



Province of Newfoundland

FORTIETH GENERAL ASSEMBLY  
OF  
NEWFOUNDLAND

---

Volume XL

Third Session

Number 52

---

***VERBATIM REPORT***  
*(Hansard)*

Monday

Speaker: Honourable Patrick McNicholas

1 June 1987

The House met at 3:00 p.m.

MR. SPEAKER (McNicholas):  
Order, please!

Statements by Ministers

MR. MATTHEWS:  
Mr. Speaker.

MR. SPEAKER:  
The hon. the Minister of Culture, Recreation and Youth.

MR. MATTHEWS:  
Thank you, Mr. Speaker.

As Minister Responsible for Amateur Sport it is my great pleasure to extend congratulations on behalf of the government and the people of Newfoundland and Labrador to Corner Brook native Joy Burt, the new women's world champion power lifter in the 56 kilogram class.

Joy, who was our Province's female athlete of the year in 1986, has burst into the international weightlifting scene. Her gold medal lifts yesterday at the world championships in Perth, Australia also established two Commonwealth and Canadian records. These achievements are testimony of Joy's unique natural abilities and talents and of her dedicated training. Her coach, Mr. Walt Forsey, is also to be commended on this historic occasion in Newfoundland sport.

I am sure all members of this hon. House will join with me in a joint message of congratulations to be sent to world champion, Joy Burt.

SOME HON. MEMBERS:  
Hear, hear!

MR. FUREY:  
Mr. Speaker.

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

MR. FUREY:  
Mr. Speaker, we, too, would like to align ourselves with the minister's sentiments in his public statement here today and congratulate Joy Burt and Walter Forsey, two outstanding Newfoundlanders who have not just done us proud, Mr. Speaker, provincially or nationally, but in the universal aspect, on the world stage. They deserve full commendation and the highest marks from everybody in this Assembly, Mr. Speaker.

SOME HON. MEMBERS:  
Hear, hear!

MR. LONG:  
Mr. Speaker.

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

MR. LONG:  
Mr. Speaker, we are also pleased to join in offering congratulations to Joy Burt and her coach from all members of the House, and, indeed, from everybody in this Province. She has made everybody proud of her accomplishments and we all look forward to having her arriving back tomorrow and talking about her experience in Australia.

Thank you.

MR. BUTT:  
Mr. Speaker.

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

MR. BUTT:

Thank you, Mr. Speaker.

I would like to inform hon. members that the week of June 1 to June 5 is Canadian Environment Week with World Environment Day being Friday, June 5.

Environment Week was established in 1971 by an Act of Parliament, with the hope that this special week would promote a better understanding of environmental issues and a personal long lasting commitment by Canadians to conserve, protect and enhance the environment and our natural heritage.

Once again my department is coordinating this event with the Newfoundland regional office of Environment Canada. There are a number of projects planned, Mr. Speaker, including an environmental trivia contest on all C.B.C. radio stations throughout the Province, kite-flying events in national and municipal parks, a lunch hour lecture series at Memorial University and a coloring contest, basically aimed at the younger population in the Province.

I would like to take this opportunity to commend my colleague, the Minister of Social Services, the hon. Charles Brett, for the work being done by his department with the beautification and community enhancement programme. This programme provides meaningful employment to social services recipients, and improves their work skills. It also provides small towns and communities with needed manpower to engage in worthwhile clean-up projects and at the same time give tourism a boost. After all, a scenic clean community is a

welcome sight to visitors to our Province.

I realize that we have had quite a few special "weeks" during the past few months and I certainly support their worthwhile causes. In fact, Environment Week is sharing the spotlight at this time with National Transportation Week. However, I would ask all hon. members to make an extra effort to support Environment Week and to help promote environmental awareness in our Province. On Wednesday morning, June 3, my department will be conducting a "litter drive" in that lovely green area just West of the new complex and along Prince Philip Parkway. I am inviting all hon. members to join us for an hour, or so, and help clean up a very large and diversified collection of garbage. You can meet me down in the lobby of this building at approximately 10 o'clock.

I think we, as responsible members of government, should show by our actions and not just by our words that we place a great importance on the need for maintaining a clean environment.

If you are interested in taking part in our clean-up on Wednesday, we will meet in the main lobby of Confederation Building - East block, this building. If you want to you can wear something appropriate for the occasion like gloves, rubber boots and so on, and bring along a few garbage bags with you. I can tell you that the Minister of Environment will also have appropriate hats for you to wear at that time.

Thank you, Mr. Speaker.

MR. LUSH:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Bonavista North.

MR. LUSH:

Mr. Speaker, if ever there is a Province that needs an Environment Week it is certainly this Province. Not only do we need a week just to raise the awareness and the consciousness of our people with respect to keeping the environment safe and clean, we need an ongoing programme by the department, ongoing encouragement and ongoing support. As the minister knows, it is his department which makes regulations, particularly with respect to municipalities. We have many municipalities in Newfoundland today that are seething with sewage, but, of course, there is nothing his department can do about it other than to identify those areas that are bad. We would hope that he could spend money and make sure that these communities could rid themselves of that particular problem.

I did notice the work of the Department of Social Services on the weekend. I saw the highway just East of Clarneville was dotted with green garbage bags, and I wondered why they had to be left there on the weekend. If we had had a storm, I think the debris would have blown all over the universe.

Mr. Speaker, in a recent study by the Canadian Nature Federation they gave this Province an 'F' with respect to pollution control and indicated that this Province spends on \$5.26 per person on pollution control compared with \$19.50 in New Brunswick. Mr. Speaker, if there ever was a province that needed an

Environment Week it is certainly this Province. I certainly hope that the minister will make it longer than a week, that he will attempt to raise the awareness of people and the consciousness of people of the necessity throughout Newfoundland of keeping our environment clean, and that indeed the government will come in with more programmes to ensure that something is done.

I commend the Minister of Social Services. I would hope that that programme would be enlarged to include a larger section of Newfoundland so that we can clean up our highways and those areas that are certainly visible to people, and which have a rather negative effect on tourists, particularly, coming to the Province.

I would hope that the minister would put more teeth, more legislation into pollution controls where it shows us very badly in comparison to other provinces in Canada. Giving us an 'F' rating is certainly a sad indictment and a reflection on the rather poor policy of government with respect to pollution control.

MR. LONG:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for St. John's East.

MR. LONG:

Thank you, Mr. Speaker.

We also welcome this statement by the minister and for our part we encourage everyone in the Province to participate in the activities of Environment Week. We see the week coming as a celebration and a recognition of the growing

awareness by citizens across this country, and certainly throughout the world, of the critical importance of addressing the problems of the world's environment. It is unfortunate that, as with other announcements, ministers from different departments come in and mark a day or a week but the actions of their own department are inconsistent with the goals of the day. The awareness that we are encouraging, especially among young people across the Province, throughout the week, I would almost make a suggestion that the trivia contest that is going to be open to young children might include an examination of dangerous sites, where there are dangerous chemicals that are not being properly cared for. There were media reports in the last month or so about federal environment officials being quite concerned about the lack of attention being paid to a number of identified dangerous sites by the Provincial Environment Department. We would encourage the minister to encourage awareness of this problem, but, in part, by ensuring that any time there are industrial projects that proper environmental review processes take place, and that the department encourage an ongoing, open review by all citizens of this Province for any industrial development.

Thank you, Mr. Speaker.

MR. SPEAKER:  
Order, please!

At this stage I would like to welcome to the galleries eighteen Grade X students and their teacher, Mr. Dick Dunphy, from St. Anne's Academy, Dunville.

## Oral Questions

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

MR. TULK:  
Mr. Speaker, I have a question for the Minister of Public Works (Mr. Young). I have to say to him that it has to do with the police investigation into the Pippy Park Commission. The minister will recall that the last annual report, and this is a copy of it, of the Pippy Park Commission was tabled in 1984/85. The minister knows that the report for 1985/86 has not yet been tabled, in other words it is three years overdue. Now I would ask the minister why has it not been tabled? Does the minister have the report? If he does not have it, why does he not have it?

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

MR. YOUNG:  
Mr. Speaker, I have not got the report but I will make no further comment until a police investigation is completed.

MR. TULK:  
Mr. Speaker.

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

MR. TULK:  
Mr. Speaker, let me say to the minister that what we are talking about here has nothing to do about what is really going on in regards to the police, but he, himself, under the legislation, Section 16, of The Pippy Park Commission Act: "The Commission shall submit to the Minister a report dated not later than December 31 in each

year which shall contain a financial statement setting forth the assets and liabilities of the Commission and the receipts and expenditures for the previous year, together with a report concerning the work of the Commission during the previous year."

Now I ask the minister, in view of that legislation, and in view of the fact that the official Opposition in this House last year pointed out to him that there were questions to be asked about the Pippy Park Commission, why was it that the minister did not demand that report, which is now the second report, not the 1984/85, but the 1985/86 which is now three years overdue, or at least two years overdue, why he did not demand that report and table it in this Legislature as he is supposed to do within fifteen days of the opening of this Legislature? Why has he himself broken the Financial Administration Act and The Pippy Park Commission Act of this Province and, therefore, broken the law?

MR. SPEAKER:

The hon. the Minister of Public Works.

MR. YOUNG:

Mr. Speaker, I know when the report has to be tabled. I questioned, but to date I have not had a reply as to why I have not received the 1985-1986 annual report. When the police investigation is finished and the Auditor General's report is finished, I will give the hon. member an explanation.

MR. TULK:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A final supplementary, the hon. the member for Fogo.

MR. TULK:

Let me say to him the police investigation has nothing absolutely nothing to do with the question that I am putting to him. It has to do with his competence as a minister, with his performance as a minister and -

MR. SIMMONS:

- with his obligations as a minister.

MR. TULK:

With his obligations as a minister.

Mr. Speaker, let me ask the minister, when The Pippy Park Commission submitted a budget for 1986-1987 of \$1.2 million, and when they have now submitted another budget for \$1.2 million, and I suppose they submitted a budget for 1985-1986 for about the same amount - I have not looked at those estimates, but I think it is about the same amount - how could he approve that budget without a financial statement showing what revenues the Commission had received the year before and what expenditures they had had the year before? In other words, how could he himself break the law by submitting to this Legislature and to the people of this Province a budget for the Pippy Park Commission when they themselves and the minister himself had not carried out their obligations to the people of this Province? How can you explain that?

MR. BAIRD:

Why did you not go to the Estimates Committee?

MR. YOUNG:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Public Works and Services.

MR. YOUNG:

Mr. Speaker, there has been some amendment to the Pippy Park Commission Act where I think their year was to end December 31 and, unless the House was open in the Fall, we could not table it within fifteen days. I tabled the report when I received it within fifteen days of the House opening. Mr. Speaker, I then at that time noticed it was the 1984-1985 annual report. I tabled it, and I questioned why I never received the 1985-1986 report.

MR. TULK:

A supplementary, Mr. Speaker.

MR. SPEAKER:

The hon. member has had three questions, but I will recognize the hon. member for a final supplementary.

MR. TULK:

Mr. Speaker, the minister now tells us in this Legislature that he noticed when he tabled this report for 1984-1985 that he had not received a report for 1985-1986, and that he had not received a report for 1986-1987. Let me ask the minister another question. How come, when he noticed that this was the wrong report, he did not inform the House then? Why is it that we have to have a police investigation into something that is going on in a Commission that falls under his department before we get the minister standing in his place saying that the Commission has not done their job? How come? What is he covering up?

MR. YOUNG:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Public Works and Services.

MR. YOUNG:

Mr. Speaker, I am not covering up anything. When the Auditor General brings in his report and when the police report is done I will table everything. Mr. Speaker, I realized after it was tabled last year it was the 1984 - 1985 report. And the 1985 - 1986 report has not been delivered to me.

MR. TULK:

How come?

MR. YOUNG:

Well, you will have to go and ask the Commission.

MR. TULK:

You should know. You should have asked.

MR. FUREY:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for St. Barbe.

MR. FUREY:

Mr. Speaker, the minister will know that the sub judice convention deals with matters before the courts. This matter is not before the courts; therefore, he cannot hide behind that convention. Now, the minister says he has enquired as to where is the report from the Pippy Park Commission for 1985-86. Well, it has been six months since that report is overdue. Now, the minister has clearly broken the law here. Where is that report and why has it taken six months?

MR. OTTENHEIMER:

A point of order, Mr. Speaker.

MR. SPEAKER:

A point of order.

MR. OTTENHEIMER:

It is the allegation of the hon. gentleman that the hon. minister has broken the law and the law requires it be tabled, but obviously understood in that is one can only table what one has.

MR. FUREY:

Six months looking for it.

MR. OTTENHEIMER:

Nobody can table what they do not have. There is an old proverb in Latin and I believe my friend is a Latin student - it is actually a proverb in law - "nemo dat quod non habet" - nobody can give what they have not got. So the reference to the minister having broken the law, I do not think the hon. gentleman meant that because, obviously, nobody can perform an impossibility and table in the House what they do not have to table.

MR. TULK:

To that point of order.

MR. FUREY:

A good point of order, Gerry.

MR. SPEAKER:

To that point of order, the hon. the member for Fogo.

MR. TULK:

Mr. Speaker, I recognize what the hon. gentleman is doing and it would be absolutely funny if the hon. gentleman believed what he was saying. The minister obviously cannot table a report until he gets it, but the minister who is responsible for the Pippy Park Commission, when he notices that a report is two years overdue

- and if you look at the financial statement that is there it is not a financial statement - the minister who is responsible for administering that act surely has the right, and has the obligation, to go the Pippy Park Commission and demand the report, demand that it be given to him so that he can then table it in the Legislature. I know, Mr. Speaker, that the government does not want to tell the people of this Province how they are spending their money, but that is the purpose of the legislation, to protect the people of this Province, so that the minister is forced to go to the Pippy Park Commission and get the information that is required. I say to my hon. friend that he can try to cover up all he likes, as the government has done for the Minister of Public Works and Services, but here again today the Minister of Public Works is showing his negligence and his incompetence and there is no other way out of it.

MR. SPEAKER:

To that point of order, there is no point of order.

The hon. the member for St. Barbe.

MR. FUREY:

Mr. Speaker, the hon. House Leader (Mr. Ottenheimer) is correct, you cannot table what you do not have. The onus is clearly upon the minister and the question falls in his lap: Why do you not have it? Why have you not had this report for six months? That is where the law kicks in and you are negligent in your responsibility. Now, where is that report and why did you not have it six months ago under the law?

MR. TULK:



Why do we have this mess?

MR. SPEAKER:

The hon. the Minister of Public Works and Services.

MR. YOUNG:

Mr. Speaker, I will make no further comment on Pippy Park until the Auditor General and the police reports are received.

MR. FUREY:

Mr. Speaker, a final supplementary.

MR. SPEAKER:

A final supplementary.

MR. FUREY:

Mr. Speaker, the minister knows he cannot hide behind the sub judice convention here. He understands that. Now I ask is the minister saying that he allows a commission to spend \$1.2 million with no responsibility, no accountability to anybody in this Province? Is that what he is saying?

MR. SPEAKER:

The hon. the Minister of Public Works.

MR. YOUNG:

No comment, Mr. Speaker.

MR. LONG:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for St. John's East.

MR. LONG:

I would like to put a question to the Environment Minister, in part in recognition of this being Environment Week, but to follow a question I asked some time ago in the House, and that is whether the minister can assure the House and the people of St. John's whether his department is undertaking

active investigation into the problem of sewerage treatment in the harbour in St. John's?

MR. SPEAKER:

The hon. the Minister of the Environment.

MR. BUTT:

Mr. Speaker, I think I answered that question some time ago. This matter was raised by me personally in October, of last year at the Annual Meeting of Environment Ministers across Canada in Alberta, and I used St. John's specifically as an area that definitely needs help. You know, for one thing it requires a large infusion of money to address the overall problem of St. John's harbour, somewhere in excess of \$100 million, maybe \$140 million, in that area, and it would require three-tiered funding, from the federal government, provincial government and indeed the City of St. John's Municipal Council. So until we get a structured programme in place then St. John's is going to continue to have a polluted harbour. And I can tell the hon. member that each environment minister brought back these matters and asked that they be put on the agenda of a First Ministers' meeting, and that is under consideration now by First Ministers. We do not set the schedule for First Ministers' meetings or the contents of their meetings, but in fact municipal infrastructure is a very, very important part of that and, of course, coming under municipal infrastructure is this whole area of water treatment and sewerage treatment.

So, Mr. Speaker, I can tell the hon. member, yes, it is being actively pursued by the Province.

MR. LONG:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A supplementary, the hon. the member for St. John's East.

MR. LONG:

I thank the minister for his response by way of an update on an situation that continues to be on the minds of many residents of the city, in particular the downtown and the fishermen in the Battery. But I would like to ask a supplementary to the minister: In light of a very creative arrangement that was reached in Nova Scotia last week that there were media reports about concerning an immediate clean up to begin in Halifax Harbour as the first step of a long-term plan -

MR. SPEAKER:

Order, please!

Would the hon. member please pose his question?

MR. LONG:

My question to the minister is whether his department is committed to, as an initial step, finding the necessary funds to begin a clean-up of the harbour as the first step for a long-term programme?

MR. SPEAKER:

The hon. the Minister of the Environment.

MR. BUTT:

Mr. Speaker, I want to tell the hon. member that that is a stupid statement and it shows some ignorance on the part of the hon. member. Because if you went down today and cleaned up St. John's Harbour, dredged it out, took out all the residue that is there, but you did not have a treatment plant

then in place to treat the waste going out, in a week you are back in the same boat. And you would not do that, by the way, for a mere pittance. That would cost several hundreds of thousands of dollars, perhaps millions of dollars. So the hon. member's statement shows you have no concept of what it takes to do a clean up of St. John's Harbour. Number one, there has to be a diversion going out to Fort Amherst, and out there there has to be a very sophisticated plant built at a cost of some \$100 million, and then, once that is done, you can then go in and clean up St. John's Harbour because you have redirected the source of the pollution.

MR. LONG:

Mr. Speaker.

MR. SPEAKER:

A final supplementary, the hon. the member for St. John's East.

MR. LONG:

It is unfortunate but not inconsistent in the House that my remarks would be misrepresented by the minister in his response. My question to the minister is: Why is it that Halifax is able to initiate a very creative programme to deal with the very serious problem and this minister stands in the House and says there is no interest on his part or his department's to begin a clean up programme as the first step to an integrated long-term programme?

MR. SPEAKER:

The hon. the Minister of the Environment.

MR. BUTT:

Mr. Speaker, I am bit familiar with Halifax Harbour, I tied up there for several years in my

younger days, but I can tell the hon. member that if in fact money is spent on Halifax Harbour right now to clean up residue that is there, and there is not a treatment plant to go in place -

MR. LONG:  
There is.

MR. BUTT:  
There is not.

SOME HON. MEMBERS:  
Hear, hear!

MR. BUTT:  
That is the question. The hon. member does not know what he is talking about. There is not.

MR. LONG:  
And you are not taken seriously by the environment people.

MR. SPEAKER:  
Order, please!

MR. BUTT:  
I am answering the hon. gentleman's question. If he wants an answer he will listen.

MR. SPEAKER:  
Order, please!

The hon. member for St. John's East has asked a question and I would ask him to listen to the answer.

The hon. the Minister of the Environment.

MR. BUTT:  
You might learn something.

Mr. Speaker, the fact of the matter is - I do not care what government is doing, if it is the City of Halifax or the Nova Scotia provincial government - there is absolutely no use of going in and

taking in dredges and barges, cleaning up Halifax Harbour and still having the untreated sewerage going out because the next week after it is just as bad as when they started. That has to be done, that is logical. The hon. member does not understand logic, that is his problem.

MR. SIMMONS:  
Mr. Speaker.

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

MR. SIMMONS:  
I would like to return to the line of questioning directed to the Minister of Public Works and Services, and it relates to the Pippy Park Commission report which should have been in the minister's hands as of December 31 of last year, about five full months ago. Would the minister indicate to the House, when the report was not forthcoming on December 31, what steps he took to obtain the report from the Commission?

MR. TULK:  
None.

MR. YOUNG:  
Mr. Speaker.

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

MR. YOUNG:  
Mr. Speaker, I have no further comments.

MR. SIMMONS:  
Mr. Speaker.

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

MR. SIMMONS:

Mr. Speaker, I well understand the minister's apprehension: If he opens his mouth he may put his other foot in.

MR. TULK:

As he has so often done.

MR. SIMMONS:

Mr. Speaker, I submit this whole mess he finds himself into now had its genesis some time back because he did not do his job.

MR. TULK:

That is right.

MR. SIMMONS:

And we are giving him an opportunity to indicate what he did as minister. Quite before there was any investigation we asked him a question, Mr. Speaker, which I think is quite legitimate. The minister is responsible to this House for the tabling of reports from that particular Commission and the act is very clear as to when those reports ought to be forthcoming. In this case he should have had the report on December 31. Now I ask him what steps he took, if any? It has nothing to do with the investigation and predated the investigation completely by several months. What did he do to satisfy the requirement of the law as contained in the Pippy Park Commission legislation? What did he do to satisfy those requirements? What steps did he take to ensure or to encourage the submission of the report by the Commission as required by law in his capacity as minister responsible for that Commission?

MR. YOUNG:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Public Works and Services.

MR. YOUNG:

Mr. Speaker, The Pippy Park Commission is an autonomous body, it is under investigation and I have no further comment.

MR. SIMMONS:

Mr. Speaker.

MR. SPEAKER:

A final supplementary.

MR. SIMMONS:

Mr. Speaker, under the same legislation the Commission submits to the minister a budget for approval. The minister, as part of his estimates for Public Works this year, put in \$1.2 million for the Pippy Park Commission, which, Mr. Speaker, presumes that he approved that amount before he requested it of this Chamber. Mr. Speaker, how can the minister justify approving an expenditure requesting this House to authorize an expenditure of more than \$1 million for the current fiscal year when the Commission was in default in respect of the previous fiscal year, did not carry out its mandate under the law? What did he do to ensure they would? And did he have some discussions at that time before he agreed to request money to fund it for the current fiscal year?

MR. FUREY:

A good question! A good question!

MR. YOUNG:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Public Works and Services.

MR. YOUNG:

Mr. Speaker, no comment.

MR. KELLAND:  
Mr. Speaker.

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

MR. KELLAND:  
I cannot believe what the minister is doing, Mr. Speaker, but I would like to direct a question to him also, much more simply, and it has absolutely nothing to do with the current investigation, none whatsoever.

Will the minister give a commitment to table his letter of request to the Pippy Park Commission asking them to file the report or else?

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

MR. YOUNG:  
Mr. Speaker, no comment.

MR. LUSH:  
Mr. Speaker.

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

MR. LUSH:  
Mr. Speaker, I have a question for the Minister of the Environment. I wonder whether the minister is aware of the study done by a national body, The Canadian Nature Federation, which says that Newfoundland needs more legislation to protect endangered wildlife, timber management and pollution controls? I realize it cuts across more than one department, but I wonder if the minister is aware of this study and the atrocious grading that we received? The federation gave Newfoundland an overall grade of "D" placing the Province sixth

from the top in these environmental control matters.

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

MR. BUTT:  
Mr. Speaker, I thank the hon. member for asking me a question, because in responding to the Ministerial Statement the hon. member did point out some things that came out in this report with the grading that we were given by the Canadian Nature Federation. But, what the hon. member omitted in his remarks was that from a Department of Environment point of view Newfoundland's Department of the Environment was given an "A" on their environmental assessment regulations. Forest management does not come under the Department of the Environment but under the department of the Minister of Forest Resources and Lands (Mr. Simms), and, of course, he is quite capable of answering for his department.

Protection of endangered species: I can understand why the hon. member would be worried about protection of endangered species. I want to say to hon. members on the other side that they are all endangered species, but in fact that would come under the Minister of Culture, Recreation and Youth (Mr. Matthews), Wildlife Division, and I am sure that the hon. minister responsible for wildlife is quite capable of answering that question. We are, Mr. Speaker, working on it right now. One area that was singled out and is my responsibility is the area of litter, and that pertains to cans, bottles and so on. I can tell the hon. member, and indeed the House, that that is being addressed right now by an interdepartmental

committee of government and we will be reporting back the findings of this committee and, in bringing forward a workable solution, we will be coming forward to government within a matter of a month or so. I think we can then address that major problem that we have in a meaningful way.

MR. LUSH:

A supplementary, Mr. Speaker.

MR. SPEAKER:

The hon. the member for Bonavista North.

MR. LUSH:

Mr. Speaker, the study gave Newfoundland an "F" with respect to pollution control, and that certainly comes under the minister's department, an "F" for pollution control, stating that this Province spent only \$5.26 per person on pollution compared with \$19.50 in New Brunswick, New Brunswick spending just about four times, Mr. Speaker, the amount of money for pollution control as is spent in this Province. I ask the minister how does this study compare with the statistics of his own department with respect to pollution control in this Province?

MR. SPEAKER:

The hon. the Minister of the Environment.

MR. BUTT:

Mr. Speaker, what the hon. member fails to understand is the fact that the Province of New Brunswick has a very, very serious pollution problem, because up until recently they had very few controls or regulations in place for the protection and enhancement of the environment. We have had regulations in place, albeit not all that long but for the last ten

years at least anyway. When the PC Administration came into effect, one of the first things that was done was strict environmental rules and regulations put in place.

I am not proud of the rating that was given - despite how much credibility one can put in it I assume they are legitimate and on the level - but we are in the category with Quebec. It is a matter of dollars and cents how much money one can dedicate to certain projects in government, but we are in the same category as Quebec and Nova Scotia. The hon. member singles out New Brunswick, but the hon. member should also be aware that New Brunswick is now in a reactive stage, they are spending money to try to clean up and protect an environment that was really endangered due to a lack of rules and regulations, Mr. Speaker.

MR. EFFORD:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Port de Grave.

MR. EFFORD:

Thank you, Mr. Speaker. Mr. Speaker, my question is to the Minister of Public Works and it is concerning the Pippy Park Commission. I can see why the Premier has set up this committee, costing the taxpayers \$500,000, telling the government how to spend money. Because I would like to ask the Minister of Public Works, he being a private businessman in his private life, would he, in his private business, allow the spending of an amount of money of \$1 million without any accountability to his firm or to the accountants of that particular

firm? And, at the same time, how does he justify the fact that \$1.2 million of the taxpayers' money was spent, with the minister approving it, and no accountability given by the Pippy Park Commission?

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

MR. YOUNG:  
I must inform the hon. gentleman that the Pippy Park Commission was set up by the Liberal Government - I am not sure. For the hon. gentleman's information, I do not run my business like he runs his.

MR. EFFORD:  
A supplementary, Mr. Speaker.

MR. SPEAKER:  
A supplementary, the hon. the member for Port de Grave.

MR. EFFORD:  
Mr. Speaker, last year the minister misled this House with a lot of information given out by him and his department.

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

MR. SPEAKER:  
A point of order, the hon. the Minister of Public Works and Services.

MR. YOUNG:  
I would like the hon. member to withdraw that remark. Last year, he stated I misled the House. I did not mislead this House, Mr. Speaker, and I think it is unparliamentary for the hon. gentleman to use that word.

MR. TULK:  
To that point of order.

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

MR. TULK:  
The hon. gentleman can jump up and down all he likes, but it is a matter of record. The member for Port de Grave can use the word 'mislead', it is a matter of record. He can sit there until the cows come home and the bulls chasing them, but the truth of the matter is that that hon. gentleman last year did mislead this House. There is another word which can be used for it which we are not allowed to use.

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

MR. SPEAKER:  
To that point of order, the hon. the Government House Leader.

MR. OTTENHEIMER:  
Mr. Speaker, I think it is obviously an important point here. Hon. member's can have differences of opinion, but allegations that the hon. member acted dishonestly or improperly are allegations which cannot be made, which the rules do not allow to be made. I did not make them up, hon. gentlemen opposite did not make them up, nor did indeed the Chair make them up; they are there and operative. So any allegation with respect to the hon. gentleman acting improperly would, in my opinion, be out of order.

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

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

MR. SIMMONS:

The gentleman who is the Government House Leader introduced some new terms, but the term that my friend from Port de Grave used was 'mislead', and I leave it to Your Honour to judge. If a minister, as did the Minister of Public Works and Services, stands in the House and says, 'I did not write a memorandum', and then the memorandum is produced in his own handwriting, if that is not misleading the House I am not sure how it is possible to say anything in this Chamber. The minister told this Chamber that he did not write a memo on the subject and the memo came out in his own handwriting, Mr. Speaker. But that is a mild incident compared to what he has got himself into right now on this Pippy Park thing.

MR. SPEAKER:

To that point of order, I think there is a definite difference between 'deliberately misleading' and 'misleading the House inadvertently', so I do not think it is a point of order.

The hon. the member for Port de Grave.

MR. EFFORD:

Mr. Speaker, I ask will the minister, considering the effect of the lack of his ability in running his department and the mismanagement, again, of this money, allowing \$1.2 million of the taxpayers' money to be spent without any report being submitted to this House of Assembly, will he do the hon. thing that anybody would do with his lack of ability and resign his position of Minister of Public Works and Services?

SOME HON. MEMBERS:

Hear, hear!

MR. TULK:

He is not getting up. Ask him again, John!

MR. CALLAN:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Bellevue.

MR. CALLAN:

Mr. Speaker, I had a question for the Minister of Transportation (Mr. Dawe), who was in his place earlier. Perhaps he is in the environs. This, Mr. Speaker, in addition to being Environment Week, is also Transportation Week. The Minister of Transportation, Mr. Speaker, is aware, I am sure, that it is becoming more and more apparent that Canadian National is pursuing an unannounced policy of downgrading the Newfoundland Railway; the move towards containerization and the stop which was put to rail transport of automobiles are just two signs of this.

The Minister of Transportation is coming now. Let me ask the Minister of Transportation, then, Mr. Speaker, has the Minister of Transportation been monitoring the two developments that I just referred to, the unannounced policy of downgrading the railway, the switch to containerization, and the stopping of rail transport of automobiles? Has the Minister of Transportation been monitoring this, and if so what has the minister been doing about it? Has he talked to his colleague, the Federal Minister of Transport (Mr. Crosbie) about what is happening?

MR. SPEAKER:

The hon. the Minister of Transportation.



MR. DAWE:

Mr. Speaker, I would have to take hon. gentlemen back to 1978, perhaps 1979, when the then federal government proposed to the Province a series of proposals which they referred to, I think at the time, as a multi-modal transportation plan for Newfoundland and Labrador. It was a document about that thick. And over the next year and a little bit after that, we had a number of discussions with the federal government, the Liberal Administration, relating to that particular proposal. And we were in a position as a Province, and it was stated very publicly at the time, where the federal government made a proposal, after a lot of persuasion to the Province, that essentially said, 'Either you go along with what we have suggested to you,' or, 'thank you very much. We are going to take our lumps and go out the door.'

And that package, as it relates to revitalization of the Newfoundland Railway, the move to containers, the removal of the railcar ferry from North Sydney to Port aux Basques, the shift in the movement of traffic and how it would move by total containerization, was part of a proposal that was presented to us some seven or eight years ago. It was a package that we were able to deal with, as a Province, after a number of modifications that we perceived as protecting our interests. I mean, everyone realized that the focus of railway transportation had to change, so we wanted to make sure that it changed in the most positive way for the Province, so with that former Liberal Administration we finally agreed on a proposal. There are a number of things that have entered into the equation since that time, not

the least of which -

AN HON. MEMBER:

(Inaudible) short answers!

MR. DAWE:

Mr. Speaker, the hon. gentleman from Bellevue asked a question and I am trying to respond.

MR. TULK:

And that is not the answer.

MR. DAWE:

Oh, yes. I am answering the question.

Mr. Speaker, so over that period of time a number of things have occurred to the railway, through CTT hearings, through private enterprise intervening to the CTT on predatory pricing, a number of issues that have not reflected on the containerization programme as much as the economic viability, because of a ruling by the CTT, relative to the containerization programme.

MR. TULK:

A point of order, Mr. Speaker.

MR. SPEAKER:

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

MR. TULK:

Your Honour has often ruled in this Legislature, quite rightly so, that questions should be short and to the point, and, obviously, what applies to questions applies to answers. The hon. gentleman, if he wants to make a speech, can bring in a Ministerial Statement. The question put by the member for Bellevue was quite simple: Is it not clear that the railway is trying to do through the backdoor what they failed to do through the front door, or do not have the gumption to do through the front

door? The hon. gentleman could have gotten up and answered in a much more civilized and mannerly way than he did, and indeed kept his answers short, as he should do.

So, Mr. Speaker, I would ask you to bring him to order and ask him to stop misusing his privileges in this House.

MR. SPEAKER:

To that point of order, there is no point of order. I would like to point out to hon. members that questions should be as brief as possible and answers also should be as brief as possible.

At the present time, the time for Oral Questions has elapsed by quite a number of minutes.

#### Presenting Reports by Standing and Special Committees

MR. YOUNG:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Public Works and Services.

MR. YOUNG:

I have pleasure in tabling the Annual Report of the Newfoundland and Labrador Public Service Commission for 1985-1986.

MR. TULK:

On a point of order, Mr. Speaker. Mr. Speaker, what year is that? We would like to know, Mr. Speaker.

MR. YOUNG:

1985-1986, Mr. Speaker.

#### Petitions

MR. FENWICK:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Menihek.

MR. FENWICK:

Thank you very much, Mr. Speaker.

I would like to introduce a petition with 280 names on it. It is a petition from public employees in the Confederation Building, either this one or the West Block. I will read out the prayer of the petition for the hon. members: "Petition to the Hon. House of Assembly of Newfoundland and Labrador:

"We, the undersigned, being public employees in the service of Province of Newfoundland and Labrador petition the House of Assembly to enact legislation that will prevent our Public Service Pensions from being reduced by the CPP offset when we retire prior to age sixty-five. This reduction in pension does not occur with pensions awarded to federal public employees, employees of most provincial governments, M.H.As, and teachers in our Province, and it should not be reduced in our case."

Mr. Speaker, this is obviously in line with other comments we have made in the House over the last couple of weeks. It continues to be an outrage that our government, among all the governments in Canada, is the only one that has seen fit to take advantage of a loophole in our legislation, and, indeed, to pass additional legislation in order to insist on depriving our pensioners. Pensioners who have worked for maybe thirty years in the employ of this Province and have retired prior to age sixty-five and are

receiving a provincial pension, which they have been assured would remain at that level until age sixty-five, by letter, from the Minister of Finance, now, because there is a loophole, this Province, of all provinces in Canada, is the only one that has taken the option of reducing their pensions. All of the rest have seen fit to allow the Canada Pension Plan changes not to effect their pension whatsoever.

So, Mr. Speaker, I enter this petition in. I would hope that the Minister of Finance would recant at this last moment and come to the realization that our public employees, who have worked for us for these many years, deserve much better treatment than he has afforded them to this point. I forward the petition to the appropriate department which, of course, will be the Department of Finance.

Mr. Speaker, I assure you that the petition is in a proper form. I have signed it on the second page and it is in compliance with all of the regulations for a petition.

DR. COLLINS:  
Mr. Speaker.

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

DR. COLLINS:  
Mr. Speaker, I am delighted to support the members of the Public Service Commission petitioning for an increase in benefits. Of course, in petitioning for an increase in benefits, it goes without saying that there is a cost. In petitioning for these benefits, it would have been desirable if the additional cost had been laid out.

In speaking to this, the hon. the member for Menihek mentions, and I have not been in a situation yet to confirm this, he has mentioned that all other provinces acted differently than this Province on this particular matter. As I say, I have not been in a position yet to confirm that one way or the other.

One thing the hon. member did not mention is that all other provinces, with a single exception - and I will mention that in just a moment - all other provinces with a single exception exact higher contributions from their employees in regard to their pension benefits. With the one single exception that I will mention in a moment, we have throughout the country the lowest level of contributions for pensions in the public service of this Province.

I am sure the hon. member is going to have great difficulty in understanding what I am going to say now, but I am sure that most other members will understand this: Pension benefits are usually related to the level of contributions, i.e., if you have a low level of contribution, you have a low level of benefit; if you have a high level of contribution, you usually have a high level of benefit. The hon. member for Menihek (Mr. Fenwick) does not understand this, he has a block, some genetic block I would suggest, of understanding. He does not appreciate this connection between benefits and contributions, but this is a fact. This is not a loophole in the law, this is the way our pension benefit plan was set up and has evolved.

There was a Royal Commission. I

think it was in 1966. It was on the basis of that Royal Commission that our pension plan was set up and it was set up in a way whereby that the level of contributions and the level of benefits had a relationship to one another. Now, pension plans in other provinces set up different contributions and therefore the benefits had different aspects to them. The hon. the member for Menihek does not understand this.

I have already said in this House that if it is decided that there should be increased benefits, there is no problem with that as long as it is understood that there also has to be increased contributions. There is no problem about it.

Pensions are deferred wages. We could defer 100 per cent of wages. In other words, people receive no income at all when they are working and when they retire get a huge, huge amount of benefit. To do that we would have to have an enormous amount of contribution from source of other. We can do that. That is the outside case.

I support the pensioners in looking for increased benefits, but I would say, Mr. Speaker, in recognizing that request, one also has to put in there that increased benefits almost automatically excite a need for increased contributions.

MR. SIMMONS:  
Mr. Speaker.

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

MR. SIMMONS:  
Mr. Speaker, I have great pleasure

in supporting the petition presented by the gentleman from Menihek on behalf of the Public Service Commission addressing the subject of a very real discrimination against pensioners, public service pensioners.

This discrimination, while justified by the minister under the guise of law, first of all, is not justifiable for that reason alone because he can enact new legislation as the petition invites him to do.

Mr. Speaker, in addition, it is not an isolated example of the way this government treats pensioners. You only need look at the recent increases, if that is a term that is appropriate to the pittance that were given to pensioners, particularly pensioners at the lower end of the scale. It is interesting to notice that they got the 3 per cent and the 4 per cent, whereas last year there was an effort to give people in the higher echelon, salary-wise, some heftier amounts in salary and, of course, to give them heftier amounts in terms of pension this year. So this government's treatment of pensioners from the public service sector is not something that it can take great pride in.

The government is also consistent in its approach here, deplorably consistent. It is the kind of thing it uses in relation to taking social welfare recipients off the social welfare roles and getting them on federal unemployment insurance because this government has been consistently trying to shift the burden from its shoulders to the federal government's shoulders.

Indeed, it made it a matter of

public policy in the last budget where it said, 'We would do very well administering the Province if Ottawa would pay the bills for us.' They almost handed over the entire shop to Ottawa insofar as the financial administration of the Province is concerned.

They are always wanting to shift the burden. That is the overriding preoccupation of this government. Here they are wanting to shift the burden from the public treasury provincially to Canada Pension, but more to the point here, shift the burden from the public treasury to those pensioners, those people who are only getting a pittance in the first instance.

As soon as they get some kind of a break in terms of a little overlap of pension, as between provincial pension and CPP, then the government moves in, and they have the law behind them, of course, they have covered all the angles, Mr. Speaker.

DR. COLLINS:

Seventy per cent of earned salary is hardly a pittance.

MR. SIMMONS:

Mr. Speaker, 70 per cent of nothing is nothing. Some of those people, Mr. Speaker, worked at a time when the salaries were very, very low and that is the point of this petition which escapes the minister completely. If these people could hang on to that 70 per cent, plus the CPP pension, they would have enough to eke out a meager existence, but he wants to prevent even that. He sits there and he hides behind statistics and talks about 70 per cent. I invite him to look at the salary on which that 70 per cent is based and he will not be nearly

as impressed as he would like us to be on this particular point.

I support the petition, my colleagues support the petition and we hope the minister will take it, notwithstanding his bias on the matter, do the honourable thing and have the law changed.

SOME HON. MEMBERS:

Hear, hear!

o o o

MR. SIMMONS:

Before we go to Orders of the Day, I wish to rise under Standing Order 23.

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. SIMMONS:

I point out to the House, Mr. Speaker, that the matter I wish to raise today is one that has not been raised in this Chamber. It is one for which there is no place on the Order Paper either in the Throne Speech Debate, the Budget Debate, or in any of the other bills or debates before the Chamber at the moment. It is a matter that is very quickly coming to a conclusion, and not a very satisfactory conclusion in the minds of many Canadians. I refer, of course, to the Meech Lake Accord which is to be apparently signed tomorrow, though there is increasing doubt about that possibility.

Mr. Speaker, the point is, and this is the point of my statement, which I will read in a moment, the point is that the provisions of the Meech Lake Constitutional Accord are going to have an

unheard of impact on the lives of Newfoundlanders and Labradorians. This House has not had one single opportunity to debate that. Tomorrow, we are told the Premier of this Province, on behalf of the Province, is going to sign into law an agreement affecting the way this country is run, affecting our ability to access federal/provincial funds for programmes in provincial jurisdictions, affecting our ability to have a say in the role and the make-up of the Senate and the Supreme Court, some fairly far-reaching implications, Mr. Speaker, and this House has not been given an opportunity to debate this, unlike the Quebec Assembly, by the way, unlike the Ontario Assembly, to give you two examples. This House has been given no opportunity whatsoever to debate that important matter, number one.

Number two, I submit, Sir, there is nothing on the Order Paper that would give us that opportunity.

Number three, I ask you, Sir, can there be anything of any more urgent public importance than the way this country is going to be run and the way this Province and its people are going to be affected?

So, Mr. Speaker, I hereby request, under Standing Order 23, leave to move the adjournment of the House to debate a matter of urgent public importance, namely the provisions of the Meech Lake Constitutional Accord and, in particular, their considerable implications to the people of Newfoundland and Labrador.

MR. OTTENHEIMER:  
Mr. Speaker.

MR. SPEAKER:

The hon. the Government House Leader.

MR. OTTENHEIMER:

I am going to speak briefly to the submission of the hon. the Leader of the Opposition (Mr. Simmons) which is essentially that the Orders of the Day stand deferred and there be an emergency debate in conjunction with Standing Order 23 with respect to the Meech Lake process and the amendment to the Constitution.

As Your Honour is aware, it is not the urgency of the matter but the urgency of debate. I would point out to Your Honour that what is being discussed tomorrow is an inter-governmental agreement, an agreement between the Prime Minister of Canada and the Premiers of the ten Provinces. However, there will be ample opportunity in this Legislature to debate it because in order for the Constitution to be amended, there has to be -

MR. SIMMONS:

After it is signed.

MR. OTTENHEIMER:

No, what is signed is an accord. There is inter-governmental accord, an accord signed by the First Ministers of Canada and of the Provinces.

Before that becomes operative, every legislature must pass the appropriate resolution. So this House will have the full opportunity to debate it when the appropriate resolution is before the House. I would suggest, Mr. Speaker, that that is the appropriate time for debate, not now, which is on the eve of an inter-governmental accord, not an amendment to the Constitution.

It is an agreement by each government to seek an amendment, for the federal government in the Federal House, and for the provincial government in provincial legislatures. Therefore, it would be inappropriate and unnecessary and the urgency of debate does not arise because before the Constitution is changed, and that is the law of the land, the Constitution, there will be an opportunity to debate it in this House because for Newfoundland's concurrence there has to be the appropriate resolution from this House, and indeed from all the other Houses.

MR. SIMMONS:  
Mr. Speaker.

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

MR. SIMMONS:  
Mr. Speaker, why does the minister do that to himself? Mr. Speaker, the accord was signed two or three weeks ago. Certainly Lord he is not telling us that the Premier has gone to Meech Lake twice to do the same thing. He signed the Accord three weeks ago, Mr. Speaker. What they have gone back now to do is to accept the precise wording that will commit us as a Province.

I understand there is going to be all kinds of after the fact debate, where the government people will have to then toe the line because their Premier's word is on the line. It would be very difficult at that point in time, Mr. Speaker, in the ratification debate, very difficult then to get a vote on the sentiments in this Chamber when everybody over there is going to be told they had

better support the Premier or else.

What we want, Mr. Speaker, is not a motion today. I have not put down a motion to change the Constitution. I have put down a motion that we debate for the guidance of the Premier tomorrow, so he will know whether he should sign this thing or not, that we debate the provisions of the Meech Lake Accord which has been already signed. What will be signed tomorrow is the precise wording. That is what all the fuss has been about, if the minister has been following the press. They cannot agree on some of the wording, not the Accord, the Accord has been signed. Now they are going to commit us to very precise wording.

I say before that is done, let us give the Premier the benefit of the sentiments of this House by a debate, not a Constitutional amendment, if we could do that, not that, that will come later, but a debate on the issues as they affect this Province and the people of this Province. I think that is a fair request, Mr. Speaker. I hear what the minister is saying, but it in no way subtracts from the urgency of this, giving the timing of tomorrow's signing.

MR. OTTENHEIMER:  
Mr. Speaker.

MR. SPEAKER:  
The hon. the Government House Leader.

MR. OTTENHEIMER:  
Very briefly on that. Obviously there was a consensus reached a few weeks ago on general principles. What the meeting at Meech Lake now is to do is to

agree upon a specific text,  
specific legislative drafting.

However, I point out that it still is not operative. The Constitution is not amended until there is ratification in the parliamentary bodies and it is that I just wanted to point out and again make the submission that I think the appropriate time for debate in this House is when it is submitted to this House. None of the traditional reasons for emergency debate exists now. In terms of government policy, government's form policy. In terms of whether it is going to be ratified or put into law, that is up to legislatures and that is when it will be appropriately debated.

The reasons for superceding the regular Standing Orders of the Day have not, in my opinion, been met.

MR. SPEAKER:

When the hon. the Leader of the Opposition first read his resolution, it appeared to me that there was quite an urgency if this matter was to be finalized tomorrow. But I am more convinced by what the hon. the Government House Leader has said, that this matter will be coming before the House and will be debated at a later date. So there is no urgency for debate.

### Orders of the Day

MR. OTTENHEIMER:

Order 11.

MR. SPEAKER:

Order 11, the hon. the Leader of the Opposition adjourned the debate.

The hon. the Leader of the Opposition.

MR. SIMMONS:

Mr. Speaker, we are talking about the Aquaculture Bill. I have, on behalf of my colleagues, commended the government for the legislation. I have also lamented their tardiness in bringing it in so many years after the fact, and then their dishonesty in pretending that in doing it late, they had done it early.

The fact is, Mr. Speaker, that many jurisdictions in this country and outside have well advanced aquaculture programmes. The fact is, Mr. Speaker, that this government was given many opportunities. I documented a couple, including one going back to 1974 when, as a result of a government report, a report authorized by the government, the Research and Productivity Council report, the RPC people in New Brunswick who had come here during the famous Hermitage by-election to do some research on Bay d'Espoir. That there was a by-election going on down there in which I was a candidate, I am sure, was quite coincidental; that the report was shelved after I got elected, I am sure, was quite coincidental; but even shelved reports can be read, if not acted on. I have every reason to believe that the minister, who was then sitting on this side of the House, used to hear me talk about the report, indeed, used to urge me to remind the government of the report from time to time. The minister was quite aware in those days and since of the recommendation in that report which singled out aquaculture as one of the very live possibilities for Bay d'Espoir.



In subsequent times, when I was a federal member, I had occasion to get after the provincial government to see if it would cost share an aquaculture operation in Bay d'Espoir and, of course, it all fell on deaf ears in those particular days. They have come lately to it, Mr. Speaker, and for that we are very happy. Today we at least have the beginnings of an aquaculture development down in Bay d'Espoir.

Mr. Speaker, I say we have the beginnings of a development. Whether or not it gets beyond the development stage will depend, in part, Mr. Speaker, on the ability of the local people to survive, to withstand the deliberate frustrations of the provincial government. I cannot understand for the love of me, Mr. Speaker, why the Minister of Rural, Agriculture and Northern Development want yet another fight on his hands.

If I were he these days, I would clear my decks so that I could spend full-time figuring how I could extrapate myself and the government from the Sprung thing. I would sit down, and with pencil and paper, I would figure out what is the cost of getting out of that deal before they make a complete fool of themselves. Instead of that, he insists on loading himself up with Strung, aggravating the people of Bay d'Espoir insofar as their development is concerned, alienating the rural development movement by not going to their meetings and not showing the interest that he used to have in bygone days.

As I said on Friday, it seems to me that the best news in the bill is the implied news that the

Minister of Fisheries would administer agricultural legislation in this Province, rather than the Minister of Rural Agriculture and Northern Development.

Mr. Speaker, I see here in this legislation and the minister's speech a pattern. I think MacKenzie King it was or one of the Prime Ministers in the Twentieth Century, but I believe MacKenzie King who said when he saw a new set of events taking place, 'There go my followers, I must rush out to lead them.' It seems to me that the government finally twigged to the fact that the people in Bay d'Espoir were going to proceed on this one with or without the provincial government. The government, to its credit, belatedly, but to its credit, decided it wanted to become part of it. That much is to its credit.

What is to its discredit is that it wanted to control every single activity. I say to the minister and the administration, before they come down too heavy on the people of Bay d'Espoir, whose only sin after all is they want to generate some employment activity down there, and no part of this Province, Mr. Speaker, is more devastated by the ravages of high unemployment than is the Bay d'Espoir area.

It is an area which for many years, going back beyond the turn of the century, depended on the export of wood to Britain principally, to be used as pit props in the mine. Those who know the area and know its history will remember that in the 1940s Bowater Newfoundland was down there and was then beginning to extract itself from the operation. I

believe by the mid 1950s, 1957, I think, was the date, the company finally pulled out.

The point I make in raising this issue is that here was a group of people from Morrisville around to St. Alban's and Swanger Cove and Hoskins Cove, here was a group of people whose skills were tied to the forest, tied to harvesting wood. Secondly, because they were geographically so far from the ocean, thirty to thirty-five miles from the open sea, they had no tradition in the inshore fishery. Those two factors, their preoccupation with the prosecution of forest related skills and their lack of exposure to inshore fishery skills by and large, those two factors meant that when Bowater pulled out, those people were left with skills which were not very marketable in that area.

Then there was a migration, at least of the work force itself, the families usually stayed behind. There was a migration somewhat to the Western part of Newfoundland Island but principally to Goose Bay during the heyday of the Labrador Linerboard. Many of those people by the hundreds would go up there for seven or eight months on end and then return to their families for the dead of Winter. The point I make, Mr. Speaker, is that one of the reasons for high unemployment in Bay d'Espoir was that the skills available, native to those people, were not marketable in great quantity in that area and, secondly, there is no determined effort made to introduce new skills.

Over time the local people began to realize that and in the last seven or eight or ten years, to their great credit, they have made

a concerted and very concentrated effort in the aquaculture area. As a result they have built up considerable expertise, a fair degree of commitment and they have invested fair sums of their own money and, of course, their time and effort. In consequence, they have the makings of a very viable industry.

Now, Mr. Speaker, I lay out that bit of background to emphasize that we are not dealing here with a group of fly-by-nighters, a group of people who got a mad scheme for the day and they will have another mad scheme tomorrow.

Here we have a number of people who quite methodically and over an extended period of time have made a commitment to the aquaculture industry. Yet, Mr. Speaker, we see a government apparently bent on frustrating that effort. Now I am sure - and the Minister of Fisheries (Mr. Rideout) is a reasonable man - I am sure he can introduce another reason when he stands - and I hope he will - another reason as to why what appears to be a confrontation may well be something else. Perhaps the government has some concerns. If so, I say to him, they have not articulated them very well, they have not got the message out publicly as to what those concerns are. The public in Bay d'Espoir and the people around Newfoundland generally do not understand what the government's point is in all of this.

I say to the minister that as recently as Saturday night I had the privilege of being in Badger's Quay, the Wesleyville area, and I was the subject of a roast in the district of my good friend the member for Bonavista North (Mr. Lush). One of the people there in

just making conversation after the event said a telling phrase. Now, the minister will understand that I was at a partisan function and the people there did not necessarily have kind views of the government.

AN HON. MEMBER:

They had to roast you, they could not alternate.

MR. SIMMONS:

That is true.

Mr. Speaker, they were a partisan crowd, admittedly, but of all the subjects that this lady, a lady who would have been fifty-eight or sixty years of age, of all the subjects that she could have mentioned to me in the minute or so when I was basically shaking hands and saying 'Hello' to people, she said a choice phrase or two about the government, and then she ended with, 'Sure, look what they are doing to the people of Bay d'Espoir.'

I then questioned her and she zeroed in on this issue right here. Now, her perception, a lady from Pound Cove, I believe, her perception down there seeing only this, and I asked her if she had been there, if she had any relatives down there, and she said, 'No,' she had seen it on TV, here is a voter down on the other side of the Island, many miles removed from Bay d'Espoir and her unfiltered perception is that the government is treating the people of Bay d'Espoir unfairly and unjustly. I say to the minister that is the widespread perception on that particular subject.

I want to say something else to the minister because it relates to the Bill. It relates to the momentum that brought the original

so-called Tory administration to power. It was anything but Tory because it was, first of all, led by Frank Moores who is many things but not a Tory. But the so-called Tory administration which came into power in 1972 -

SOME HON. MEMBERS:

Oh, oh!

MR. SIMMONS:

I just complimented Mr. Moores by saying he is not a Tory. He would be the first to tell you he is not a Tory.

DR. COLLINS:

He first ran for the federal P.C.s and he was a P.C. MP. How much more Tory do you want to get?

SOME HON. MEMBERS:

Oh, oh!

MR. SIMMONS:

Mr. Speaker, you could get as Tory as the member for St. John's South (Dr. Collins) and that is pretty Tory.

MR. DECKER:

Now, that is Tory.

MR. FUREY:

Dinosauric.

MR. SIMMONS:

I make a distinction between a Tory philosophically and a Progressive Conservative. There are a lot of people who have the label Progressive Conservative and who are not Tories, thank God.

I was talking about Mr. Frank Moores the former Premier and the administration that he led to victory in March of 1972. After the tie election of October 1971, he led them to a smashing victory in March 1972. The momentum of that party at that time was based

largely on their touted commitment to rural Newfoundland. Now, that commitment was paraded for many years, a lot of people believed it, a lot of people latched onto it, a lot of people voted for that party because of their perceived or their stated commitment.

Then comes along the proof of the pudding called the House Royal Commission Report in which Dr. House and his conferees articulate very explicitly a programme for the revitalization of rural Newfoundland and Labrador. You may not agree with Dr. House and his associates, but you have no difficulty whatsoever understanding where the commission stands in terms of the future of rural Newfoundland and Labrador. The government takes the report of last Fall and says it wants to study it. They studied it for many, many months and they have essentially walked away from it.

I introduced that particular theme here, Mr. Speaker, because the legislation itself is not what will send out the signal to the Province of the commitment of this Province to aquaculture. What will send out a signal on the government's behalf is what they are doing to rural people who want to practice aquaculture, what they are doing to the people of Bay d'Espoir, who have invested money and time in this particular activity. The government's involvement in Bay d'Espoir is putting the lie to this government's alleged commitment to rural Newfoundland and Labrador.

Mr. Speaker, we have no particular difficulty with the bill, I say to the minister. At the clause by clause stage, we might want to make comments on particular clauses, but the bill itself seems

to be competent legislation and, to that extent, we can support it. What we cannot support is this government's neglect of the industry up until now, and the government's overall neglect of rural Newfoundland generally.

Mr. Speaker, I suppose we could talk about Sprung. It is a subject dear to Mr. Speaker's heart. We could talk about Sprung as another example of how the government has neglected rural Newfoundland.

I referred, I say to my friend from Fogo (Mr. Tulk), I referred to the roast we had in Badger's Quay on the weekend and I should have told the House that my friend from Fogo was one of the roasters so that I am not particularly on speaking terms with him today, but he will agree.

AN HON. MEMBER:  
Brown or medium.

MR. SIMMONS:  
I thought they botched it actually, but that is another issue.

He will agree, and my friend from Terra Nova (Mr. Greening) will want to hear this. At the end of the roast, when the roasting was all done and properly done I thought, right at the end there was a person the audience who wanted to get up and read a poem. Well, I kicked myself after I left the hall for not getting a copy of that poem. What was it called?

MR. TULK:  
I do not know what the exact title of it was but it was a bible reading of thirty-five verses on why you are damned because of Sprung.

MR. SIMMONS:

The title was something like, 'The gospel according to Saint Alphie,' or something like that.

MR. TULK:

Yes, that is right.

MR. SIMMONS:

But the amusing thing for us was that we were at a partisan function, all right, but the interesting thing for us was the number of times that the word cucumbers and tomatoes showed up in that particular 'Epistle', and the more interesting thing was that -

MR. TULK:

That was it, 'The Epistle according to Alphie.'

MR. SIMMONS:

'The Epistle according to Saint Alphie.'

AN HON. MEMBER:

(Inaudible).

MR. SIMMONS:

Who told you?

MR. MORGAN:

Did you see The Sunday Express this weekend?

MR. SIMMONS:

Who told you what sacrilege is?

SOME HON. MEMBERS:

Ha ha!

MR. SPEAKER:

Order, please!

MR. MORGAN:

(Inaudible) Clyde Wells.

MR. TULK:

'Jim', you heard what I said on NTU about that, did you not?

MR. MORGAN:

What?

MR. TULK:

You heard what I said on NTU about that.

MR. SPEAKER:

Could we have order please?

MR. MORGAN:

No.

MR. TULK:

You get what you pay for.

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. SIMMONS:

Mr. Speaker, I apologize for keeping you in suspense because I was going to say that 'The Epistle According to Saint Alfie' included a couple of telling references to Terra Nova as the more possible, as the more logical site for the cucumber and tomato toss salad affair.

MR. MORGAN:

The next one is going to Terra Nova, the next one.

MR. TULK:

I must say when you look at the farmland that is down there, and the farming skills that are down there, you can understand why.

MR. SIMMONS:

And the farmer they have for a member.

MR. FUREY:

A farmer member after the next election.

MR. TULK:

Yes, he will probably want one.

MR. SIMMONS:

Mr. Speaker, I say this only half tongue-in-cheek. I think he knows where we stand on the bill. I think he has heard my concerns about the government's half-hearted commitment to aquaculture, half-hearted until now, I hope it is more complete now and he will want to assure us on this point. Would he, in addition to taking aquaculture out of the bungling hands of the Minister of Rural Agriculture and Northern Development, would he agree-

AN HON. MEMBER:  
That is not nice.

MR. TULK:  
Not nice, but true.

MR. SIMMONS:  
- would he agree, Mr. Speaker, to see if there is a way to take over the Sprung activity?

MR. TULK:  
Perhaps he can put a few fish in the corner.

MR. SIMMONS:  
Because, Mr. Speaker, I submit to him that it may have more to do with water and air than soil, and he may want to look at that to expand his territory. More to the point, of course, I have more confidence in the somebody that we sent across the House to look after things over there than the gentleman from Kilbride.

MR. TULK:  
Actually he has turned out well, we trained him well.

MR. SIMMONS:  
Mr. Speaker, as I saying -

MR. FUREY:  
But he will not be hung by Sprung.

MR. SIMMONS:  
No, to his credit, with his training on this side of the House, the minister knows a good deal when he sees it, but he also knows a bad deal when he sees it.

MR. TULK:  
He made one mistake, he joined the Tories.

MR. SIMMONS:  
Well, as Joe Smallwood used to say, 'While the light holds forth to burn, the vilest sinner may yet return.'

MR. TULK:  
That is true. I like 'Tom' actually.

MR. SIMMONS:  
There are some people over there whose applications would cause some excitement in the Liberal caucus.

MR. TULK:  
The member for Torngat is not one of them. He is smiling in the door.

SOME HON. MEMBERS:  
Oh, oh!

MR. SIMMONS:  
Mr. Speaker, we do not have any great difficulty with the legislation. We have very much difficulty with the way the government is giving the cold shoulder to rural Newfoundland.

Thank you, Sir.

MR. TULK:  
A good speech.

SOME HON. MEMBERS:  
Hear, hear!

MR. SPEAKER:  
If the minister speaks now,

he closes the debate.

The hon. the Minister of Fisheries.

MR. RIDEOUT:

Mr. Speaker, first of all let me thank hon. members who participated in this debate over the last several days I guess, probably from Thursday or so of last week to today.

I think, by and large, the comments and the constructive criticisms, by and large, offered by both members opposite, certainly in the case of the Official Opposition were pretty down to earth, I think, constructive comments.

The hon. gentleman who spoke on behalf of the socialist caucus in the House was his usual confused self, but I might have more to say about when I get into the gist of my remarks.

Mr. Speaker, I would like to briefly respond to some of the items raised by hon. gentlemen. I tried to make as many notes as I could over the last few days. First of all, let me say to the Leader of the Opposition, Mr. Speaker, that when I introduced this bill - the hon. Leader of the Opposition should refer to Hansard - I said I was proud to introduce it because it was the first piece of legislation to be brought before any provincial legislature in Canada to govern the development of an aquaculture industry.

I did not say we were the first people involved in it, I did not say we were the only people involved in it, I did not say we discovered aquaculture, I did not say we invented aquaculture, what I said is the fact of the matter,

we are the first provincial jurisdiction to move with legislation, to put a legislative regime in place to govern the development and growth, hopefully, of an aquaculture industry. That is, of course, what will be accurately recorded in Hansard and that is what I said. I did not try to take credit for inventing the wheel when I know full well the wheel has been invented in other jurisdictions, foreign and Canadian.

What I did take credit for was for being the first provincial legislature in this country to introduce an act to bring forth a bill to government the development of aquaculture in this Province.

MR. TULK:

I suppose you are (inaudible) out of that, are you?

MR. RIDEOUT:

No, this was your own leader, unfortunately, on this point.

So, Mr. Speaker, that was the comment I made in introducing the act, it would have been in that regard.

AN HON. MEMBER:

(Inaudible).

MR. RIDEOUT:

Not there yet.

MR. DINN:

He has not gotten to him yet.

MR. RIDEOUT:

There was some enquiry, Mr. Speaker, I believe, from the hon. gentleman for Eagle River (Mr. Hiscock) about salmon enhancement programmes. Yes, I can tell him that we have been actively involved with the other Atlantic Provinces and the Government of

Canada over the last several months in trying to put together a very substantive enhancement programme that will be beneficial for the salmon industry in the Province.

The hon. gentleman from Fogo (Mr. Tulk) was enquiring about site location testing and all that kind of thing. We have experts in the department who have done site testing, water testing, salinity and things of that nature on a number of sites that we think might be suitable for aquaculture purposes all around the Province. Of course, if there are sites that have not been tested and people are interested in having those sites tested, then all they have to do is let us know and we will be very cooperative in having the sites tested as promptly as possible.

The member for Stephenville (Mr. K. Aylward) and the member for Twillingate (Mr. W. Carter) -

MR. TULK:  
When did you say you would attempt to do that?

MR. RIDEOUT:  
We have done a whole bunch on our own but there are certain areas that have not been done that members or individuals who are interested in would like to have done, just let us know and we will do them but we have done a whole range of testing in various parts of the Province. We will do others and more but we will certainly do on priority basis any that anybody requested.

MR. TULK:  
Mr. Speaker, (inaudible).

MR. SPEAKER:  
Point of order?

MR. TULK:  
Some of the people who are primarily responsible for this kind of development are the Rural Development Associations. I wonder if the minister, with the commitment that he just made to us, perhaps in the form of memorandum, if he can send that out in some form to the Rural Development Associations, perhaps through the minister. Would he undertake to do that so that they can be aware that the minister is prepared to do what he says - and I am sure he is - to do what he says he will do? It is important to them?

MR. RIDEOUT:  
Mr. Speaker, I have no difficulty with that. I think, in fact, we have tested dozens of sites that Development Associations have asked us test for them. That is certainly nothing new and we would carry on with that. We certainly have no problem with letting them know we are prepared to do that.

The hon. the gentleman for Stephenville and the gentleman from Twillingate, I think, made two basic points and that was about the probable bureaucracy entailed in the bill. I admit that is a legitimate observation but I have to say, Mr. Speaker, simply this: We are talking about a very technical, delicate operation here when you are talking about growing in confined spaces living organisms called fish. We have to be very, very careful from a disease perspective, from having the spread of that disease from one farm to another, from wiping out millions of dollars worth of investment, to destroying whole businesses and whole enterprises. By the very nature of the business, we have to be very, very



careful and have to ensure that a well regulated bureaucracy - and I do not want to say bureaucracy for the sake of bureaucracy - but it has got to be, out of necessity, well regulated. There is no doubt about that because if you do not regulate it well, if you do not control it well, then the potential for disaster in this very new industry is enough to scare away investment, I suppose, from that perspective. So while we do not want to be overbearing, or overburdensome in bureaucracy, or in regulations, we have to be very careful because we could wipe out whole farms and whole areas if disease got out of control.

The hon. gentleman for the Strait of Belle Isle (Mr. Decker) made some comments regarding whether or not we were into lobster. Yes, we are actually. We had been providing funding to the Marine Research Lab of the university over the last several number of years now, certainly I know since I have been in the department and probably before, and a lot of work has been done in other jurisdictions.

What we are trying to do here, Mr. Speaker, is not to reinvent the wheel. If somebody else has the technology, has made the discoveries and has made the breakthroughs, then there is no point of us spending R and D money, reinventing all of that. Let us have a transfer of technology from Norway to Newfoundland, or from Scotland to Newfoundland or from British Columbia to Newfoundland, wherever it is.

So we have been trying to tap into the expertise, the large volumes of expertise that are in other particular jurisdictions and move

on from there. We are doing that in lobster, we are doing that in halibut, we are doing it in other very lucrative cash species that I think hopefully will be beneficial to the aquaculture industry down the road.

Let us not forget, Mr. Speaker, what we are doing here. We saw for the first time last year in the commercial salmon fishery in this Province, the impact that aquaculture, and you cannot let the world pass you by, it is going to happen anyway, and it is happening and is dramatically successful in other jurisdictions, so if we do not get involved in it we are going to lose. But there is a down side to this. The down side to it is that lucrative commercial species like salmon, for example, can be affected in marketing and in pricing by what is developed and produced commercially from a farm.

MR. TULK:

(Inaudible) the commercial fishery as we now know it.

MR. RIDEOUT:

Exactly. Last year we saw the results of that for the first time when the Norwegians, I believe, dumped 40,000 tons of salmon produced in their farms in the American marketplace at the same time that our commercial salmon fishery was just a week or two old. Consequently the prices came down, the demand for wild salmon came down, and you saw our fishermen as a result of that.

So we have to be very careful. We cannot put on the blinkers here and say, "Aquaculture is the best thing since sliced bread." Aquaculture is great and we have to be part of it and we have to develop in it and we have to

promote it. It will create jobs in various areas of the Province. But there is the down side. In doing that, you can have some negative impact on other parts of the commercial fishery as we know it today and it can generate into other species.

MR. TULK:

Is what happened this year (inaudible).

MR. RIDEOUT:

It is impossible to say. The ideal is, I mean, those farms should be able to put their product onstream consistently at a time of the year when you are not competing with wild salmon. Last year I think it might have been deliberate on their part to do what they did, just to try to knock us out a bit more. If you want a five pound salmon, you can consistently have a five pound salmon from a farm.

MR. TULK:

It is all the more reason for us to get into it.

MR. RIDEOUT:

But it is all the more reason for us to get into it. Whether it is done again this year or not I do not really know. We will have to wait and see.

So, Mr. Speaker, I think that was the major items raised by the gentleman in the Opposition, from both parties. Having said that, therefore, I am very pleased to move second reading.

On motion, a bill, "An Act Respecting The Encouragement And Regulation Of An Aquaculture Industry In The Province," read a second time, ordered referred to a Committee of the Whole House on tomorrow. (Bill No. 11)

MR. OTTENHEIMER:

Order 14.

Motion, second reading of a bill, "An Act To Amend The Occupational Health And Safety Act". (Bill No. 18).

MR. SPEAKER:

The hon. the Minister of Labour.

MR. BLANCHARD:

Thank you, Mr. Speaker.

Mr. Speaker, this bill, "An Act To Amend The Occupational Health And Safety Act", on the face of the bill itself, it is a quite a small bill, one section. It would appear to be very insignificant, but I can tell hon. members that it will have quite a significance for the work force of this Province.

Mr. Speaker, the gist of the bill is it simply provides for an amendment to Section 63 of the Occupational Health and Safety Act, by providing for the adoption and implementation of nationally uniform standards respecting the Workplace Hazardous Materials Information System, regulated under the Hazardous Products Act of Canada and other applicable federal legislation.

Mr. Speaker, this will mean that our Occupational Health and Safety Act will be brought into harmony with all of the other provincial legislation and the federal legislation, by having standard regulations to accommodate a programme which is known as WHMIS - Workplace Hazardous Materials Information System.

Mr. Speaker, it was about eight or ten years ago that this idea was developed. It had its conception, I think, as an idea of the

Canadian Association of Administrators of Labour Legislation. I happened to be deputy minister at the time, and I was part of the national executive of that organization known as CAALL. We appointed a committee which would look into the question of developing a system to identify and label hazardous products coming into the work place.

Mr. Speaker, it is not very often that you can reach a tripartite agreement in which you have labour, management and both levels of government, federal and provincial, where you can come to an agreement these days. It is difficult enough to get an agreement between two parties but, in reality here, I suppose, you have four parties, because you have the federal government, the provinces, and labour and management. Nevertheless, we have been successful in developing a system known as WHMIS, whereby we will have a standard system of identifying and labelling of hazardous products, primarily chemicals, in the work place.

There will be three approaches to this: One, there will be a mandatory labelling of all containers of hazardous products to ensure that the contents are properly identified and described; secondly, the provision of a material safety data sheet for each hazardous product. The material safety data sheets will clearly describe the hazards through exposure, steps which would have to be taken to avoid accidents and, in the case of an accident, the remedial first aid or medical treatment; and, thirdly, Mr. Speaker, a worker education programme designed on a national basis, to ensure that all workers using these hazardous

materials are properly trained in their use.

MR. TULK:

I did not get that. Could you repeat those three things?

MR. BLANCHARD:

There are three things, a mandatory labelling system whereby you will label all containers which contain any kind of hazardous product, to ensure that the contents of the containers are properly identified and the hazards described. Secondly was the provision of material safety data sheets for each separate product. That sheet would clearly describe the hazards that a worker could be subject to if he became exposed to the product. And, thirdly, there is a worker education programme, designed on a national basis, to ensure that workers using these materials are properly trained in the use of the materials.

Mr. Speaker, in Canada more working days - this may be a statistic that will surprise some people - but, in Canada, more working days are lost through accidents and illness than through industrial disputes. Findings of a federal socio-economic impact analysis completed in 1985 in the use of hazardous materials, primarily chemicals that would be in the work place, estimated the social cost due to exposure as a result of their use in 1984, to be about \$600 million.

MR. TULK:

(Inaudible) the amount it cost for what?

MR. BLANCHARD:

The amount that it has cost to rehabilitate people and to pay their time off due to accidents in

the work place, \$600 million. That is from a federal study that was completed in 1985.

These costs represented approximately 31 per cent of all payments made by Workers' Compensation Boards in Canada and included injuries, illnesses, fatalities, cancer-related diseases and fires.

To put the problem into perspective, the social costs represented 93 per cent of the average annual cost due to strikes and lock-outs in Canada for the period of 1972 to 1981, Mr. Speaker.

Exposure to hazardous materials may cause or contribute to many serious health effects, such as heart ailments, kidney and lung damage, sterility, cancer, burns and various types of rashes. Some hazardous materials may also be safety hazards and have the potential to cause fires and explosions and other serious accidents.

Mr. Speaker, due to the seriousness of these safety and health problems and the lack of information available to many employees, the federal, provincial and territorial governments agreed to implement this system that we are talking about, in short, WHMIS.

The goal of WHMIS is to reduce the incidence of illness and injuries in the work place because of the use of hazardous materials. The purpose of the system is to establish uniform requirements to make sure that the hazards of materials produced, imported or used within work places in Canada are identified by suppliers using standard criteria, and that this hazard information is transmitted

by suppliers to affected employers and employees.

Now, Mr. Speaker, first, a supplier must be sure that containers of hazardous materials leaving the work place are labelled with the identity, appropriate hazard symbol, risk phrases, precautionary measures, first aid measures and the name and address of the manufacturer or other responsible party. Secondly, by the employer in the work place, each container must be labelled, tagged or marked with the identity of hazardous materials contained therein and must show hazard warnings appropriate for employee protection.

Where a hazardous material is contained or transported in a pipe, a piping system or valves, a process and reaction vessel, a continuous-run container or a tank car or tank truck, the employer must ensure, through the use of markings, colour codings, labels, tags or similar devices, that the hazardous material is clearly identified to a worker who may be exposed to it.

Mr. Speaker, as far as the material safety data sheets are concerned, suppliers must develop those material safety data sheets for each hazardous material, as I said before, which they produce, distribute or import. Employers are responsible for obtaining the most recent MSDS for each hazardous material used in their work places.

Beyond the identity information, the supplier must supply information on possible hazards, ingredients, physical data, fire and explosion data, reactivity data, toxicological properties,

prevention and first aid measures, and the names and telephone numbers of persons or corporate departments to be contacted for additional information. It is also proposed that MSDS be updated every three years or when additional hazard information becomes available on a material.

Mr. Speaker, again, of particular significance, copies of supplier and employer material safety data sheets for hazardous materials in a given work site are to be readily accessible to employees in that area. As an important source of detailed information on hazards, they should be located close to workers and readily available to them during each work shift.

A very important aspect of the programme, Mr. Speaker, as I said in introducing it, will be a worker education and training programme. Under the system, employers would establish an education and training programme for employees exposed to work place hazardous materials that results in the employees having and being able to apply the information needed for safety and health reasons.

The employee training plan will include: Instruction on the content required on the supplier and work place label and the purpose and significance of the information contained on the label; secondly, instruction on the content required on a material safety data sheet and the purpose and significance of the information contained on those data sheets; thirdly, procedures for the safe handling, use, storage and disposal of hazardous materials.

Also, Mr. Speaker, of particular importance will be consultation with safety and health committees or representatives for the particular work place where they exist should occur during the development of health and safety activities with respect to exposure to hazardous materials. Employers should review, in consultation with any existing safety and health committee or representative, at least annually or more frequently if required by a change in conditions, the information and training provided to workers concerning hazardous materials.

Mr. Speaker, as I said at the beginning, I am particularly happy to introduce this amendment not only because of the value that this will be to workers in preventing various kinds of accidents and diseases arising from the handling of chemicals or other hazardous products in the work place, but at that particular time I was part of the CAALL Organization, Canadian Association of Administrators of Labour Legislation. As a follow up to that, since I became Minister of Labour, in the Fall of 1986 alone, Mr. Speaker, we held three separate meetings to put the finishing touches on this programme.

All provinces, all ministers from provinces where they have responsibility for occupational health and safety were in attendance and I can tell you that there were long hours of work and effort into this. It was no easy task to get an accommodation among representatives of workers, employers and the different provinces. Particularly in Quebec, they had some difficulties with the programme but I am very,

very happy to say, Mr. Speaker, that we are going to get the programme underway and, as I said, this bill will provide for the making of regulations under our Occupational Health and Safety Act to accommodate this programme.

I am also happy to tell the House, Mr. Speaker, that this Province was one of the first provinces in Canada to lend its support to the programme.

MR. TULK:

That is just politics.

MR. BLANCHARD:

No, it is just not politics. That is a statement of fact. I was the first to get Cabinet approval to harmonize our legislation with the rest of the Canadian legislation. Our bill, when it gets through the House, Mr. Speaker, will be one of the first, if not the first to be passed to accommodate this process. So, Mr. Speaker, I am very happy to present this bill for seconding reading.

Thank you very much.

MR. TULK:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Fogo.

MR. TULK:

Mr. Speaker, the minister, in introducing this bill, has said that it is a very significant and important piece of legislation. I have no argument with him at all. He outlines three things that this programme will basically do by bringing us into line with the rest of the provinces and with the federal government.

The legislation, he says, will do three things for us: It will make

mandatory a labelling system that will show us what materials are hazardous and what are not; it will give us the provision of a material safety data sheets to describe the hazards of exposure to certain products, especially chemical products; and it will give us a worker education programme which will go into place.

Mr. Speaker, those are all fine and laudible things that the minister is doing. There can be no argument and nobody in their right senses would try and disagree with what he has said.

Mr. Speaker, the minister points out that he was the deputy minister in charge of the department when most of this work was started. I have no quarrel with the Minister of Labour and his ability as a deputy minister. As a matter of fact, he was one, I am told, of the best deputy ministers this Province has seen.

But, Mr. Speaker, I want to say to the minister that I was surprised that he pointed out to us that there were more working days lost through accidents than disputes. When we look at the amount of productivity that is lost in our economy as a result of disputes, to hear that we lose more by accidents means that we can cut down what is lost, if we do things right, by more than 50 per cent, time lost in the work place. That, not only from a human point of view, but from a productivity point of view in the economy, and God knows if we are to compete in a world economy, Canada - and I suppose Newfoundland is perhaps worse in terms of what is lost than any other part of Canada - if we are to survive in a world economy, if we are to compete with the Japanese, if we are to compete

with the Europeans and so on, then obviously one of the things that we have to cut down on are the number of days that are lost and that are paid for out of the productivity, out of that economy.

So that in itself is an important revelation that the minister has told us. And, of course, any piece of legislation or any piece of regulation that goes towards reducing that loss of productivity has to be welcomed by any Legislature.

I must say to him that I was surprised to hear that there has been \$600 million spent on rehabilitation due to accidents in the last year, I believe he said, accidents in the work place. Thirty-one per cent, I think he said, of Workers' Compensation payments. That in itself is a startling fact and, again, anything that can be done to prevent that kind of loss of work should be done.

As I was saying, Mr. Speaker, and as the minister said, tripartite agreements are hard to get. If you look at labour, business, and government, in particular, it is very hard to get labour, business, government together in this economy, and it is probably one of the reasons why our economy is in the state that it is in, without laying blame at anybody's door.

The minister was very good, as I said before, as a deputy minister of labour. There can be no argument that his record as a Deputy Minister of Labour was practically without blemish. You could hear the word 'Blanchard' whenever you heard that there was - as a matter of fact I do not believe I met the hon. gentleman before he walked into this

Legislature, but I can say to him I was very familiar with his name. Whenever there was a labour dispute, and the shuffling from room to room that goes on, the name of the Deputy Minister of Labour, Mr. Blanchard, rose. There is absolutely, teetotally no doubt about that. Therefore, Mr. Speaker, there can be no doubt about the hon. gentleman's intentions.

Unfortunately for the next little while, and it is only for the next little while because, as I understand it, if he is going to get elected, he is going to have to run in a safe Tory seat, which the Bay of Islands is not, especially for him, the seat is in a shambles. He has lost. He has to go now and take out advertisements in the Corner Brook papers to say that, "I am your member." I tell him as a person who has been in politics now for eight years, when he reaches that state, where he has to advertise his own face to tell people that he is their member, I have to say to you that the hon. gentleman is in serious trouble.

MR. BLANCHARD:

You should have been with me this past weekend. I had a great weekend.

MR. TULK:

Let me tell him something else. If there is something going on, there is an awful lot of people who will show up to it. They may not vote for you. That only counts in one place, in the ballot box, and I say to the hon. gentleman do not let a few people who gather around him fool him. As a politician he should not let that happen.

MR. BAIRD:

Mr. Speaker, is this relevant?

MR. TULK:

Oh, it is very relevant, it is very relevant.

MR. SPEAKER:

Order, please!

MR. TULK:

I have to say to the hon. gentleman that I do not believe that his tenure as Minister of Labour is going to lead him past the age of sixty-five. I believe that he will be shortly gone -

MR. BAIRD:

(Inaudible) as House Leader too.

MR. TULK:

Now old landslide should be quiet.

MR. BAIRD:

After Saturday night -

MR. TULK:

He is right next door to the hon. gentleman and I will tell him that his seat is about as safe as the member for the Bay of Islands (Mr. Blanchard), about as safe as that one.

MR. BAIRD:

A point of order, Mr. Speaker.

MR. SPEAKER:

The hon. the member for Humber Valley.

MR. BAIRD:

I would like to advise the hon. member there opposite that my seat is a lot safer than the one he occupies now.

MR. SPEAKER:

There is no point of order.

The hon. the member for Fogo.

MR. LUSH:

That is not even a difference of opinion.

MR. TULK:

That is not even a difference of opinion. I am not speaking to that, Mr. Speaker. I want to go on.

MR. SPEAKER:

There is no point of order, the hon. the member for Fogo.

MR. TULK:

The hon. gentleman, I say to him, I believe that he was such a good Deputy Minister of Labour that when the Liberal Party in the next election puts him out, takes his seat away from him, and he is going down, make up his mind to that, Bay of Islands will be Liberal in the next election. Make no mistake about it, the sixteen votes that you got the last time are gone and more besides. But I will say to the hon. gentleman that he was so competent -

DR. COLLINS:

What has this got to do with occupational health and safety?

MR. TULK:

I am praising the minister.

He was so competent as a Deputy Minister that I am sure that we will find for him some niche in the Department of Labour.

DR. COLLINS:

He will be too old.

MR. TULK:

I do not know. The hon. gentleman that is there now, Mr. Noseworthy, is a very good deputy minister so it is going to be very difficult to decide between the present minister and the deputy minister as to who we want for the Deputy



Minister of Labour. But I say to him that that we will not see him out of the labour movement. His seat is gone but we will not see him out of the labour movement.

Now, Mr. Speaker, I said that the hon. gentleman that has been a terrible failure as the Minister of Labour and his record will show that. I say to him that we stood in this place last year, the Opposition, we stood here last year and he brought in another bill from the Worker's Compensation Board, which changed the structure of the Worker's Compensation Board which set up an independent tribunal. We agreed with it. And we are agreeing with this piece of legislation.

But what did we see, Mr. Speaker? We saw the hon. gentleman stuck by the patronage appointments of the former Premier, and this Premier, stuck to the point where he told us in January, eight months later, that he could not proclaim the legislation because the government had to pay out what may well be - I have used the figure in this House - \$500,000 of patronage money in order to get a piece of legislation in place. It could very well be more than that.

I have to say to the minister that he misled the House, regardless of whether he intended to or not. He came into this House and told us that there was a settlement and, in actual fact, there is not a settlement to this day. One of the patronage appointments is now in court, saying, 'Brian, pay me more. Even though you appointed me to the job, it is not good enough.'

The truth was that even though that legislation was delayed for ten months and even though the

people who were effected in this Province, who had legitimate causes in many cases, were hung up getting cash to pay for groceries, even though the minister used the excuse that he had to shove those commissioners aside in order to appoint others, the truth of the matter was, if he had read his own legislation, he knows that the day we passed the legislation in this House, there was a clause which said that every office was vacant.

AN HON. MEMBER:

When it was proclaimed.

MR. TULK:

When it was proclaimed. So, all the hon. gentleman had to do was proclaim it and those offices were automatically non-existent.

MR. BLANCHARD:

Then you would be walking on (inaudible) people to court.

MR. TULK:

Then, I would be walking on you for saving the people of this Province. I would be standing here and praising you for saving the people of this Province anywhere from \$500,000 to \$1 million of patronage money that you are now going to be forced to pay to those hon. gentlemen. So, I say to him, it is one thing to come into this House and pass a piece of legislation -

DR. COLLINS:

I thought the two commissioners were Liberals.

MR. KELLAND:

Everyone is going to be in another year.

MR. TULK:

- but it is another thing to see that legislation proclaimed and then put into action.

Mr. Speaker, I have to say something else to him also. While he was a good deputy minister and while he solved a good many labour disputes in this Province, he now finds himself in the unenviable position of sitting with a Premier and a President of Treasury Board who do not believe in negotiations, do not believe in mediation but believe in what they learn from one John C. Crosbie - bully, bully -

DR. COLLINS:

Sure you were just telling him to bully the commissioners.

MR. TULK:

- everybody in place! Bully the public servants into place! Bring in the police! Walk over them! Throw them in jail! That is the philosophy of the Premier. That is the philosophy of the member for Mount Pearl (Mr. Windsor), the President of Treasury Board, bully them.

MR. PEACH:

You are not impressing the gallery today.

MR. TULK:

The hon. gentleman should go out and perhaps he will get some information and come back to speak, otherwise be quiet. I am not going to be sidetracked by rabbit tracks because I am talking to big game over here.

Mr. Speaker, let me say to the hon. gentleman that I know he finds it very difficult in that cabinet. He finds it very difficult to operate in a cabinet where to sell their so-called message, to put the public servants of this Province in place, they found it necessary to increase the advertising by the President of Treasury under

collective bargaining not 10 per cent, not 100 per cent, not 1,000 per cent, but 3,000 per cent! The advertising increased in Treasury Board last year by 3,000 per cent.

Mr. Speaker, I know that does not belong to the Minister of Labour (Mr. Blanchard). That is not the way of the Minister of Labour. The Minister of Labour is a good negotiator and a good mediator, but he finds himself under the thumb of the Tories from St. John's, like the member for St. John's South (Dr. Collins), led by a Premier, who in 1979, I say to the hon. gentleman - he was fooled by him - when he came into this House in 1979 I thought he was a Liberal and I was fooled by him. I thought he was a Liberal. In actual fact, I find out that he is a worse Tory than old Blue Blood there from St. John's South or the member for Waterford - Kenmount (Mr. Ottenheimer), the Government House Leader. The benches have shortened up a bit on the Tories on that side. We have some good Liberals, I say to the hon. gentleman.

MR. PEACH:

There is no such thing.

MR. TULK:

The member for Ferryland (Mr. Power) was a good Liberal, the member for Bonavista South (Mr. Morgan) was a good Liberal, until they got on the coattails of John Crosbie and Frank Moores. Now, Mr. Speaker, we see nothing to save their own political hides and to hang on to that little bit of power.

Here he comes, a very pleasant looking young man who has been sacrificed by the Premier and the few little Tories who manipulate

the Tory Party from St. John's. A Liberal made into the worst kind of Tory. And now, Mr. Speaker, if we believe what we hear, the hon. gentleman is about to get the knife stuck in him from his own colleagues on the other side, and he is such a good man.

AN HON. MEMBER:

You know all about knives 'Beaton'.

MR. TULK:

Oh, I know all about it. I am perfect at it.

So I say to the hon. gentleman, I believe he was a Liberal too. As a matter of fact, I know that he was a Liberal. I think the Tory Party is lucky actually that they got him, because it is my understanding, if a certain call had been made before the last election, the hon. gentleman would have had his name in Bay of Islands as a Liberal candidate. I say to him that he would have been much better off.

AN HON. MEMBER:

(Inaudible).

MR. TULK:

I know that to be the case!

MR. BLANCHARD:

I could have won it for you too.

MR. TULK:

I know you could have won it for us. That was then, this is now. I say to the hon. gentleman that he will not have to worry about sitting in the Legislature very long as a Tory member. He will never become a Tory in spite of all the pressure that the President of Treasury Board (Mr. Windsor), and the Minister of Finance (Dr. Collins), old blue blood Tory, has put on him. In

spite of the fact that he is under the thumb of the member for Waterford - Kenmount, the Government House Leader and the Premier, he will never become a Tory because he will never stay there long enough.

Mr. Speaker, let me say to the hon. gentleman that in principle I support his bill. We on this side support the bill, there is absolutely no doubt. We will be looking forward to the hon. gentleman proclaiming it. We hope that there are no Tory patronage appointments, or any other little legalities that might stand in his way.

Now, that gentleman sitting next to him, I would ask him not to take advice from him because he is the person, as he knows - Yes, the hon. gentleman from Bay of Islands was then the deputy minister for the member for Pleasantville when he was the Minister of the Labour when they sneaked past Bill 59, past the labour movement. They went up and made a commitment, the minister made a commitment to labour that, without agreement, he would not proclaim the legislation and, of course, he did.

AN HON. MEMBER:

No, no.

MR. TULK:

He did and the hon. gentleman knows that that is correct as well. I do not expect him to admit it because he is part of the Cabinet over there and he has to, in the short while he has left, sitting in this Legislature -

MR. KELLAND:

As a Tory.

MR. TULK:

Well, he is not going to sit in

this Legislature as a Liberal. We will hire him in the civil service.

AN HON. MEMBER:  
Tell the truth, (inaudible) Steve Neary speaking.

AN HON. MEMBER:  
Oh, oh!

AN HON. MEMBER:  
You are gone, you are gone and you are gone.

MR. TULK:  
No, I am only just taking one particular gentleman. He can sit in the civil service. He is never going to sit in this House after the Premier calls the next election. I do not know about never, maybe one day we will let him run as a Liberal, then maybe he will win.

I have to say to him, and he knows this, he is an intelligent man, you can only go against your principles and your convictions for so long. The hon. gentleman has been sitting over there now this two years as the Minister of Labour and I know full well that he is not going according to what he believes in, he is not governing the department, and he is not handling the labour disputes and the labour movement in this Province according to what he believes. Otherwise he would have had the same success as he had as deputy minister.

So, Mr. Speaker, I wish the hon. gentleman well and I say to him, let us proclaim this piece of legislation.

MR. KELLAND:  
Come on over 'Ted', boy.

MR. TULK:  
There is an invitation.

AN HON. MEMBER:  
We will subsidize him.

MR. TULK:  
I will ask him, if he is willing to give up that minister's salary and the few minister's perks that he has, to live according to the principles that he believes in as a Liberal.

MR. KELLAND:  
I will give you half mine.

MR. TULK:  
It is too bad that somebody did not make that phone call to the hon. gentleman. I admit that that was part of the leadership problem on this side, that somebody did not make that call to the hon. gentleman to run as a Liberal. Because then he would have been living according to his principles; he would have been a Liberal rather than living with the blue bloods. I say to him, Mr. Speaker, that he will not have to put up with the incompetence of the Minister of Public Works, he will not have to put up with the Tory blue bloods, the Minister of Finance and the member for Waterford - Kenmount, much longer. He should keep bringing in some good Liberal legislation, and we will support him in this legislature if he can get the support of his Cabinet colleagues. Thank you, Mr. Speaker.

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

MR. KELLAND:  
I will defer to the hon. the member for the Strait of Belle Isle.

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

MR. DECKER:

Mr. Speaker, I want to say a few words on Bill 18. I am disappointed that our previous leader did not approach the Minister of Labour, because he certainly would have had a longer future on this side. It is extremely unfortunate, but if he were to come now and give up his ministerial salary, I am sure we could find a way to supplement.

MR. KELLAND:

We know how to do that.

MR. DECKER:

No difficulty at all.

MR. KELLAND:

No problem!

MR. DECKER:

Mr. Speaker, this bill, in essence, attempts to make the work place just a little more safe. And anything which would lead toward a clean, safe, hazard-free work place is something which I believe any Newfoundlander would feel pleased to get up and support. The work place, Mr. Speaker, for those people who are fortunate enough to have a job in this Province - I am afraid they are strictly in the minority now - it is extremely difficult to stay away from the place where you are required to work. Therefore, wherever possible, we want to make that work place safe and clean, and to do that, we have to have training, as the minister talked about when he introduced this bill.

I remember, Mr. Speaker, the the big argument or dispute we have over poly-chlorinated biphenals, PCBs. I can remember, Mr. Speaker, when this PCB, which is something like lubrication, something like oil, was used by people up on the Northern

Peninsula in their power saws to oil the chain. They did it not knowing there was any danger involved. It was a cheap source of lube.

AN HON. MEMBER:

And for putting on knives to sharpen them.

MR. DECKER:

It is good for sharpening knives. That is another way to use it.

When people changed the oil in their vehicles, they would save the oil to use in the pot on the chain saw.

MR. OTTENHEIMER:

Would that work for an Audi?

MR. DECKER:

Yes, I would imagine, Mr. Speaker, that the oil from an Audi would be an extremely good source of oil for the chain saw. It would be a rich source of oil, yes, indeed. It would be a subsidized, a supplemented source of oil, I would say, Mr. Speaker. And people who would collect lubrication for the pot on their chain saws were basically looking for a cheap source of lube, because all it does is oil the chain so the chain will not burn up. Some years ago, back in the 1960s, PCBs turned up in the pots of chain saws, Mr. Speaker, people being quite unaware of what they were doing.

I would hope that training and education will be a very important aspect of this bill so that people will know what they are using. We all know about Vietnam, when they sprayed the - what were they calling it, Mr. Minister?

MR. BLANCHARD:

Agent Orange.

MR. DECKER:

Agent Orange, thank you - and the lack of knowledge of the people who were using this hazardous product.

In 1970, Mr. Speaker, I was living in Churchill Falls; I spent all Winter there and the next Spring, and when the Summer began to come so did the black flies. Of course, the road was sprayed and you would see a group of children running behind the machine as it was spraying, and those children had no idea what they were breathing in. It is important that where hazardous products are being used, people know what they are using so they can take the necessary precautions.

Mr. Speaker, I want to speak today about one hazardous substance which is causing tremendous danger in the work place. One of the most dangerous substances known to man today is present in the work place. This dangerous substance, Mr. Speaker, causes cancer. I am not standing up and saying this dangerous substance might cause cancer or that there is a reasonable expectation that this substance could be related to the cause of cancer. Mr. Speaker, in the work place today this substance - I suppose you would call it a substance - is causing hundreds, maybe thousands of Newfoundlanders to contract cancer in the work place. This dangerous substance, Mr. Speaker, which is in the work place today is causing heart and lung disease. I am not suggesting that this dangerous substance might cause heart and lung disease, I am saying absolutely, categorically, Mr. Speaker, that there is a dangerous substance in the work place today with the blessing of the Minister of Labour and with

the blessing of this government which has the audacity to call itself progressive. In the year 1987, a government in office who has the audacity to call itself progressive allows in the work place a substance which causes heart disease and which causes lung disease.

MR. OTTENHEIMER:

Exempting.

MR. DECKER:

Thank you very kindly, Mr. Speaker. I think that is snuff he gave me there. Of course, Mr. Speaker, as the hon. House Leader points out, I am talking about cigarette smoke, tobacco smoke of whatever kind, or pipe smoke.

Now, let me make it quite clear to the hon. the Minister of Finance, who knows my former profession, that this is not a moral issue. If it were a moral issue, it would be none of the business of the Department of Labour, it would be none of the business of this House, it would belong to another forum. I am talking solely on medical grounds. Mr. Speaker, in fairness, if I were convinced that there was no danger from smoking, I, too, would smoke a pipe. I think a pipe harps back to the days when I took my substance from another source, and it gives me something that I can chew on, Mr. Speaker, and I can revert to my childhood, where, I am sure, I would assume maybe the fetal position and suck on this pipe, I would find myself in a state of oblivion and I would be glad to do this. I would be quite pleased to smoke a pipe if I were convinced that there was no medical danger, that there was no danger of me contracting cancer, or contracting heart or lung disease, emphysema or any of the dozens of other

diseases which are affiliated with smoking. I would smoke a pipe!

MR. OTTENHEIMER:

Would the hon. gentleman not agree that irrespective of our virtues in life there are very few of us who will live forever?

MR. DECKER:

Mr. Speaker, the hon. gentleman is trying to divert my attention from a good speech. I am making a very good speech. As a matter of fact, I am anxious myself to see what I am going to say, and the hon. minister is trying to distract me. I have to have your protection, Sir.

Smoke, Mr. Speaker, is the most dangerous single substance in the work place today.

MR. OTTENHEIMER:

No, drugs. Illicit drugs! Hash!

MR. DECKER:

It has to be - no, Mr. Speaker.

MR. OTTENHEIMER:

Cocaine! Crack!

MR. DECKER:

Mr. Speaker, the difference between cocaine and crack and smoke is this: Cocaine and crack will hurt the user, you see.

MR. OTTENHEIMER:

Alcohol.

MR. DECKER:

And alcohol. Again, Mr. Speaker, alcohol is not as dangerous as cigarette smoke.

MR. OTTENHEIMER:

There are more industrial accidents caused by alcohol than smoking.

MR. DECKER:

Mr. Speaker, if I want to drink until it makes me an alcoholic, until it kills me, I am not hurting the next person; if I use crack I am not hurting the next person; if I want to use cocaine I am not hurting the next person. The problem with cigarette smoke, Mr. Speaker, is that terrible, dastardly habit that people have of blowing it out. Now, I have no objection to the person who wants to inhale continuously. If a person wants to light up a cigarette and inhale and inhale until the cows come home I do not care, that is his business. But when people inhale and then blow out, that is where they pollute the work place and that is where if the word 'progressive' has any meaning to members opposite - and I believe 'progressive' was attached to Progressive Conservative to attract one of your former leaders way back. Maybe the member can tell me who he was. I just forget his name now, but he would not join the Conservative Party because, like any thinking person, he could not let his mind frame set back to the 17th Century. So he said tack on the word 'progressive' and I will join. But if the word 'progressive' has any meaning to this government which is now in power, they will bring in legislation so that the minority of Newfoundlanders who today have a job, the very small minority of Newfoundlanders who have a job, will at least have a smoke-free work place they can go to.

Now, Mr. Speaker, I am not suggesting that smoking be banned totally. It is quite simple to have designated areas in the work place where people who want to smoke can go and do that. There are designated places for a coffee break, there should be designated

places for a smoke break. I do not see any big expense involved in that, it is just a matter of staggering the coffee break so that smokers can go one time and non-smokers go the next time.

DR. COLLINS:  
How about the roof?

MR. DECKER:  
The roof would be a very appropriate place, yes. I would totally agree with that, but not having such a mean streak in me as the Minister of Finance has, therefore I would not encourage -

MR. TULK:  
You are not, so do not worry.

MR. DECKER:  
I do not have this mean streak in me, I tell my colleague from Fogo, therefore I would not expect people to go on the roof if they wanted to have a smoke. All I would expect them to do is not interfere with the non-smoker. In the work place, Mr. Speaker, that is one hazardous product which can be controlled. I would challenge the Minister of Labour today to amend this bill or bring in a new bill. If he wants to formulate a bill, bring in a bill, we will be quite willing to keep this House open another couple of months, Mr. Speaker, so that smoking could be banned in the work place, so that people could be guaranteed a smoke-free work place.

DR. COLLINS:  
What about chewing? Are you against chewing?

MR. DECKER:  
No, Mr. Speaker, I am not against chewing because chewing, like alcohol, only affects the person who is chewing, the chewee. Only the chewee is affected, you

understand. Now, if the chewee were - I am trying to think of a clean word - to somehow get his tobacco juice on me, then I would have have difficulty with chewing. Does the hon. minister understand the difference? The chewee, you see, is hurting himself but not me. The smoker is hurting himself and he is hurting me. I am concerned about him hurting me. If he wants to hurt himself that is his business, but when he pollutes my air space -

DR. COLLINS:  
You are not in favour of spittoons, are you?

MR. DECKER:  
I could live with spittoons, yes. They were quite nice actually. Mr. Speaker, with the hon. minister talking about spittoons, I remember a skipper who used to come into St. John's on one of the schooners. He was from Catalina actually. He was in Bowrings Office and he was chewing. - this was back in the 1930s, when chewing was quite reasonably well accepted in this Province - and he spit in the corner. The manager moved the spittoon over in the corner and the skipper spit in the other corner. The manager moved the spittoon to the other corner and finally the skipper said, 'Look, if you do not stop moving that thing around, I am going to spit into it.' So that, Mr. Speaker, is the problem with spittoons, you have to make sure that you spit in them.

MR. YOUNG:  
(Inaudible) the table, are you?

MR. DECKER:  
I am talking about hazardous products in the work place, which is what this Bill is all about, and I am challenging the Minister



of Labour, who says he is a Progressive Conservative, and I am saying if there is any progressiveness left in this government, which I doubt very much, then this administration will find itself into the 1980s and bring in legislation whereby the minority of Newfoundlanders, the very small number of Newfoundlanders who are fortunate enough to have a job - they are in the minority. They are very few - go to the work place they will have a smoke-free work place. And I am explaining for the Minister of Energy what I am saying.

AN HON. MEMBER:

What does that have to do with the bill?

MR. DECKER:

The Minister of Finance cut me off. He is trying to get me off my speech. He is trying to get me rattled here, Mr. Speaker.

DR. COLLINS:

And you fell into the trap.

MR. DECKER:

I fell into a trap, Mr. Speaker, and it is a very easy trap to fall into. Because I am so good natured and I want to please everybody, when they try to divert me, Mr. Speaker, I fall into the trap. Mr. Speaker, I refer to our own office in this building where our secretaries are in a pool, they are all into one part of the office: Some of them smoke and some of them do not. I am in deep sympathy with the members of our staff who do not smoke, Mr. Speaker. They have to come to work every day of their lives and they are extremely busy, as hon. members know. A secretary involved with a politician is bound to be extremely busy; there is a lot of work to do. We do not

have enough secretaries to begin with and, on top of all that, they are exposed to a hazardous product which will cause cancer, which will cause heart and lung disease and dozens of other related diseases.

MR. OTTENHEIMER:

You have been around a long time.

MR. DECKER:

Mr. Speaker, the Minister of Energy talks about me being around a long time. If there is one thing about politics that I hate, that I despise, it is the smoke in those darn back rooms. It seems that people connected with politics think that if you have a back room you have to smoke in it.

MR. OTTENHEIMER:

And have a knife.

MR. DECKER:

And have a knife, Mr. Speaker. He is referring to the knifing event. The very worst thing that happened in the knifing event was the smoking that went along with it, Mr. Speaker, and I, as a knifer, should have been protected from the smoke which people who were taking part in this ceremony were inflicting upon me.

MR. KELLAND:

A stabbing in a blinding cloud of smoke.

MR. DECKER:

Some of the hospitals in the Province, Mr. Speaker, are finally stepping ahead of the government. The St. Anthony Hospital, I believe, and I wish the Minister of Health (Dr. Twomey) were here to confirm this, was the first hospital in this Province to ban smoking. If anyone ever visited a friend, or whatever, who was a patient in a hospital they would

see a half dozen people in visiting and every single one of them smoking and polluting the air and polluting the person in the bed. I think, Mr. Speaker, it is an utter disgrace that this was ever allowed. The St. Anthony Hospital was the first to ban it, but now I see that many of the other hospitals are finally banning it.

DR. COLLINS:

What about fire? Are you against fire?

MR. DECKER:

No, Mr. Speaker, I am not against fire. What total irrelevance the Minister of Finance is going on with. Why would I be against fire? I would be against fire, Mr. Speaker, if someone were to light a match and burn me with it. But I am not against fire if a fellow is silly enough to burn himself, or if a fellow is wise enough to cook his meals. That is totally irrelevant. You see, the Minister of Finance still does not understand what I am talking about. I am talking about smoke as a hazardous product because it interferes with my well-being. That is what I am talking about. I am not against drinking in the work place, whether it be alcohol or whatever, that is up to the foreman, up to the manager, up to the owner of the company or whatever the case might be. I am not against that. That is a problem which is none of the government's business unless the government happens to be the employer, of course. I suppose I should rephrase that, because probably most people who are working in this Province are working with the government.

But, be that as it may, if government is the employer, then

let them control the drinking, let them control the fire, as the hon. the Minister of Finance says. But whether government is the employer or whether General Motors are the employer, or whatever, it is the government's duty to make sure that the person who gets a job in this Province can be assured, as much as possible, of a hazard-free work place, a smoke-free work place.

I will not go on much longer, because I know it is important to get this bill out of the way before the House closes. I referred to the schools, I referred to the offices, and I have referred to the work place, and I am now challenging the Minister of Labour, when he rises to close the debate on this bill, to tell Newfoundlanders and Labradorians, 'Wait a few more hours until I get time to fix this particular bill and I will make it the right of every Newfoundlander who is lucky enough to have a job - the 1 per cent or 2 per cent of them who have a job today - to have a hazard-free work place', which has to be a smoke-free work place.

Thank you, Mr. Speaker.

MR. SPEAKER:

The hon. the member for Naskaupi.

MR. KELLAND:

Thank you, Mr. Speaker.

You will notice I rose just before my colleague rose, and I bowed to him. I loved his eloquence and the way he is able to get his point across. It does appear, though, that his finer points went above and beyond the heads of those opposite us. Nevertheless, that is not an unusual occurrence.

I also rise to speak in support of and in appreciation of the amendment as proposed by the hon. the Minister of Labour because I believe it is the sort of action, the sort of amendment that is a bit overdue and does indicate that the Minister of Labour is taking a responsible position, as is to be expected of him in his role as Minister of Labour. In proposing this amendment I think the points he made - I will not go into all of them - with reference to the procedures which we will see in the work place from now on in dealing with hazardous materials in the work place are all good. I saw nothing there to criticize from the point of view of the extensiveness, the comprehensiveness of the various points he made in his presentation and his speech, particularly the labelling of and the identifying of hazardous materials. I think one of the points he hit on was the staff training aspect. I think that is extremely important, because all too often, of course, an action taken or an instruction given, unless it is properly explained and the proper training is given as to how to handle the instructions and how to handle the labelling and identification, and what to do in the case of an accident or a mishap of some sort, would be futile unless we had staff that were properly trained to know exactly what to do when that crucial time came.

I think uniformity is something that we should strive for. Of course, again the minister pointed out that uniformity is what he is striving for in the regulations that govern hazardous materials in the work place. I think, perhaps, it is a little unfortunate that amendments and adjustments to legislation are often not

extensive enough. I had not intended to touch on this particular subject at all, Mr. Speaker, but in listening to my colleagues and the minister himself, I was reminded of a tragedy that occurred in my district a couple of years ago which resulted in the loss of life for one individual. He was employed by the Department of Transportation and was part of a road crew that was carrying out regular road maintenance on the road between Happy Valley - Goose Bay and Churchill Falls, some times called the Freedom Road. That occurred two Summers ago, almost two years ago. What happened there, in fairly brief terms, is that a work crew, because of the distance from either Churchill Falls or Happy Valley - Goose Bay, their home base, were required to have temporary accommodations on the road. This work crew of a number of men used old trailers as their accommodation - I know the Minister of Labour is perhaps familiar with that particular incident. It seems that one evening, almost two years ago, in the Summer, a fire broke out in the trailers in which the workers were staying as part of the road crew, and not everybody got out. One of the workers was awakened by the crackling of fire and the strong smell of smoke, which he saw coming from a wall in the room in which he was. He quickly got out of bed and aroused as many of his co-workers as he could. Because there was no through connection all the way through the trailers, you had to go outside and circle the trailers to get around to one particular room. He went in and spoke to the person who was in there and made sure that the gentleman was awake. He told him as quickly as he could

under the trying circumstances of the fire, that he had better get out. There was some evidence of the fire, because there was smoke already coming into that particular section and it was spreading pretty rapidly. I think in actual fact it probably went up pretty much like a tinder box. But there was a short period of time, and those that did get out probably owe their lives to that man who wakened first. He turned and left that end of the trailer and assumed that the other gentleman was right behind him. He went outside and the foreman of the crew was lying on the ground, apparently partially overcome by smoke inhalation or whatever, and he went to help him. When he turned around, he saw that the other gentleman, the last person he had called had not come out, he had not gotten out of the trailer. He tried to get back in to look for him but by that time, of course, smoke and flame had engulfed the door and there was absolutely no way any human being could have gotten back inside the building. As a result, the man who was left inside lost his life. This was on the Churchill Falls Road, Mr. Speaker.

Now, the reason why I went into that was to point out there are some things when we talk about safety in the work place - and I suppose I can tie it in that way - and that particular incident exemplified the fact that there is not, at least up to that point, uniformity in safety rules and regulations and the enforcement of such in all work places. Now, we have to keep in mind here that this particular individual, Mr. Jim Elliott of Happy Valley - Goose Bay, who lost his life, was employed by the Department of Transportation, was a government

employee.

In those trailers, a sort of a little complex which had been previously used and is now made use of as a temporary accommodation for road crews, there was absolutely no safety equipment of any kind. Now, as far as I know, there was no flame retardant substances, paint and so on, there were no smoke detectors, there was not even a bucket of sand or a fire extinguisher of any kind in that trailer. If you think about that, you wonder why that could have possibly happened. A smoke detector, for example, a very inexpensive piece of safety equipment, now a requirement in any new constructions and so on, may have awakened all of them at the same time, in plenty of time for everyone to get out. But there was no smoke detector. To quell the flames there were no hoses, no pumps, no fire extinguishers, not even sand buckets, which might have been used to put the flames down a little to allow a little more time for people to get out. So I ask a question of the Minister of Labour and I ask a question of this government, who employed this man: Why was that allowed to happen? Why would any crew working for anyone - not just government - be put at risk in that manner? Now, my understanding was that there was no electricity in these trailers, no fires, no stoves, or fireplaces. To refer just briefly or connect briefly to what my colleague from the Strait of Belle Isle was saying, I believe the investigation showed that the fire was caused by somebody smoking. Now, I have read some of the documentation on this, Mr. Speaker, and I believe that the minister will find that that is

the case. As all of the crew had retired, it is safe to assume or presume that someone may have been smoking in bed and this resulted in a fire and the eventual loss of life. Having said that, I think the point is why did not the Department of Transportation or the Department of Labour, from that point of view, have some means by which these men could have had protection so that that man, Mr. Elliott, would not have lost his life? You know, it has been almost two years, Mr. Speaker, and I do not believe the matter has been finally resolved. I do believe that the widow is receiving a settlement, but I have been given to understand that there were no charges of any kind laid, nothing that I could see, or no blame accepted or admitted to by government. Now, if an individual caused a fire, and that may very well be the case, I do not know if charges should have been brought -

MR. BLANCHARD:  
(Inaudible).

MR. KELLAND:  
Just two years ago. Less than two years ago.

The employer certainly must have a responsibility here. Now, a number of the work crew who survived that fire submitted claims for personal belongings they lost in the fire. Up to the last time I was speaking to one of the claimants, those claims had not been settled. I wondered why, Mr. Speaker: Why would they not settle a claim for perhaps \$200 or \$300, whatever the personal belongings were worth, for each individual?

Then a possible explanation for that unusual circumstance occurred

to me: If government paid the claims submitted by the survivors of the fire for the loss of their personal property they would, in effect, be admitting fault or blame in the fire. I believe they should but, if they did, they would be accepting the blame or admitting fault, that they did not have those men on the work crew adequately protected by even the basic requirements for fire prevention and fire fighting. If they paid the claims and thereby admitted that they were at fault, that they were to blame as the employer, then they would be liable for, it "strikes" me, some kind of legal claim as to the actual loss of life and the government might have been sued by the family of the deceased man for their negligence in not providing for the safety of the lives of the crew.

I would ask the Minister of Transportation but he is not present at the moment, but I will ask the Minister of Labour and the government members to look into why those basic claims have not been settled? We are talking about almost two years. I would also like to ask why there was not protection at that time for the work crews, why there was not the very basic things that might be required, smoke detectors, fire extinguishers, evacuation plans and whatever there should be? Is there legislation or a provincial standard that should have been applied? If there are not provincial safety standard regulations that should have been applied, why are there not and when will they be applied? What actions have the government taken since that unfortunate incident in which Mr. Jim Elliott lost his life? What have they done to make sure that sort of thing never

happens again?

The things I have said were not really what I wanted to say about this legislation, but it does closely tie into safety in the work place. I know there are diseases from carcinogenic materials and accidents that cause disabilities, loss of life and so on. Of course, the ultimate thing is loss of life, and the strain, the trauma and the grief of the survivors of anyone who loses his life in an accident of any kind. It is a very unfortunate thing that such would occur. I do not know for absolute certain, Mr. Speaker, if the report and the findings of the hearings in connection with that were ever made public as such. I have seen some of the documentation, but I have never seen nor heard of any subsequent steps taken to make sure that sort of thing never happens again, or to at least lower the possibilities of it ever happening again.

I think my colleague, the Opposition House Leader, talked about patronage and the considerable dollars spent every year in this Province on patronage appointments and things of that nature, where jobs are created where none existed, as in the case of defeated candidates in the last provincial election - I can think of three or four - and the dollars that are pumped into that kind of a setup when they could be much more sensibly used. Even in my own district, and I have never made a big issue of this, Mr. Speaker, in the House, but following the last provincial election, April 2, 1985, my opponent, who had been a member of this House for approximately ten years, was defeated and within a short time he received a patronage

appointment which pays him something in excess of \$40,000 a year. He has a staff of at least two other people; a secretary and, I think now, a project officer or whatever the title, a development officer. He works for the Department of Development and Tourism, and it is my understanding that his title is Senior Development Advisor for Labrador. Now, in that office alone, Mr. Speaker, are paid salaries totalling probably in excess of \$100,000 a year, or certainly very close to that figure, and it strikes me that it would not take all that much of that money, properly directed, to guard against incidents such as the one I have mentioned. It seems to me that misuse or misdirection of government funding and government spending is one of the largest problems we have here.

Just to quickly refer back to the point I just made about the patronage appointment in my own district, only in recent times the recipient of that patronage appointment, who is making in excess of \$40,000 a year as a development advisor or a development officer, paid for by the taxpayers of this Province, is now making statements in the public media against the hand that feeds him; he is on record as promoting separatism for Labrador. He is in the media record for saying that the Government of Newfoundland and Labrador is doing nothing for Labrador. Now, just two years ago, Mr. Speaker, he was a member of the very government that he is now strongly and publicly criticizing, and the only reason why I make that point is simply because of what you could do with the \$100,000, approximately, that is being paid in salaries up

there. Now, I do not want to see three jobs disappear or anything like that, although they did not exist before the last election. To have a development officer in place is probably a good thing, and to have support staff is a good thing, but if some of those dollars that the government insists on diverting to patronage and pork-barrelling - I think was the term one of my colleagues used, pork-barrelling - could be more properly directed and more appropriately directed to things such as industrial safety and safety in the work place and perhaps we would go a long way in protecting people like the work crews in the incident I mentioned in detail a little while ago.

So though I support the amendment as put forth by the Minister of Labour - I certainly do support the many, many good points in there - I would like the Minister of Labour, and all other ministers for that matter, to have a very, very close look not only at any legislation or regulation or safety standard which may exist, but a very, very close look at how these are being enforced and how closely they are being adhered to. Because all the regulations in the world mean nothing, they are worth nothing unless they can be properly enforced in some manner.

To give you a simple example: If there is a 'No Parking' sign on the side of a road showing an area where no parking is permitted and people park there on a continual basis, and those charged with enforcing that kind of a regulation ignore the fact that they are there, you might as well not have the sign there in the first place. The 'No Parking' sign means nothing unless the law

that governs that is enforced. That is, perhaps, an oversimplified example, but, by the same token, with safety standards in the work place, which is what we are really talking about, you can write all the regulations, all the safety standards, all the rules, all the labelling and identifying of hazardous material, train all the staff you like, have total experts, every member of the staff, with respect to work place safety, unless the means is there by which those regulations and laws and codes can be enforced, then they are not worth the paper they are written on, I submit to the minister in the House of Assembly. So I would ask the minister, in looking at all these things I have mentioned, that he indeed look at how well they are being enforced if they are in existence, and where there are not proper or appropriate or comprehensive regulations and rules and laws and codes in existence, that he take steps as an honourable member of the House and a responsible minister to make sure that they are brought in, amending the legislation that may be lacking.

If he takes that kind of an action, I can assure him and I can assure the House that he will certainly get the support of this side of the House, and that meaningful, worthwhile legislation which is for the good of the people we all represent, and presumably that is what any legislation is all about, if it is sensible, if it benefits the people we represent, he can always be assured of my support for any legislation like that he brings in. And I am sure I can speak for my fourteen colleagues and say that they would support that sort

of an approach.

I know that the minister gets the odd little dig tossed at him, and sometimes I do it myself, but, Mr. Speaker, I do believe the Minister of Labour is an honourable man. I think it is because he is an honourable man that we see this beneficial amendment coming from him, and if he continues like that, he has hardly any choice but to come over with us eventually and join the good guys.

MR. FENWICK:

You could join him over there.

MR. DECKER:

No. We are going over there, with or without him.

MR. KELLAND:

I do not know if we should take that comment from the member for Menihek (Mr. Fenwick), who is on such a short tenure here. The length of his political life now depends on Premier Peckford. As soon as he calls the election, it is game over for Menihek and St. John's East, I believe. I was not going to refer to them at all.

MR. SPEAKER:

Order, please!

It is now almost 6:00 p.m. Would the hon. member like to adjourn the debate?

MR. KELLAND:

Yes, I would, Mr. Speaker. Thank you.

DR. COLLINS:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Finance.

DR. COLLINS:

Mr. Speaker, it is just about 6:00

p.m., perhaps just one minute short, so I think we could probably call it 6:00 p.m. The House Leader is not here at the moment, so in his absence I move that the House at its rising do adjourn until tomorrow at 3:00 p.m.

On motion, the House at its rising adjourned until tomorrow, Tuesday, June 2, 1987, at 3:00 p.m.