunds, in my knowledge of him, I knew the man for about thirty-five years, spent twenty-five years at Goose Bay working for the most part with the American Forces, walked out of there with awards of

MR. GOUDIE:

all kinds from the American Forces for the contribution he made to their particular service in the Goose Bay area, twenty-five years of operating heavy equipment, snow removal equipment, without an accident, without a minute of down time. He dragged himself up by his bootstraps and went on to become a contributor to the lifestyles of several communities on the Coast of Labrador -

MR. ANDREWS: An interpreter for CBC.

MR. GOUDIE: - an interpreter for CBC, amongst other things, raised a family and became, in my opinion, the most effective leader the Labrador Inuit Association has ever had so far.

SOME HON. MEMBERS: Hear, hear!

MR. GOUDIE: Perhaps there will be greater, I do not know, but he, until his death, was certainly the most effective leader I have seen up there and had the respect not only of his own people, his own peers, but the respect, I am sure, of every member of this caucus and, certainly, every member of this government.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: And the previous government.

MR. GOUDIE: Well, someone else, Mr. Speaker, can speak for the previous government, I suppose, I do not wish to at this particular time.

I sat around the constitutional table, if you will, in Ottawa, in company with other representatives from this Province and it gave me a little bit of pride. I think I was the only person who can be referred to as 'native' who was sitting as a member of a government at that particular time, other than the Northwest Territorial Government, which was represented in part by James Washee, and which, after the most recent election will continue to

MR. GOUDIE: be represented by him, as I understand his portfolio to be.

But one of the things that caused me a little bit of chagrin - I do not know what about other people who attended that conference - was that the gentleman from Torngat Mountains (Mr. Warren) continued to berate the Premier of this Province, which is his right, it is the way he does things. But I have to say one thing, Mr. Speaker: I was not particularly proud of our Prime Minister, the First Minister of this country, when he stood around that constitutional table and said, 'Are we going to have to go through these prayers again?' The native leaders of this country stood there, in their faith, in their commitment, and wanted simply to begin the constitutional talks with a prayer, and that was the response they got from the Prime Minister of Canada!

SOME HON. MEMBERS: Shame! Shame!

MR. GOUDIE: Now, that is something to be proud of! That is something for the Liberal caucus of this Province to be proud of!

MR. ANDREWS: He is not a statesman.

MR. GOUDIE: Statesman! He had a reputation for being a statesman for a few years but he has certainly gone down, and I think that was obvious in the remarks of summation by the native leaders at the end of that First Ministers' Conference when they, rightfully so and very effectively, put him in his place, and, hopefully, he will stay there.

In any event, Mr. Speaker, I should not spend all my time, I suppose, referring to the remarks of the hon. gentleman from Torngat Mountains or the Prime Minister.

MR. WARREN: No, boy, say something good.

December 2, 1983

Tape 3639

EC - 3

MR. GOUDIE: I thought everything I said
so far was good, Mr. Speaker. I most certainly thought it
was appropriate.

SOME HON. MEMBERS: Hear, hear!

MR. GOUDIE: One of the items covered in this resolution, Mr. Speaker, that I want to just make a brief reference to, and I do not recall the hon. member for Torngat Mountains (Mr. Warren) referring to it, he may have and I may have missed it, but one of the great inequalities in terms of legislation, which has been in place in Canada for a great number of years, hopefully is soon to be abolished, and that is what is referred to as the Indian Act. I do not know if hon. gentlemen opposite know the Act, I do not know it in detail, I know of it, I know some of the things it says. But, as the Premier pointed out in his remarks yesterday, there was division between the native peoples themselves in terms of whether or not female Native people should have - what? - equal rights, I guess is the proper term to use. Under the old Indian Act, for instance, if a Native woman married a non-Native she automatically lost her rights; however, the reverse is not true. If a Native male married a non-Native, he did not lose his rights. That has been a great bone of contention for a great number of years, obviously from the female point of view more so than the male. I think that is understandable. I understand there is a Standing Committee, or a committee of the House of Commons which is addressing itself to the Indian Act and I think one of the preliminary indications is that the Act will probably be abolished. Now that is only a suggestion, I do not think the decision has been made. But certainly the Native female leaders of the country made their case very well known at these constitutional talks and, as a matter of fact, in the proposed amendment now they have progressed far enough

MR. GOUDIE: that rights of males and females will apply equally. And I think they, along with the other leaders of the country, are to be congratulated for the efforts put forth into that. The gentleman who just finished speaking before I stood, indicated that I should be embarrassed, I think, about the role our Premier played and I played in relation to dealing with Native peoples and the subsequent discussions on the resolution. I do not recall any particular reason why I should be embarrassed or ashamed of the way that I deal with Native people. I was involved on the periphery in most cases, and in some detail at the tail end of it, in helping to put in place a \$50 million agreement over five years, a federal/provincial agreement, which will inject funds into the hon. gentleman's district.

SOME HON. MEMBERS: Hear, hear!

MR. GOUDIE: I was involved, again in a peripheral way in dealing with other Native people, if you will, in Labrador, people of my racial background who live in other parts of Labrador, where another \$50 million is going into the coast of Labrador over the next five years. As a matter of fact, I think the two gentlemen who represent coastal ridings in Labrador, Torngat and Eagle River, could be at least a little grateful to me, and even more grateful to the government of this Province for getting them re-elected.

SOME HON. MEMBERS: Hear, hear!

MR. GOUDIE: They would not have been re-elected, Mr. Speaker, if it were not for the government of this Province. They should show a little gratitude, a little bit of gratitude.

SOME HON. MEMBERS: Hear, hear!

MR. GOUDIE: Now, I would think, Mr. Speaker, that that type of information presented in that way does not go into his campaign literature either for the leadership or for re-election in his district. All I am saying, I think, Mr. Speaker, in all of this is that I thought the hon. gentleman opposite, who just assumed his seat before I began to speak, I was a little disappointed that he did not offer any opinions, whether or not this is a good or a bad thing. He did begrudgingly say that he was going to support it. And the impression I got was that he would not support it except for Native people and Native peoples' rights,

MR. GOUDIE: but certainly, if it were something that the Premier himself only was involved in and dealt with other matters, he would not support it because obviously he is dead set against the leader of this government. Why, I do not know. I believe our leader here has made a greater contribution to this Province, to native peoples in this Province than any other leader in history, and that can go back 400 or 500 years.

SOME HON. MEMBERS: Hear, hear!

MR. GOUDIE: He did make reference to the fact that we have not outlined our policy in relation to land claims etc. And I find that a little confusing as well, because I sat in a meeting room in Coppermine in the North West Territories two years at which there were representatives of the Labrador Inuit Association, the late Mr. Edmonds being one of them, Fran Williams, the present leader was another, and outlined the policy of the government of this Province in relation to land claims. They called for it, we had outlined our policy about a week prior to that publicly, and I outlined it again. He expressed some frustration about the fact that the Premier or the government has not dealt with the Conne River reserve situation.

I think the only comment I can make on that is to remind the hon. gentleman that the leaders of Conne River have the case in front of the Supreme Court of Canada at this point in time, and it has been there for some time. They are dealing with it. Obviously, when they are done with it and a decision is rendered, then we will. But at this point in time, we have stated quite clearly to the residents of Conne River - I have personally, so has the Premier - that we do not recognize aboriginal rights

MR. GOUDIE: in the community of Conne River. We recognize them on the Island part of the Province.

MR. ANDREWS: Anywhere else?

MR. GOUDIE: That is correct. Specifically in this case to Conne River. We recognize aboriginal rights in Labrador for the Inuit and the Naskaupi Mantangnais Indians and they in turn have gone on to offer some claims partially in the Province of Quebec.

MR. ANDREWS: It would be interesting to find out what the Liberal position is on aboriginal rights on the Island.

MR. GOUDIE: It most certainly would. I have never heard it addressed, Never ever heard the issue raised other than a criticism, or a comment of criticism such as the type that was put forth this morning.

MR. ANDREWS: Does the Opposition have a position?

MR. GOUDIE: I do not know. I would gladly yield if one of the hon. gentlemen opposite want to outline the Liberal position or policy on native rights in this Province.

MR. CARTER: Or even their theories.

MR. GOUDIE: No, no takers, Mr. Speaker.

Well, all I want to do is indicate to the hon. House that I still fully support the amendment that is being put forth here today that was moved by the hon. the Premier. I certainly do not do it grudgingly, Mr. Speaker, never did, never will, and I look forward to continuing in January, for instance, in Yellowknife, in February in Toronto, and hopefully in March in Ottawa, in continuing to have an input into these Constitutional talks. I will part of the provincial delegation to attend and take part in the discussions, and the native peoples of Labrador and Newfoundland know, as they have known since I have been the minister responsible for administering agreements, that I am available to them, the Premier of the Province is

MR. GOUDIE: available to them to discuss their concerns. As a matter of fact, the hon. gentlemen might like to know that I have made arrangements already to sit down with some native leaders, when we get together in Yellowknife, to discuss the specific concerns of their communities - never mind the Constitutional issues, that obviously is a major significance - but we are going to sit down and discuss other concerns to them as well with a view to resolving their problems. That is the way it has always been, that is the way it will always be. And I support with a great deal of pride, Mr. Speaker, not only because the Premier of this Province has moved the resolution, or the government of this Province is involved in the discussions, but because, Mr. Speaker, the talks taking place now, and the talks that will take place

MR. GOUDIE: in the future, will ensure for all time the rights, the privileges, and guarantee the aspirations of the native peoples in this country not only to a fair and equitable living and lifestyle, but will most certainly give them a greater deal of hope for their future than they have had in the past, and will put in place guarantees for them to assure that their aspirations are met. And I support this resolution with a great deal of pride, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear.

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

MR. NEARY: Mr. Speaker, it is unfortunate indeed that the hon. gentleman who just took his seat spent the first ten or fifteen minutes of his few remarks berating my colleague, the member for Torngat Mountains (Mr. Warren), who made one of the finest speeches that I believe I ever heard made in this hon. House. Mr. Speaker, one thing that the hon. gentleman should not do is to accuse my hon. colleague of not having the interest of the native peoples at heart, because hon. members supporting the administration do not believe that. If there was ever a man alive on the face of this earth who is doing more to further the rights of native peoples, Mr. Speaker, it is my colleague, the member for Torngat Mountains.

Mr. Speaker, I do not believe anybody in this House believed what the hon. gentleman said about my colleague not being sincere, not having the interest of the native peoples at heart. Mr. Speaker, is that a true statement? Is it?

MR. GOUDIE:

Yes.

MR. TOBIN:

Garfield is going to beat you too

if he runs for the leadership.

MR. NEARY:

Mr. Speaker, we talked this morning quite a bit about observing the rules of this House, Ignorance is one thing that is not tolerated in this

MR. NEARY: House. The Government House Leader (Mr. Marshall) seems to have some kind of a class hang up; if you are not in the hon. gentleman's class then you are accused of all kinds of vile things in this House. Mr. Speaker, I ask to have the rules enforced. I did not interrupt the hon. gentleman who just spoke and who just took his seat. And I think it is time, Mr. Speaker, for the crowd there opposite to realize that they are not out in Feathers or in Friends or in the Sea Breeze or in some of the other taverns of this Province, they are in the House of Assembly and it is time they realized that.

MR. TOBIN: We do not know about clubs.

MR. NEARY: Mr. Speaker, I ask Your Honour to enforce the rules, please.

MR. SPEAKER (McNicholas): Order, please!

MR. NEARY: You would swear you were in a beer garden to listen to the comments of some of these people. They are not at a hockey game, they are in the House of Assembly.

MR. HOUSE: The hon. gentleman is revealing an obsession. He is always talking about beer gardens.

MR. SPEAKER: Order, please!

MR. NEARY: Mr. Speaker, one indication of how the Labrador Inuit Association feel about my colleague was when he managed to persuade the West German Air Force to remove that meat that was on the ground that would have spoiled if my colleague had not come to the rescue of the Native people in the Northern part of this Province. Now, Mr. Speaker, this is only one illustration. I have met in the last year or so, since I became Leader of this Party, leaders of the Inuit Association, I have been in Goose Bay and I talked to Native peoples. They have come to Confederation Building and they have come to my office. Mr. Speaker, I do not think that they have a more warm and friendly feeling for anybody in this Province than they do about my colleague who worked among them for

MR. NEARY:

so long. And I dare anybody to dispute that, including the hon. gentleman who just berated my colleague for not being sincere and having the interest of the Native people at heart, Mr. Speaker, And I will read just one letter, as testimony to what I am saying, from the Labrador Innuit Association. "2 May 1983, Mr. Garfield Warren, M.H.A., Torngat Mountain District, Confederation Building, St. John's, Newfoundland. Dear Garfield, Please accept our gratitude for the role you played in averting a potential catastrophe of major proportions. The contact and influence you were able to execute on our behalf was a decisive factor in putting together the caribou airlift operation in such a short time. Final counts indicate that 15,000 pounds of caribou were saved and an estimated \$79,000 worth of machinery, gear and fuel.

"The membership of the Labrador Innuit Association has been informed of your contribution.

"Yours truly, Frances Williams, President of the LIA."

Now, Mr. Speaker, that is just one letter of testimony to my hon. colleague for the outstanding work that he is doing for the Native people of Northern Labrador. And he is, Mr. Speaker, hon. members cannot dispute, that my colleague is about the finest district member in this House. Even the media of the Province acknowledges that.

MR. TOBIN:

Bill Rowe said it the other day. Bill Rowe said it the other day.

MR. NEARY:

Mr. Speaker, could Your

MR. NEARY: Honour enforce the rule?
Is there a rule against ignorance in this House, Mr. Speaker?

MR. TOBIN: If there were you would
not be here.

MR. SPEAKER (McNicholas): 'Order, please!

MR. NEARY: If it is not there, we should
one in. We should amend the rules that ignornace would be one
of the reasons why you would be named in this House.

MR. SPEAKER: Order, please!

MR. NEARY: Mr. Speaker, even the media
acknowledge the fact that my colleague is a hard worker, that
he is sincere, that he is a good district man, and is doing
a good job for the -

MR. WINDSOR: That is who you should
get to campaign in Terra Nova.

MR. NEARY: Mr. Speaker, the hon. gentleman
just got the fright of his life down in Terra Nova. If I were
the hon. gentleman now I would just keep quiet today.

MR. WINDSOR: You come on back down with me.
We will see who gets the fright.

MR. NEARY: Now, Mr. Speaker, the hon.
gentleman who just took his seat obviously was smarting under
some of the remarks made by my colleague about the Premier,
in the constitutional discussions, how he let the Native
population of this Province down. I will be very kind to him.
I would say he let them down, Mr. Speaker. Now how does
Mr. Adrian Tanner feel about the hon. gentleman who made these
remarks? My hon. colleague was quoting from the report earlier
and we are prepared to table it. These are not my words, not
my colleague's words, these are the words of Mr. Adrian Tanner,

MR. NEARY: who is-what?

The chief advisor to the support group. He said,
"The speech of Joe Goudie, Minister of Rural, Agricultural and Northern Development, added very little except to make Goudie sound very ill at ease with the issue. Although he made a great thing of his Indian and Inuit heritage, he was unable to explain his own contradictory position. He admitted that the previous Tuesday he had stated publicly that he was in favour of reinstatement and could only explain his support for Peckford's action in dropping the clause by saying the end result would be the same. The debate faded away without a vote."

Now, Mr. Speaker, we are prepared to table this report if Your Honour so desires. And that statement is not made by a politician. What I am saying, Mr. Speaker, is that I will stack my hon. colleague's sincerity and his good intentions up against the member for Naskaupi (Mr. Goudie) any day in the week.

Now, Mr. Speaker, what are we debating here? Well, we are debating a resolution that will, if passed by all ten provinces of Canada, will bring about a resolution of an item that was not included in the Canadian Constitution when it was passed. That is what we are debating here. And the Premier had as good an opportunity as anybody at that time to remain adamant,

MR. NEARY:

to stand firm on behalf of these people and say No, there is going to be no constitutional agreement unless and until the Native rights in this Province were protected.

But he was jumpy and jittery, I suppose, like all the other premiers were and anxious to get an agreement, so, Mr. Speaker, he agreed; the hon. Premier agreed to drop that particular item in the constitution, he agreed to drop it. But, Mr. Speaker, the sad part of it is this, then he brought a resolution into the House of Assembly in order to cover up for his letting the Native people in this Province down, to distract from the fact that he had shown a great sign of weakness, that he had not stood up for the rights of the Native people, then he brought a resolution into this House.

And listen to what the resolution says, Mr. Speaker, 'Rights of the aboriginal peoples of Canada. 34 (1) The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.' Now the key word there is the 'existing'. That is what my hon. colleague objected to when this resolution came before the House, Mr. Speaker. That is what my hon. colleague objected to, 'existing', because as hon. members know, and the member for Naskaupi (Mr. Goudie) probably is more aware of it than any other member of this House, that they have no agreements, there are no existing agreements. And therein lies the problem and that is why my colleague objected to the resolution.

MR. WARREN:

But he supported it.

MR. NEARY:

Then the member for

Naskaupi, I am reminded by my colleague, supported the resolution knowing that it was futile, it was useless, it was a useless amendment, 'the existing aboriginal and treaty right.' And that is the key word, Mr. Speaker, and that is

MR. NEARY: what my colleague objected to and that is why my colleague said, and he has very strong feelings on this, that he grudgingly supports the present resolution before the House. The reason he use that word 'grudgingly' is because too much time is being wasted in rectifying this matter, and there was too much of an indication of weakness on the part of the Premier of this Province when he walked away from the Native rights at the constitutional conference, Mr. Speaker. That is why my hon. friend used the word 'grudgingly'.

My hon. friend supports Native rights wholeheartedly, but he just wanted to make a point about the fact that the Premier had let down the Native population, aided and abetted and supported by all hon. members there opposite.

MR. WARREN: And the minister was his key supporter.

MR. NEARY: We should thank my hon. colleague that that resolution did not go through back in 1981, that that resolution did not pass this House, because God only knows, if it had -

MR. WARREN: The natives would have been worse off than ever.

MR. NEARY: - if it had passed and the constitution had been amended, God only knows what would happen to the native population in this Province with that kind of wording. It was very cleverly worded, 'existing'. So, Mr. Speaker, what has happened now is that wiser heads have prevailed and the ten provinces of Canada are now in the process of having a resolution that obviously was drafted by somebody other than anybody in this administration, because if this administration had their way they would have the word 'existing' in there, which does not mean anything, that could do more harm than good, that could strip the native population of their rights and privileges.

MR. TOBIN: They call it provincial Report.

MR. SPEAKER (Dr. McNicholas): Order, please!

MR. NEARY: Mr. Speaker, this resolution obviously was worded by somebody other than anybody in the present administration, because the wording now says: "Any rights or freedom now exists by the way of land claims and agreements or may be so acquired," Underline that, "or may be so acquired."

MR. WARREN: That is right.

MR. NEARY: Mr. Speaker, these are the key words. That makes a big difference, Mr. Speaker.

MR. CARTER: The member's time is up.

MR. WARREN: No, he has lots of time yet.

MR. NEARY: My hon. colleague, the member for Naskaupi (Mr. Goudie) can twist words all he wants, but we are wholeheartedly supporting this resolution, because we believe native rights should be protected.

Mr. Speaker, the hon. gentleman raised another matter that is dear to my heart, because I had the opportunity when I was Minister of Social Services to renegotiate a native agreement. All the hon. gentleman is doing is carrying on a procedure that was brought about by the terms of Confederation when the native population in this Province were put under provincial jurisdiction, provincial control, whereas, as hon. members know, in other parts of Canada they come under the direct jurisdiction of the federal government. And this is the only province in Canada where the provincial government looks after the native population, native rights and so on.

When I was minister, I had an opportunity to renew an agreement. All the hon. gentleman did was to carry on something that we had started. Now, Mr. Speaker, it could be argued, I suppose, that it was a mistake at the time of Confederation to so do. The hon. gentleman nods. You know, on reflection, Mr. Speaker, I might be tempted to agree with the hon. gentleman. What I am arguing now is it may have been a mistake not to allow the native population of Newfoundland and Labrador to fall directly under federal jurisdiction as is the case in other parts of Canada.

MR. GOUDIE: We might not have the same problems if things had been done that way.

MR. NEARY: Probably not. My hon. friend says that we might not have the same problems.

MR. NEARY: Getting back to the agreement, my hon. friend did renegotiate and sign an agreement. But, Mr. Speaker, it is one thing to renegotiate and sign an agreement but it is another matter to deliver on that agreement.

MR. WARREN: That is right.

MR. NEARY: I do not believe many houses have been built in Northern Labrador in recent years.

MR. WARREN: Not one in Nain in the last three years.

MR. NEARY: My hon. colleague says not one in Nain in the last three years, and I understand they need forty or fifty houses up there now.

So the big problem with the agreement is that the hon. gentleman has not delivered on the agreement. And I must say that I went to Northern Labrador last year with my colleague, and last Winter I went to

MR. NEARY:

Rigolet, Mr. Speaker, I went to Davis Inlet. Now hon. members may recall that Davis Inlet was one of the communities in Northern Labrador that was relocated back in the 1960s. When my hon. colleague was living in Northern Labrador, living and working there, Davis Inlet was relocated and it was one of the most beautiful communities, I suppose, in Northern Labrador. - two rows of houses, two roads, beautiful trees - it was a beautiful place. I went back there last Fall and I must say I got the shock of my life, I could not believe that a community could deteriorate so fast. It was heartbreaking, Mr. Speaker. So something has gone wrong, something has gone off the rails in Northern Labrador, and that is why we hear my colleague day in and day out in this House raise these matters. They are very serious matters and we hear of professional people making statements and compiling reports outside of the House.

So the hon. gentleman may have an agreement that was provided for by a Liberal administration in this Province, and I not arguing about the merits or demerits or whether or not the native population should have been provincial jurisdiction or federal but the agreement is there, and what my hon. friend should do is deliver on that agreement.

So, Mr. Speaker, I do not know if there is very much else I can say about this resolution. As I indicated, the key words are, 'or may be so acquired.' Now, Mr. Speaker, I feel that if we had proceeded with the original resolution, the one that was drawn up by the administration there opposite, the wording no doubt drafted by the Minister of Justice (Mr. Ottenheimer) or in the Premier's office, the native population, Mr. Speaker, would lose confidence in their elected representatives and in

MR. NEARY: their government and in this House of Assembly. and they would be wide open for abuse. God only knows they are getting hemmed in enough now, their lives are being so regulated for them now that they can hardly turn. Their hunting and their fishing rights, their traditional rights, Mr. Speaker, practically every Session that goes by in this House there is some intrusion into native rights simply because the people who make these regulations and draft the legislation do not understand the background, they do not understand the traditional rights of these people and they do not understand their culture. You cannot regulate fishing and hunting for native people or trapping people the same as you do for the people on the Island here. You cannot do that, Mr. Speaker, My hon. colleague realizes that we are moving that direction, we are hemming the native people in as much as we can.

MR. WARREN: And the federal government too, both of them.

MR. NEARY: At both levels of government, we are boxing them in and we are frustrating the people, The hon. gentleman knows that.

MR. WARREN: They have got to pay for their fishing licences.

MR. NEARY: Yes, that is right they have to pay for their fishing licence now. That is right.

MR. GOUDIE: What about caribou?

MR. NEARY: I do not think they pay for their caribou licence.

MR. GOUDIE: Unlimited number of caribou.

MR. NEARY: They do pay for their caribou licence, do they?

MR. GOUDIE: No.

MR. NEARY: They do not need one.

MR. GOUDIE: No.

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MR. NEARY:

Anyway, Mr. Speaker, we are over-regulating, we are making life very, very frustrating for these people, we are gradually boxing them in.

MR. NEARY: And now once the Constitution-

MR. WARREN: Just look at the
Strange Lake development.

MR. NEARY: Yes, that is right, Strange
Lake, which was raised yesterday, is an example of that. Because,
Mr. Speaker, I do not know if hon. members there opposite
really got the point yesterday when my colleague raised this
matter and I asked some questions about it. What is happening
in that area now you have aircraft flying in and out of
there, the Iron Ore Company of Canada built a landing strip
on the Quebec side of Labrador, they have camps down there.
And what they are doing, Mr. Speaker, they are interfering
with the movement of the caribou -

MR. WARREN: And the calving ground.

MR. NEARY: - and the calving ground. That
is what they are doing. They are doing that now -

MR. WARREN: According to biologists.

MR. NEARY: - according to the letter my
colleague had from a provincial biologist employed with the
administration, with the provincial government. And yet they
shrug it off with the feable, weak excuse that there is no
need for an environmental impact study at this moment. No,
wait until it is wiped out, like everything else they do,
then lock the barn door after the horse is stolen, Mr.
Speaker. There is need right now for an environmental impact
study on that problem in Strange Lake, which could develop
into a jurisdictional problem and then become more complicated
then it is at the moment, Mr. Speaker. So we are, whether
we care to admit it or not, we are infringing on the rights
of Native peoples every time we pass a bill in this House
that gives the bureaucrats the right to make regulations,
Mr. Speaker. I remember once when I was in Northern Labrador
when a gentleman had his skidoo and his guns and ammunition
and all his belongings seized by the Department of Resources
because he shot a white bear contrary to the regulations,

MR. NEARY: my hon. colleague will remember, and one of the regulations was that you had to put up a sign, a sign had to be put up to indicate to the people that it was illegal to shoot white bears now in Northern Labrador. Well, this particular hunter had been out hunting when the sign was put up. And when he went hunting he did not know that you were not allowed to shoot white bears so he brought back the bear skin. And what happened? They seized it on him and they took his skidoo and his guns and his ammunition and everything else belonging to him, and I fought the case and I got it back for him. They charged him. It was ridiculous, it was so ridiculous that the Crown would not proceed with the case once I got hold of it, and they gave him back his skidoo and his ammunition, his guns and all his belongings and everything else, Mr. Speaker. But the point I am making is that this has happened too often. I remember once, when I landed in Postville, I had a group of people come up to the aircraft and say, 'Look, they have taken our skidoos and our rifles and everything else belong to us'. And we had to fight that one to try to get their things back for them.

MR. NEARY: So I think, Mr. Speaker, it is time that we had something entrenched in the constitution. The Premier missed a golden opportunity to do it. He walked out and he patted himself on the back and tried to take credit for bringing about the compromise, he tried to take credit for it. And in the process of trying to get himself a little pat on the back to try to make himself look good, he walked away from the Native population in this Province. I would not go so far as to say he betrayed them, but certainly he let them down. He let them down in the interest of his own image and in trying to leave the impression that he made a major contribution to the compromise that brought about a resolution of a long, drawn-out constitutional debate. So, Mr. Speaker, let us hope that we will get on with the business of passing this resolution, let us hope that the other provinces of Canada will not delay its passage in their legislatures and that pretty soon Native rights in this Province and in other provinces of Canada will be fully recognized and entrenched in the Constitution of Canada. That is the way it should be, Mr. Speaker.

On motion, resolution carried.

Motion, second reading of a bill, "An Act To Consolidate The Law Relating To Compensation To Workers For Injuries Suffered In The Course Of Their Employment." (Bill No. 80)

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Aylward): The hon. Minister of Labour and Manpower.

MR.DINN: Mr. Speaker, it gives me a great deal of pleasure this morning to introduce "An Act To Consolidate The Law Relating To Compensation To Workers For Injuries Suffered In The Course Of Their Employment." Mr.Speaker, this legislation brings about a significant realignment of the workers' compensation system in this Province. This is the first time since the original Workers' Compensation Act , passed by the legislature in 1951, that the legislation and administration of the workers' compensation system has been completely overhauled. At the same time the legislation governing workers' compensation in this Province has been dramatically revised to improve the benefit system to claimants and the methods of financing the various programmes offered under the workers' compensation system.

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

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

MR.NEARY: Mr. Speaker, I just want to draw to the attention of the House, and especially the Government House Leader, that my friend opposite is reading from notes. Now I do not object to that sort of thing, Mr. Speaker, I just want to make a point. He can carry on , he can read a speech or he can read from notes, it will not affect me a bit. But I just want to draw it to the attention of the gentleman who turns up his nose at anybody who is not in his class, the upper classes of the big shots in St. John's, that it is against the rules, but we are not objecting to it, Mr. Speaker.

MR.MARSHALL: Mr. Speaker.

MR.SPEAKER (Aylward): The hon. President of the Council to that point of order.

MR.MARSHALL: I know Your Honour will view that as being a nuisance point of order from a gentleman who is in the habit of raising such points of order, but the hon. Minister of Labour and Manpower (Mr. Dinn) is introducing a very important bill. The hon. Minister of Labour and Manpower, as he indicated in Question Period this morning, is quite capable of responding without having to read anything as he is not doing now. All the minister is doing is just using notes in the process of which he is making his speech.

MR.SPEAKER: Order, please! It has been ruled many times

MR. SPEAKER (Aylward): in this House that any hon. member is allowed to use notes while they are speaking. It is not permitted to read a speech, but anyone is allowed to use extensive notes.

The hon. Minister of Labour and Manpower.

MR. DINN: Mr. Speaker, first of all let me say it is regrettable, I think, that this piece of legislation, if one looks at it, cuts down the Workers' Compensation Act by about two-thirds. And it is a very good piece of law and it is something that is very technical in its content, and I think I would be remiss if I did not cover the points that need to be covered during the introduction of the bill.

So, Mr. Speaker, perhaps before getting into the changes that are being introduced by this Act, it would be appropriate to briefly review the history of Workers' Compensation in Canada and give a short summary of the system as we know it today. First of all, the Workers' Compensation system can be described rather briefly as a mandatory, no-fault, work injury insurance programme, which is funded totally by employers. It guarantees prompt payment of benefits to the victims of industrial injury and disease without litigation, and protects the employer from legal action.

The Newfoundland system of Workers' Compensation is based on the same principles as the systems in all other provincial and territorial jurisdictions in Canada. Thus our system is part of what is commonly known as the Canadian system. The Canadian system of Workers' Compensation is in many respects a work injury insurance programme that is unique in the world. The Canadian system was developed by Sir William Meredith of the Supreme Court of Ontario in the early 1900s and was formulated around certain basic principles. Briefly, these

MR. DINN: principles were that the compensation system must be, one, without fault; two, based on collective liability; three, funded by employers as an ordinary cost of operations; four, administered and adjudicated by an independent commission with exclusive jurisdiction by that commission; five, exclude recourse to the courts and, six, assure security of payment to the claimant.

Previous to the development of the system by Sir William Meredith, a worker could only obtain compensation for lost income as a result of an on-the-job injury if he could prove fault on the part of the employer. This adversary system, based on the common law principle of individual liability, was also in effect in Newfoundland previous to 1951. The worker was required to prove his case before the courts and this involved costly litigations which was not always successful. In many cases the worker was not willing to take the legal action against the employer for fear of future recriminations. The employer, of course, had the resources to defend himself against legal actions by an employee and quite often, after protracted litigation, the employee ended up with no compensation at all.

It should be noted here that in many countries this is still the case, including most of the States of the United States where the compensation system is built around the litigation or the adversary system.

Under our system the employee gave up the right to sue his employer; in return, the employee was assured of immediate compensation benefits. The employer no longer had to defend himself against court actions by the employee who was seeking compensation. The employer and employee are both equally protected under our system.

MR. DINN: Judge Meredith also saw that, in order for the system to work properly, the adjudication of compensation matters should be removed entirely from the court system and placed in the hands of an independent judicial tribunal. This judicial tribunal is what is known as the Workers' Compensation Board. Removing the jurisdiction from the courts to an independent tribunal allowed cases to be determined on their real merit and not on strict legal precedent. Further, it meant that no decision was final, and by instituting an inquiry system there was no once-and-for-all recovery since cases could be reopened and decisions altered if new evidence came to light with respect to the injury for which compensation was being sought.

It also, of course, freed both parties from the courts and the trauma of long, drawn-out litigation procedures. By the time that Newfoundland entered Confederation in 1949, all of the other Canadian provinces had adopted a compensation system based on the Ontario model.

MR. DINN: When the Newfoundland system of Workers' Compensation was being developed, it was natural, I guess at the time, that we do the same thing. Our act in 1951 was primarily centered around the Nova Scotian system of workers' Compensation.

It was undoubtedly at the time as progressive as any legislation in the other jurisdictions in Canada. Since the original act was passed in 1951, there have been numerous amendments, sometimes as many as three in one year. These amendments in the main dealt with benefits payable and the extension of coverage to certain groups who had not previously been covered by the legislation. While the changes throughout the years were clearly not dramatic ones in the context of the philosophy of the system or the method of administration, it appears that there were no fundamental changes in other provinces throughout that period of time. It is significant to note, however, that the original concept of Workers' Compensation, as outlined by the Ontario system in the 1900s, was to compensate for loss of income, or what is termed today as wage loss compensation. However, for some unknown reason, perhaps because of the administrative complexities of truly adhering to the wage loss compensation system, all of the boards drifted it away from the strict wage loss concept and paid on the basis of physical disability with little or no regard to the amount of wages lost caused by the disability. Consequently, the workers' Compensation system in Canada had by the middle of the century become firmly entrenched into a concept of compensation on the basis of physical disability. However, in the mid'70s many of the jurisdictions across Canada began to question this system as to whether or not it was really the most appropriate form, since the basic concept of compensation is, and should be, a wage loss insurance programme.

MR. DINN: Because our system was first introduced in the Province in the early 1950s, it was inevitable that we would follow the entrenched system then in place across Canada. Saskatchewan was the first province to proceed with positive action in bringing the Workers' Compensation programme back to its original concept of wage loss compensation. So it was in 1979 that we in the Province took the step of appointing the Chairman and the former Chairman of the Workers' Compensation Board, Dr. William May, to review our Workers' Compensation system. And a year later, in September 1980, we set up a review committee which presented a report to government. And I might add, Mr. Speaker, it is probably one of the better reviews ever done on a compensation system in the world. It involved the members of the committee, and I want to publicly thank them here in the House today, Dr. William May, Mr. Richard Fagan, who is a former member of the board, Mr. George Brown, who had worked for years with the Workers' Compensation system, Mr. Donald Murphy, who is from my colleague's district in Grand Falls, I believe, and worked with Abitibi-Price and represented the employers, and Martin Saunders was the labour representative. So they basically went about this Province and they also reviewed all the compensation systems in Canada and came up with this Review Committee Report, which government took late in 1981, and then we went through a long consultative process with the union representatives in the Province and the employers' representatives in the Province and came up with what we see before us today, which is a bill which, I think, number one, is easy to read, it is a good piece of legislation, and it basically changes the Workers' Compensation system fairly dramatically in this Province. So, Mr. Speaker, when the committee finished its report and we did our extensive review, we also did an analysis of not only the

MR. DINN: Review Committee Report but the legislation that we had in effect at the time, and decided, because of the many amendments that took place over the years since 1951, that what we needed was that law consolidated into a more readable and better piece of legislation. And that took some time, and the board, along with the legislative draftsmen, I think have come up with a piece of legislation that I think we can all be proud of.

MR. DINN: It is perhaps appropriate at this point to give a brief outline of the level of benefits that have been made available to injured workers through this system and compare them to what has happened over the years since the inception of the Workers' Compensation system in 1951. So, I have here page 10, which for hon. member's purposes I can table if they wish, but it basically outlines, for example, the maximum compensable earnings in 1951 were \$3,000. In other words, the maximum that a person could get in 1951 on a compensation system was 75 per cent of the \$3,000 which was the maximum compensable earnings at the time. It is significant to note that in 1983 as a result of the change we made last year, the maximum compensable earnings today in Newfoundland is \$45,500, which is the largest compensable earnings level of any compensation system in Canada. As a matter of fact, the average in Canada is \$28,000. This has been a matter of discussion between, as I say, the groups in the Province, the employers' representatives and so on, and I want to just state what that really means. Of course, the other change that we made was that we changed it from a 75 per cent of gross earnings to a 90 per cent of net earning. What the \$45,500 means is that a person who works, for example in our offshore fishery, who makes considerably more than, say, \$15,000, they could run in the range of even \$50,000 a year, gets injured on the job or gets totally disabled on the job, he can get, through the compensation system, almost a total replacement of his wages if he is completely disabled. The difference between, for example, here and, say, the Province of Ontario, which has a maximum compensable earnings level of \$28,000 - and they use the 90 per cent of net - is that guy who makes the \$50,000 is automatically reduced dramatically to about \$20,000 a year

MR. DINN: so that it really is not, even in the other provinces, in the other jurisdictions today, and Saskatchewan particularly - it really is not a wage loss compensation system. So what we are talking about in wage loss is that in the other systems, where they set the maximum compensable earnings level at say \$26,000 or \$28,000, that about 60 per cent of the population in those jurisdictions who do get injured will get wage loss compensation; the other 40 per cent, from our determination our system will cover up to about 92 per cent of the population - the people in the work force - will cover about 92 per cent in that 92 per cent of the people will get basically wage loss compensation. So that a person who does work in the offshore on a dragger, or in the offshore oil industry or what have you, if they do become totally disabled they will basically get wage loss insurance, which is what the whole principle of the system is. I am proud to say, as a matter of fact, that we are the first in Canada to bring this about.

AN HON. MEMBER: Hear, hear!

MR. DINN: Saskatchewan brought it about, but because

MR. DINN:

of the setting of the maximum compensable earnings level at a lower rate, it basically covers a very small percentage of the population. So this will cover our offshore fishermen, our offshore oil workers, our miners, for example, in Western Labrador, some of them in the \$30,000 to \$35,000 a year range, it will cover all of these people for basically a wage loss compensation system, which I believe is reasonable and should have been done. And, as a matter of fact, I think it would be a great strain upon us to continue this system over the years because there is a cost.

Now, the other thing is, I want to say at this point, because of recent publications in the media about, for example, the administration of the Workers' Compensation board and the fact that the administration costs are up this year and so on, that the administrative costs in our system compare with the systems across Canada and the assessments that are made on employers, our assessment rates are probably the lowest of any province in Canada. And the latest actuarial study that was done on the board indicates that it is in a very good financial position.

I would also like to cover some of the items in the bill and explain basically what is happening here. One of the first items I would like to talk about is the calculation of benefits in the new Workers' Compensation system. The method of calculating benefits, as I said before, for an injured worker, is being changed from the 75 per cent of gross income to the 90 per cent of net income up to the maximum compensable ceilings which are set from time to time by regulation. And, as I said, for 1983, that ceiling was set at \$45,500, which at this point, as I said, is the highest in Canada.

MR. DINN: The 75 per cent that we had in place before was subject to a maximum ceiling which, in the case of this Province was, before we brought the new system in in 1982, \$21,000. So by using the 75 per cent formula, the maximum yearly amount of compensation that an injured worker could receive was \$15,750.

One of the problems with the gross earnings formula was the fact that the injured worker received the same amount whether the worker was married or single. In many cases, therefore, the single worker who was injured received more from being on compensation than he could have received from his normal earnings. The married worker, on the other hand, quite often received considerably less. And, now, I want you to remember that we are talking here about the net disposable income. With the 90 per cent of net formula, the new formula that we are bringing in now, the normal deductions for income tax, Canada Pension Plan, unemployment insurance contributions, etc., are taken into account and, when these are taken out, we then provide compensation on the basis of 90 per cent of that net income up to the maximum compensable ceilings, so that the married worker with a large number of dependants, who has a very low rate of income tax deductions, would receive considerably more - or basically would receive the wages that he lost - than a single worker who has a higher level of income tax.

Two other provinces have already implemented the 90 per cent of net formula and some other provinces are in the various stages of doing it by the same method. But I want to make it clear that none of the Provinces - I think the maximum compensable ceiling in any province in Canada is \$28,000 - have gone to the height of the benefit system that we have, which at

MR. DINN:
is \$45,500.

this point in time, as I say,

Disability benefits: The permanent/partial disability system which now exists is being replaced by two distinct types of benefits which are as follows. One, the first type will compensate a worker for the degree to which his earning capacity is impaired. Full compensation benefits will be paid to the injured worker during the period of active medical treatment as a result of the injury. Once the worker reaches the point of maximum recovery, an assessment will be made on the residual implications of the injury on the worker's

MR. DINN:

earning capacity. If the injury causes the worker to have a loss of earnings, benefits will be paid to the worker to compensate for the loss of earnings as long as that situation lasts. In other words, a miner who gets injured on the job and is making, say, \$35,000 a year, gets injured goes on compensation, gets full compensation, then, through medical treatment and rehabilitation he recovers somewhat but cannot go back to his miner's jobs but can go back to a clerical job or he can go back to a lower salaried job, what the Workers' Compensation system will do here will be, he will receive his pay of, say, \$15,000 to \$20,000, the Workers' Compensation will come into play and pay the difference so that he does not have a net earnings lost.

The second type of benefit will compensate a worker for the loss of body function. This will be a lump sum amount which is intended to compensate the worker for the adverse impact the work injury has on his non-working life, including such things as disfigurement, amputation, loss of amenities of life, etc.

These lump sum awards will be based on a percentage amount ranging from a low as set by regulation to the amount of the maximum compensable earnings level at any particular time.

Under our present system, once a worker has recovered to an extent that temporary total disability benefits are no longer applicable, the worker is then assessed on the basis of the physical damage and a percentage of the total compensation is paid on a lifetime basis.

MR. SIMMS:

Is that similar to the way it is done now?

MR. DINN: No, that is another change, whether or not the injury caused the loss of earnings or not.

So you get the compensation based on loss of income, and the second method is a compensation based on body function.

MR. SIMMS: And before?

MR. DINN: Before it was just based on the injury itself.

MR. SIMMS: A good change. An excellent change.

MR. DINN: Also, Mr. Speaker, we are bringing in at this time, for the first time, an absolute right of an appeal to a decision of the board. Under the present legislation, the board had over the years established an appeal system somewhat on an ad hoc basis, until recently there did not appear to be any absolute right for a worker or an employer to appeal a decision of the officials of the board. With the new legislation, workers and employers will have the right to appeal, and the right to a hearing before the board on any matter which affects their interests. The worker and employer will, therefore, have the right to demand and have their cases heard by the commissioners of the Workers' Compensation Board. While the commissioners will be the final adjudicators in respect to the findings of the fact and the awarding of compensation or the setting of assessments, the worker and employer will continue to have the right of appeal to the courts if it is felt the board has rendered a decision which is contrary to law or is outside the board's jurisdiction.

Rehabilitation; A much

MR. DINN: greater emphasis is being put on the rehabilitation aspect of injured workers. It is a prime responsibility of the Workers' Compensation Board to ensure that wherever possible injured workers are given the opportunity to re-enter the work force at the earliest possible date.

Throughout the past few years the board has expanded the rehabilitation efforts of its operation considerably. The legislation we are now considering will make clear the board's authority to take whatever measures are necessary to ensure that the injured worker receive full benefits of the board's rehabilitation programme.

This legislation also introduces a new concept, which has not been tried anywhere else in Canada, whereby employers will be encouraged by way of reduced assessments to rehire injured workers. There have been various methods tried over the years, including the penalty system and the quota system, in order to get employers to

MR. DINN: in order to get employers to rehire or hire injured workers; however, very few systems have worked adequately. This Province is therefore trying a totally new concept whereby there will not be any quotas set or any penalties assessed on employers who do not hire injured workers, but there will be financial benefit through the assessment system for employers who do make a special effort to rehire injured workers and allow them to regain a proper place in society.

Age limit for benefits: Compensation from now on will be paid only up to the age of sixty-five years. This is the normal age of retirement. This is again in keeping with the concept of compensation for loss earning capacity. Since it is unlikely that a person would work after the age of sixty-five years, compensation which is paid for possible loss of earnings due to an industrial accident would cease at the age of retirement. However, a provision has been included in the legislation whereby, if a worker is injured and has a loss of earnings for a period of longer than twenty-four consecutive months, the board will set aside a certain amount in an annuity which will be paid to the worker after reaching the age of sixty-five. This annuity would compensate for any decrease in contributions that otherwise would have been made by the worker or on the worker's behalf throughout the period of disability.

MR. SIMMS: For pension benefits.

MR. DINN: Exactly, for pension benefits.

So there would not be any loss there.

The one exception to the termination of benefits at age sixty-five would be where a worker is sixty-three years or older at the time of the injury. In such a case, full benefits would continue for a maximum of

MR. DINN: two years from the date of the injury.

A merit/demerit system: Mr. Speaker, we will be introducing a merit/dermerit system with this legislation. The legislation provides that a merit/demerit programme must be devised for every class of industry so that the assessments on the employer will be based not only on the average cost of accidents within the class in which the employer is grouped, but also on the individual accident cost experience of the employer. If an employer has a good accident cost experience, the rates will be lower by virtue of the merit rating, and if the accident cost is high in relation to other employers in the same category, the assessment rating will be higher. It is hoped that this will be an incentive for employers to be more conscious of hazards in the work place and take greater care in ensuring that the work place is a safe place in which to work.

Universal coverage: While the present legislation purports to extend universal coverage to all workers, that is, to cover workers in all categories and endeavours, in reality the provisions of the act and regulations do not allow for complete universal coverage. The present legislation is being changed so that only those industries excluded specifically by regulation will be excluded from the provisions of the act. It is the intention of government to insure that coverage is extended to the maximum extent possible irrespective of whether there are a certain number of workers with any one employer or in what category the employer may be. In any case, employers who are excluded by regulation may be admitted to coverage by the board upon application.

Mr. Speaker, integration of benefits: There will not be any integration of Workers'

MR. DINN: Compensation benefits with other social legislation such as the Canada Pension Plan, the Old Age Security System, Guaranteed Income Supplement or Unemployment Insurance. In some of the other provinces these statutory social benefits are taken into account when computing the amount of compensation that is to be received by an injured worker. Our legislation, however, would not permit the integration of these benefits with Workers' Compensation. Therefore, compensation will be based entirely on the net earnings of the worker and the impact of the injury on the workers' earning capability.

There are many other provisions of the legislation which are either minor or major from the present provisions. Some of these are: The new definition of common law spouse, which is worded similarly to that already in effect in the Matrimonial Property Act. Two, the elimination of

MR. DINN:

discrimination in the payments of survivor's benefits. The elimination of the morals clause, whereby the Board was able to decide whether or not a person was leading an immoral life or improper life and had the authority to withhold compensation. That is being removed. That was in the old act.

The elimination of the ceiling on the amount that a worker can be reimbursed for expenses incurred in the replacement or repair of clothing. And a provision whereby it will be mandatory for an employer to continue to pay a worker his normal wages on the day on which the injury occurred, but the Workers' Compensation Board paying the disability benefits from the day after the injury occurred.

In addition to the many changes that I have outlined, the statute has been completely re-written and it should be noted that the size of the statute has been reduced by more than two-thirds. The language has been simplified as much as possible. The passage of this legislation will see this Province with one of the best, most progressive Workers' Compensation systems in Canada.

SOME HON. MEMBERS:

Hear, hear!

MR. DINN:

Mr. Speaker, I would hope

that many of the members of the House of Assembly speak on this piece of legislation. I want to assure them that, first of all, the Review Committee did an excellent job. Number two, that there was an extensive analysis done within the Workers' Compensation Board, and I was particularly involved in many of the areas during the review and the analysis, and we did discuss every recommendation that was put forth by the Review Committee with labour and employers' groups. And whilst I can say that we do not have total unanimity with respect to this piece of legislation, I can say that everyone had an opportunity to at least go through the Review

MR. DINN: Committee report. As a matter of fact, the Review Committee report was tabled in this House for hon. members and we did a very through analysis. We agreed with most of the recommendations of the Review Committee report, we changed some others. For example, the maximum compensable earnings level that was recommended in the Review Committee report, that it be 150 per cent of the industrial composite index, we decided that would have been about \$30,000 or \$31,000. In our review, we decided that the maximum compensable earnings should be higher, so that the compensation system will cover a greater number of people or a greater percentage of the work force. So we changed that to 250 per cent of the industrial composite index initially, but we decided that it would not be indexed for all time, that it would be done by regulation, or done by the Lieutenant-Governor in Council.

I would say, Mr. Speaker, that it is a proud day for me because basically this review started in 1979 when the Premier saw fit to put me in the Department of Labour and Manpower and made me responsible for the Workers' Compensation Board. It was from that point in time to today that work has been going on with the review system in Workers' Compensation and I hope that hon. members will participate in the debate and, of course, I will be very attentive and I would hope to answer

MR. DINN:

any questions that any hon. members in the House may have about this piece of legislation or anything to do with the Workers' Compensation board and system. Thank you very much.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: Mr. Speaker.

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

MR. NEARY: Mr. Speaker, first of all, let me say straightaway that we are going to support the bill.

MR. SIMMS: Oh, you are?

MR. NEARY: The hon. gentleman should remember that this is the people's House. As we were reminded this morning by his House Leader (Mr. Marshall), it is not a circus, it is not a beer garden, Mr. Speaker.

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: And I would like to be heard in silence. If Your Honour does not mind, I would like to be heard in silence.

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

MR. NEARY: We are going to support the legislation, Mr. Speaker, but let me state for the House what we are supporting. The hon. gentleman, in his prepared text, tried to leave the impression again, as they sometimes do on that side of the House, that this is something new, that this is a great reform, when in actual fact, what it is is a consolidation of a couple of acts. It is a consolidation of the Workmen's Compensation Act -

MR. SIMMS: Workers'.

MR. NEARY: - Workers' Compensation Act, Mr. Speaker, and the Blind Workers' Compensation Act, which is being repealed, and it provides for some amendments to

MR. NEARY: to Workers' Compensation.
Now, that is what it is, Mr. Speaker, and let no one be fooled by the comments and the rhetoric of the hon. gentleman. There are some improvements made to the act but, as the hon. gentleman said when he began his remarks, when we became a Province of Canada, Newfoundland and Labrador had the advantage over other provinces that we were able to take nine Workers' Compensation Acts in other provinces of Canada and we were able to pick the best from each act. And we were able at that time, in 1950, I believe it was, or 1951, to produce the best Workers' Compensation Act in the whole of Canada, because we were able to benefit by the experience of other provinces and we were able to pick and choose the best of the other acts from the nine provinces of Canada.

Now, Mr. Speaker, nothing remains the same, time changes everything. And every law and every regulation that has been made by this House or by various departments of government over the years have been subject to change. We are living in a technological age and changes have to be made almost on a daily or weekly basis. But I am proud, Mr. Speaker, as a Liberal, to be able to say that we laid the foundation, like so many other things that we have done, so that this administration could come into the House today and bring in a revised Workers' Compensation Act, many of the recommendations recommended by Dr. May and his committee.

MR. NEARY: It is motherhood, Mr. Speaker.
If the hon. gentleman and I do not agree on very much in this House, we certainly agree on -

MR. ROBERTS: You are in favour of motherhood.

MR. NEARY: - no, the ability and the competence of Dr. May.

MR. ROBERTS: Hear, hear.

MR. NEARY: Dr. May is -

MR. ROBERTS: A first rate public servant.

MR. NEARY: - a first rate public servant.

And again I have to say that it was under a previous administration -

DR. COLLINS: Is that Bill May?

MR. NEARY: Bill May, Dr. May, he has an honorary degree, I think.

MR. WARREN: Ask the Minister of Finance (Dr. Collins) (inaudible)

MR. NEARY: Well, I am coming to the meeting between the Minister of Finance and the Auditor General this morning.

MR. ROBERTS: We are all intrigued to know what is up.

MR. NEARY: Well, we notice that the Auditor General and the Comptroller of the Treasury visited the Clerk's office this morning and met with the Minister of Finance. Perhaps the minister can tell us if he has received the Auditor General's Report for the year ended 31 March 1983 and the Public Accounts, which hon. members know come under the Comptroller of the Treasury. Certainly if the hon. gentleman has that report he is not going to sit on it, he is going to table it in the House on Monday.

MR. NEARY: He can table it now before one o'clock. I would grant leave for the hon. gentleman to table the Auditor General's Report.

MR. SPEAKER (Russell): Order, please!
I feel that the hon. Leader of the Opposition (Mr. Neary) is straying somewhat from the principle of this Bill No. 80.

MR. ROBERTS: Oh, Mr. Speaker, how can you say that.

MR. NEARY: But anyway, Mr. Speaker, Mr. May is a first rate public servant.

MR. ROBERTS: And deserves Workers' Compensation and deserves a chance to read the Auditor General's Report.

MR. NEARY: And we want to congratulate him on the fine job that he did in revising what is considered, I suppose, to be a very complicated piece of legislation. Only the legal beagles, I suppose, could pick it apart. I find myself that reading through these matters, my hon. colleague here from the Strait of Belle Isle (Mr. Roberts) is a genius, a whiz, at picking legislation apart. I find it very tedious and monotonous and boring reading the stuff myself, but my hon. friend to my right seems to thrive on it. And I do not suppose there is another man in this Province who can look at a piece of legislation and judge it for what it is so quickly, get to the heart of it so quickly as my hon. colleague, the member for the Strait of Belle Isle. And I hope that my hon. colleague will participate in this debate. There are an awful lot of clauses in this bill, Mr. Speaker, I am not going to comment on them all. I will try to deal with some other matters that the hon. gentleman left out of his few remarks when he was talking about the Workers' Compensation Board.

MR. NEARY:

But Mr. May did do a excellent job and I want to congratulate him and his committee for the way they went about about their task and for the document that they produced that results in the legislation being brought before this House today.

MR. WARREN: You can get the Auditor General's Report and then we talk about that.

MR. NEARY: -I imagine they will sit on the Auditor General's Report now for the next ten or fifteen days. They will not have the courage to bring it in before the House closes.

MR. ROBERTS: Maybe the minister could assure us that if he has got it it will be tabled before the House adjourns.

MR. NEARY: He might not have a legal obligation but he has a moral obligation.

MR. ROBERTS: Ten days after he gets it.

MR. NEARY: Ten days after?

MR. ROBERTS: Within ten days.

MR. NEARY: Within ten days, but he can bring it in the next day if he wants to.

MR. ROBERTS: I wonder if the minister would assure us of that.

MR. NEARY: Well, obviously he is not going to reassure us.

MR. WARREN: Does he have it, yes or no?

MR. NEARY: But anyway, Mr. Speaker, I do not wish to belabour the point, but I do want to stress again that the foundation for this revised Workers' Compensation Act was provided by a Liberal Administration in this Province. If we had not had Confederation, we would not have had this act, by the way.

MR. NEARY: Now, Mr. Speaker, the Minister of Labour and Manpower (Mr. Dinn) answers to this House for the Workers' Compensation Board. The hon. gentleman has no authority or no right to interfere with the Workers' Compensation Board. They consult with him. He brings their annual report to this House. He is in a very difficult position because he cannot direct or instruct the Workers' Compensation Board as to what they can do or what they cannot do. They are given certain rights under this act and the Minister of Labour and Manpower has no right to interfere with the workings of the board. But does the hon. minister always follow that rule, Mr. Speaker? But before I come to his interference with the board, writing letters recommending jobs for his friends and calling up the Chairman of the -

MR. ROBERTS: Jobs for the boys.

MR. NEARY: - Workers' Compensation Board and then writing letters looking for jobs for his boys, before I come to that, Mr. Speaker, let me suggest to the hon. gentleman - Mr. Speaker, there is another meeting going on over there.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Russell): Order, please!

MR. NEARY: Mr. Speaker, although we are all interested in amendments, in changes and improvements to acts, the hon. gentleman should have given us a report.

MR. BARRETT: I would rather listen to 'Garfield' any day. 'Garfield,' get up and speak, boy.

MR. NEARY: Mr. Speaker, could we have silence, Your Honour?

MR. NEARY: The hon. gentleman should have given us a report on the financial position of the Workers' Compensation Board. Mr. Speaker, from the last Annual Report of the Workers' Compensation Board, we noticed that they were in the red \$10 million. We have not been told how much the deficit is in the current fiscal year. I would suspect that it is substantial, Mr. Speaker. I can hardly hear myself! There is another meeting going on, Mr. Speaker.

MR. SPEAKER (Russell): Order, please! Order, please! I would remind hon. members that the hon. the Leader of the Opposition (Mr. Neary) does have the right to be heard in silence.

MR. NEARY: Mr. Speaker, I am asking the hon. gentleman, when he is closing the debate on this bill, if he would

MR. NEARY: inform the House of the present financial status of the Workers' Compensation Board.

MR. ROBERTS: It has nothing to do with the Ocean Ranger business, has it?

MR. NEARY: We will come to that. In the last annual report of the Workers' Compensation Board, we noticed by the report that they were down \$10 million. I would suspect that this year there is a substantial deficit. Can the hon. gentleman tell us how that deficit is being met? Do they have to sell off some of their investments, Mr. Speaker? It would appear to me from the reports that I have been getting that the Workers' Compensation Board, if it is not watched carefully, could be headed for serious financial trouble. Now, Mr. Speaker, I really and truly believe that it is time that the Auditor General exercised his authority under the Act. On page 15 of the Act, 'The Auditor General shall audit the accounts of the Commission whenever he deems it expedient to do so.' Well, I believe it is time for the Auditor General to do a complete audit of the finances of the Workers' Compensation Board.

MR. ROBERTS: The management should be audited also.

MR. NEARY: Mr. hon. friend is so right, that the management of the board should be looked at very carefully.

MR. TOBIN: Why?

MR. NEARY: Because of mismanagement, that is why.

MR. ANDREWS: Are you accusing the Board of Management?

MR. WARREN: And the minister, too.

MR. SPEAKER: Order, please!

MR. NEARY: Mr. Speaker, part of the problem of the Workers' Compensation Board has to do with the recession, it has to do with high inflation - I would be the first to admit that - but part of it has to do , in my opinion, with mismanagement. Mr. Speaker, we would like to know what the deficit is this year and what the Workers' Compensation Board intend to do to overcome the deficit? We understand that revenues to the board are down substantially, that because of the horrendous state of the Newfoundland economy revenue to the board this year is down drastically and that the Workers' Compensation Board are scrobing and scrapping now and selling off some of their investments to try to meet the heavy demand on the board's finances. And part of that too, Mr. Speaker, I am prepared to say, is the result of fishermen being included in benefits. I read a report recently on the Workers' Compensation Board where it was indicated that nobody knew the impact, the effect, of including fishermen in Workers' Compensation, the impact that it would have financially on the treasury of the Workers' Compensation Board. All these reasons that I am giving , Mr. Speaker, are contributing factors to a very serious financial problem that seems to be developing in the Workers' Compensation Board. Now we have always boasted in this House and in this Province that we had one of the wealthiest compensation boards in the whole of Canada, one of the richest compensation boards in the whole of Canada.

MR. ANDREWS: They are okay then financially, are they?

MR. NEARY: They were okay when the Liberals were there because, again, that nest egg that was put there

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MR. NEARY: was put there by the Liberals.

MR. ANDREWS: Because you did not pay out
any claims, that is why you had all the money.

MR. WARREN: Not true.

MR. NEARY: So I think it is high time
that the Auditor General asserted his right under this
Act and went in and did a

MR. NEARY:

thorough audit, including management, of that board, and I reserve any other remarks that I may wish to make in that direction unless and until the Auditor General does do an audit. The only other point I am going to make about the interference with the board has to do with the minister who answers to this House. The minister does not run the Worker's Compensation Board, he merely answers to the House for the Workers' Compensation Board.

MR. WARREN:

Who brought in the Workers' Compensation Board?

MR. NEARY:

Who brought it in? A Liberal administration brought it in.

MR. TOBIN:

Did the Auditor General audit it then as well?

MR. NEARY:

Mr. Speaker, yes, the Auditor General periodically has audited the Workers' Compensation Board.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER (Russell):

Order, please! Order, please!

MR. NEARY:

Mr. Speaker, the only other item that I wish to raise in this category is with the interference of the minister in the board. Now we have seen examples of where the minister interfered with the Labour Relations Board and got severely rapped on the knuckles by labour throughout the Province. I suppose it is the first time in the history of this Province that a Minister of Labour and Manpower is not acceptable to the trade union movement. It is the first time to my knowledge, Mr. Speaker.

MR. STAGG:

They are delighted.

MR. NEARY:

Yes, they are delighted about -

MR. NEARY: what is it?- Bill 59, is it?

MR. WARREN: No, Bill 51, I think.

MR. NEARY: No, Bill 59, is it not? They are delighted about that. This House passed that bill subject to a commitment by the minister that consultation would be held before certain provisions of that act were enforced, and the hon. gentleman did not keep his commitments, he doubled-crossed NAPE and the hospital workers.

SOME HON. MEMBERS: Oh, oh!

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

MR. NEARY: So, Mr. Speaker, we have a Minister of Labour and Manpower (Mr. Dinn) who is not acceptable to the trade union movement in this Province.

MR. TOBIN: The Liberal party have a leader who is not accepted.

MR. NEARY: Now, Mr. Speaker, the minister obviously thinks, Mr. Chairman, that he runs the Workers' Compensation Board because I have here in my hand a copy of a letter that he wrote on March 16, 1982 which would indicate to me direct interference with the hiring policies and the hiring practices of that board.

MR. SIMMS: Where did that come from?

MR. NEARY: The hon. gentleman would love to know where I get my information, They would love to know.

MR. ANDREWS: No, we know.

MR. NEARY: I would like to tell a story.

MR. CARTER: Mr. Speaker.

MR. SPEAKER: Order, please!

The hon. the member for St. John's North on a point of order.

MR. CARTER: Mr. Speaker, frequently we in this House have had to listen to letters partially read, referred to, waved in our faces, and suggestions of all

MR. CARTER: kinds of incriminating evidence,
I suggest that the hon. member be forced to table that
letter right now, absolutely without any further argument.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Russell): It is usually a custom when
hon. members read letters that they do table them. There is
a difference, however, in a minister tabling an official
document than an ordinary member being requested to do so.
If he is not willing to table the letter in this particular
case, of course, I understand that he has to take responsibility
for what its contents are.

MR. NEARY: Mr. Speaker, gladly, but I have
not read or quoted from the letter yet.

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: You know, the hon. the member
for St. John's North (Mr. Carter) would love to be able to
muzzle members on this side of the House.

Mr. Speaker, I believe myself
that it is morally wrong for the minister

MR. NEARY: to telephone, yes, to telephone, first of all, the Chairman of the Workers' Compensation Board, to telephone him about getting a job for one of his pals, one of his buddies, and then follow it up with a letter, following it up with a letter, Mr. Speaker -

MR. SIMMS: What is wrong with that?

MR. NEARY: What is wrong with it? Well, first of all we do not know what took place in the telephone conversation.

MR. SIMMS: He probably made representation in behalf of a constituent.

SOME HON. MEMBERS: Oh, oh.

MR. NEARY: It so happens that in this particular instance the individual did get the job.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: But, the point is this, Mr. Speaker, that it was not in accordance with the hiring practices of the Workers' Compensation Board, that that particular gentleman was hired on a contractual basis just to satisfy the minister.

MR. SIMMS: That happens lots of times.

MR. NEARY: Oh, it happens lots of time, does it?

SOME HON. MEMBERS: Oh, oh!

MR. NEARY: Mr. Speaker, this was an attempt by the minister, in collaboration with the Chairman of the Workers' Compensation Board, to get around the hiring practices.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Russell): Order, please!

MR. NEARY: Mr. Speaker, it is a very dangerous practice, and I would even go so far as to say that it is highly immoral, Mr. Speaker.

MR. CALLAN: A very short letter.

MR. NEARY: That is right, a very short letter.

MR. NEARY: But as far as I can see, it is only the tip of the iceberg. How much of this goes on? When you have direct interference by ministers trying to stow their supporters and their friends away, call up the chairman of this organization, the chairman of this board, the chairman of that board and say, 'Look, will you hire So-and-So? I have to get him off my back. Do me a favour will you.' And these people, of course, being appointed by the Lieutenant-Governor in Council -

MR. TOBIN: Be a man! Be a man!

MR. NEARY: - of course who -

MR. SPEAKER (Russell): Order, please!

MR. NEARY: - are there at the pleasure of the hon. gentleman and his colleagues, will bend over backwards, Mr. Speaker, will bend over backwards, to do a favour for the hon. gentleman and his friends, while young Newfoundlanders, who are well educated and trained, who could qualify for these jobs, do not get a crack at these jobs, Mr. Speaker.

I said a few months ago in this House when it comes to political pork-barrelling and patronage and political appointments there is the crowd over there that wrote the book, And they can stand in this House like the Premier does, like the Government House Leader (Mr. Marshall) does, they stand over there and with the holier-than-thou look on their faces, with indignation, with pious words, they get up and tell you they are a government of integrity and a government of honesty, they are an honest government, they are an honest administration. They do that with a straight face, Mr. Speaker, while at the same time they are going in through the back door to get the chairman of boards, like the Workers' Compensation Board, to hire on their pals and supporters. Now, Mr. Speaker, that sort of practice should stop. It should stop.

MR. SIMMS: Innuendo!

MR. NEARY:

Well, if the hon. gentleman thinks it is innuendo, let him support my request to have the Auditor General go into the Workers' Compensation Board and audit the accounts and take a look at the management of the Workers' Compensation Board, Mr. Speaker. It is high time it was done.

MR. NEARY: The Workers' Compensation Board, apart from the examples of mismanagement that I have referred to, Mr. Speaker, we are afraid that if a total and comprehensive audit of the Workers' Compensation Board is not done by an independent auditor, by the Auditor General of this Province, who is a servant of this House, we are afraid, Mr. Speaker, that there are going to be financial problems ahead for that board.

MR. SIMMS: The Auditor General can do it now if he wants.

MR. NEARY: The Auditor General can do it, but what I am suggesting is that he now do it, that the administration ask him to come in and audit the accounts of the Workers' Compensation Board.

MR. DINN: Do you think I would be against that?

MR. WARREN: Yes.

MR. NEARY: I would not be at all surprised, Mr. Speaker.

Mr. Speaker, the main point I am making, however, is that this legislation, as good as it is, it is only a consolidation of a couple of acts, a few amendments tossed in, a few improvements here and there, but there is nothing original about it.

For instance, Mr. Speaker, when I was acting Minister of Labour - I have to say this - I was proud to be able to cover workers on oil rigs under the Workers' Compensation Act. Ours was the only Province in Canada to do it.

MR. DINN: There were no workers on them then.

MR. NEARY: No workers on them! The hon. gentleman, I suppose, has himself convinced of that. Mr. Speaker, if I had not taken the initiative at that time, flying in the face of all logic, and covered these workers with Workers' Compensation benefits in this Province, the families would not be entitled to any Workers' Compensation benefits as a result of the Ocean Ranger disaster.

MR. TOBIN: How many were working on the oil rigs then?

MR. NEARY: I did it against the advice of-

MR. WARREN: The Premier?

MR. NEARY: - no, the people in authority. My colleagues, in their wisdom, went along with it. They approved my measure, my proposal, to Cabinet.

MR. SIMMS: Some fellow, you are!

MR. NEARY: Before that, the workers on these rigs were covered under the Canadian Shipping Act. And under the Canadian Shipping Act, the only benefits they would be entitled to would be burial benefits.

MR. MARSHALL: I wonder would the hon. gentleman move the adjournment of the debate?

MR. NEARY: Mr. Speaker, I move adjournment of the debate.

MR. SPEAKER (Russell): It has been noted that the hon. the Leader of the Opposition has adjourned the debate. The hon. the President of the Council.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. MARSHALL: Before the House adjourns, Mr. Speaker, I think I should advise the Leader of the Opposition of the bills that will be coming up next.

MR. MARSHALL: Now, there are more besides on the Order Paper, but I will give him a general idea of the order. The Leasehold Act in St. John's will follow this one.

MR. ROBERTS: And a meeting of the (inaudible).

MR. MARSHALL: There will be when you see it. You will see it. It is a great step forward. You do not know what else is coming. The Limited Partnership Act, The Elections Act, The Commissioners For Oaths Act, Nursing Assistants -

MR. CALLAN: Could we have some numbers on these?

MR. OTTENHEIMER: Sure, you can look up the numbers, boy.

MR. MARSHALL: I will give you the order numbers too from today's Order Paper: Limited Partnerships, Order 52; Election Act, Order 50; Commissioners For Oaths, Order 44; Nursing Assistants, Order 41; Defamation - that is a good one - Order 42;

PREMIER PECKFORD: Could we have that one apply to the House?

MR. MARSHALL: Hospitals Act, Order 40; Human Rights Code, Order 34; Newfoundland Medical Care, which appears today as Motion 3; The Liquor Control Act, Order 28; Award Of Interest On Judgements, Order 43; Status Of Women, Order 18; Registration Of Deeds, Order 15.

Now, I have to say, so that the hon. gentlemen do not malign me when I call them, that they will be the next to be considered but there might be a little change in the order as we go on.

MR. ROBERTS: Is The Election Act the one tabled the Committee report?

MR. MARSHALL: No, The Election Act is just merely the one to dispense with the necessity of taking lists.

MR. ROBERTS: We are not going to debate the Committee report?

MR. MARSHALL: No.

MR. NEARY: What about the Auditor General's report? Will we get that one?

MR. MARSHALL: Is the Auditor General's report tabled yet?

AN HON. MEMBER: No.

MR. MARSHALL: Well, it will be tabled as soon as it possibly can be.

MR. ROBERTS: Whatever that means.

MR. MARSHALL: I mean, we are not shy about doing this. We constituted a good Accounts Committee, as we have, and will get on to it in the normal course of events.

Now, Mr. Speaker, after helping the Opposition over the weekend, I move that the House at its rising do adjourn until Monday at 3:00 p.m., and that this House do now adjourn.

On motion, the House at its rising adjourned until tomorrow, Monday, December 5, 1983 at 3:00 p.m.