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TRANSCRIPT

HOUSE OF ASSEMBLY
FOR THE PERIOD
3:00 p.m. - 6:00 p.m.
TUESDAY, DECEMBER 2, 1980

The House met at 3:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER (Simms): Order, please!

ORAL QUESTIONS

MR. SPEAKER: The hon. member for Windsor -
Buchans.

MR. FLIGHT: Thank you, Mr. Speaker, in the
absence of the Minister of Mines and Energy (L. Barry),
I will direct this question to the Premier. Would the
Premier confirm that under the existing power contract
between Hydro Quebec and CFLCo, Hydro Quebec controls the
reservoir discharges, that is, regulates the flow from the
Upper Churchill, and if so what significance does this
have for the development of the Lower Churchill power
sites?

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: It does not have any great
significance for it, Mr. Speaker, as far as we have
been told and we can proceed with the development of the
Lower Churchill, one or two of the sites under the kind
of flows and under the conditions now prevalent or now
existing as it relates to the Lower Churchill River and
its flow.

MR. FLIGHT: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary, the hon.
member for Windsor-Buchans.

MR. FLIGHT: Mr. Speaker, in view of the
fact that we have spent millions of dollars, as the member
for LaPoile (S. Neary) pointed out, in preparing to develop
the Lower Churchill power sites, have any negotiations
specific to getting control of the rate of discharge from
the Upper Churchill specific to getting a river agreement.-
I know we have had, the Premier, his ministers,
all sorts of negotiations, re: transmission of power or

MR. FLIGHT: whatever-but have there been any negotiations specifically aimed at getting control of the reservoir discharges with Quebec Hydro with a view to facilitating the development of the Lower Churchill?

MR. SPEAKER (Simms): The hon. the Premier.

PREMIER PECKFORD: We can facilitate the development of the Lower Churchill based upon the discussions that we have had over the last number of years, Mr. Speaker.

MR. FLIGHT: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary, the hon. member for Windsor - Buchans.

MR. FLIGHT: I would like, if the Premier would look at - I would like to look at the development of the Lower Churchill in light of the pending legislation that the Premier tabled a few days ago. And the Premier indicated both in this House and publicly that it may take a couple of years to proclaim this legislation and I would like to know what implications that has for the development of the Lower Churchill. Do we now continue to negotiate for the transmission of surplus power? Do we continue to negotiate for a river agreement, or is the development of the Lower Churchill now dependant or depends on the outcome of the legislation before this House?

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: No, Mr. Speaker, we are in the process now of negotiations with several customers for all of that power, as a matter of fact, on the Lower Churchill River. There are as the hon. member knows, very intensive negotiations underway with customers who want to establish industry in the Province for some of that power. We have a contract in principle with the Power Authority of the State of

PREMIER PECKFORD: New York, so all the power that is possible to be developed on the Lower Churchill is already used up, if you will, or under contract or potential contract with customers industrially and outside this Province. So that therefore from a global viewpoint there is no reason in the world for the Lower Churchill not to start yesterday because the demand for power domestically, industrially and outside this Province is of such a magnitude that we can use it all.

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

MR. SPEAKER (Simms): A final supplementary, the hon. member for Windsor-Buchans.

MR. FLIGHT: Would the Premier care to identify for the House any one of those so-called potential customers? Our understanding is that one of the reasons why the Lower Churchill cannot get off the ground now, quite apart from any disagreements with Quebec Hydro, is that the problem of shipping the surplus power, surplus to our needs, from that development down through Quebec or wherever. So would the Premier

MR. G. FLIGHT: indicate specifically the names of the customers that he has waiting to take all the power from the Lower Churchill?

MR. SPEAKER (Simms): The hon. the Premier.

PREMIER PECKFORD: I am sorry, Mr. Speaker, that the hon. member for Windsor - Buchans (Mr. Flight) has not been around this House for the last number of weeks. One of his own colleagues here in this House produced some evidence a number of days ago, or a week or so ago about the fact that talks are underway now between both levels of government, federal and provincial, on this matter of transmission.

There is, as I have tabled several weeks ago, a contract in principal with PASNY, the Power Authority of the State of New York, for the purchase of power from the Lower Churchill and the Government of Newfoundland. There are negotiations ongoing between the Minister of Development (Mr. Windsor) and aluminum interests for the establishment of an aluminum industry in the Province based upon Lower Churchill power. And thirdly, and to come back to my first point, negotiations are now underway, or talks are now underway with the federal government so that we get the acknowledgement of transmission rights the same way as other provinces have rights as it relates to the transmission of oil and gas.

MR. S. NEARY: Mr. Speaker.

MR. SPEAKER: The hon. member for LaPoile.

MR. S. NEARY: Mr. Speaker, my question is for the Minister of Transportation (Mr. Brett). I want to give him a little opportunity to warm up for his meeting on Bell Island tomorrow night in connection with the ferry service. Could the hon. gentleman tell us if he has any plans or if the company has any plans to improve the ferry service to Bell Island? Because they have long lines down there now waiting, people, especially commuters, cannot get home for several hours when they come over to St. John's and on the mainland to go work. It is several

MR. S. NEARY: hours, late at night before they get back to Bell Island. The hon. gentleman - no doubt he has heard the complaints or he would not be going to Bell Island tomorrow night - what does he intend to do about this situation to try to improve the ferry service to Bell Island? Obviously, they have fallen on hard times since I left over there.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Simms): The hon. Minister of Transportation.

MR. C. BRETT: Mr. Speaker, the meeting is tonight and not tomorrow night.

SOME HON. MEMBERS: Hear, hear!

MR. WINDSOR: The hon. gentlemen got his facts wrong.
MR. C. BRETT: He got that one wrong.

The company has some big plans, Mr. Speaker, for improvements in the ferry service to Bell Island, improvements that will cost many, many millions of dollars. And I would suggest that every hon. member over here, particularly the member for the area, looks forward to the day when we can comply with the plans that the company has. Meanwhile, the hon. member is aware of the fact that we have requested a study by CN, CN is doing it for us, on all of the systems in the Province. And I think it would be improper for me to discuss that nor would it be fair to the other ferry services that some of them are equally as inadequate or probably more inadequate than the one on Bell Island. I do not think it would be fair to make any plans to make any adjustment in any one system on the Island until we get the report from CN who are looking at the whole Island in general. And when we get that report then, hopefully, we can put forward our plans for the future.

MR. S. NEARY: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary, the hon. member for LaPoile.

MR. S. NEARY: Obviously, the hon. gentleman anticipated my supplementary and indicated that the report is not yet complete, so I presume the hon. gentleman is going to Bell Island to the meeting tonight totally ill-prepared; he cannot tell the people anything.

But let me ask the hon. gentleman about the John Guy, a ferry built by the Government of Canada, by the Department of Transport. That ferry is now over twenty years old. I understand the ferry is presently on dry dock. It came in for an annual re-fit and they found serious trouble with engine of the John Guy. Would the hon.

MR. NEARY: gentleman tell us if the John Guy will be back in operation? If she does have a split block in the engine, will the engine be replaced? What is the situation now concerning the John Guy, one of the best ferries that we have ever had on the Tickle between Bell Island and Portugal Cove?

MR. SPEAKER (Simms): The hon. Minister of Transportation and Communications.

MR. BRETT: Mr. Speaker, there is a federal agency - is it CSI? Canadian Steamships Inspection or something like that? I would suggest that it will be up to that particular division of the federal government to decide whether or not the John Guy is fit to go back in service and I am sure if she is not, if she is turned down by the federal government she will not go back, and if she is, she will, if she is passed.

MR. NEARY: A supplementary.

MR. SPEAKER: A final supplementary, the hon. member for LaPoile.

MR. NEARY: Mr. Speaker, I am absolutely amazed that the hon. gentleman could not provide the House with that information. The hon. gentleman is going to Bell Island tonight, these are some of the questions that the hon. gentleman will be expected to answer and I hope now as a result of questioning in the House he will get the answers so he can tell the Kiwanis Club if the John Guy will be returning -

MR. SPEAKER: Order, please!

MR. NEARY: - if the John Guy is insurable, I am asking the hon. gentleman, will the John Guy be insurable if they repair the split block? Will they have to put a new engine in the John Guy? Will she ever operate again? Is she does operate, will she be operating on a reduced schedule? Will she be compelled to operate with a reduced load limit? The hon.

MR. NEARY: gentleman should have the answers to these questions.

MR. SPEAKER (Simms): Order, please!

MR. NEARY: Never mind trying to pawn it off on some agency in Ottawa.

MR. SPEAKER: The hon. Minister of Transportation and Communications.

MR. BRETT: I do not know what the hon. member's question was that time. It was more like a speech than a question. But I want to assure the hon. member that I am quite capable of handling myself on Bell Island tonight or anywhere else that I choose to go in the Province. I do not want any assistance from him.

SOME HON. MEMBERS: Hear, hear!

MR. BRETT: And number two, I can also assure the hon. member, and the residents of Bell Island, that we will continue to operate a ferry service to the Island.

MR. SPEAKER: The hon. member for Port au Port.

MR. HODDER: I want to ask a question to the hon. the Premier concerning his well publicized shopping trip prior to the House opening. I just wanted to ask the Premier, has there been any evidence turned up at present of any price gouging, unfair practices or excessive prices or anything of that nature?

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: The assessment is ongoing, it has not stopped, it is ongoing every week, and I do not know if there has been - the Minister of Justice might be able to answer this better than I. I am not aware that we have been able to demonstrate any illegality or criminality in the survey to date. I am not aware if we have. We have seen over the last month or so a significant reduction in the price of groceries in the St. John's urban region over what the prices were before the studies began.

MR. HODDER: A supplementary, Mr. Speaker.

MR. SPEAKER (Simms): A supplemenatry, the hon. member
for Port au Port.

MR. HODDER: Mr. Speaker, I would like to ask
the Premier how you can deduce that there is evidence of
unfair discrepancies and price when on week one twenty-five
items were surveyed, on week two twelve items were surveyed,
on week three twelve items were surveyed, but not the same
items. One week they had milk and eggs, the next week they
did not. How can you get comparisons from statistics? And I
might add now that the surveys have been suspended?

MR. SPEAKER (Simms): The hon. the Premier.

PREMIER PECKFORD: I am sorry to inform the hon. member, but the surveys have not been suspended and there have been comparisons with the same commodities over a number of weeks. And that is how you do comparisons, as I understand the word comparison. So, number one, the surveys have not been suspended and, number two, that there have been comparisons with identical items. So I do not know if there is anything more I can add for the hon. member. I am sorry that he has the wrong information and regret that his use of the word 'comparison' does not jibe with the one that I have known by definition, but other than that I cannot say anything more.

MR. HODDER: Mr. Speaker, a final supplementary.

MR. SPEAKER: A final supplementary, the hon. member for Port au Port.

MR. HODDER: Mr. Speaker, perhaps the word suspended was the wrong word to use. They have been perhaps temporarily suspended but they are not ongoing week by week. I checked with the Consumer Affairs Department this morning and they did not say they were over with it. Mr. Speaker, I understand that you must have surveys before you can do investigations, and I understand that the Premier said that there would be investigations into the food prices and I would like to ask the Premier, in those investigations, who will be doing the investigations? Will it be the Consumer Affairs Department? Will the Consumer Affairs, Newfoundland Branch, the Consumer Affairs group of Canada, will they be involved and would the Premier let us know if they are being done in different communities at different times and could he tell me why there has been this suspension for a period of time? They did do it in three weeks and they did survey different items at different

MR. HODDER: times.

MR. SPEAKER (Simms): The hon. the Premier.

PREMIER PECKFORD: There are so many things wrapped up in the hon. members's question. I do not intend to deal with them individually and I would just ask the hon. member to ask other questions about it.

Number one, the studies have not been suspended, have not been suspended.

MR. HODDER: They are not on going week by week.

PREMIER PECKFORD: We have gone into surveys, more substantial, comprehensive surveys month by month. That is the difference. We were doing week by week surveys and now we are doing three week or four week interval surveys, more comprehensive surveys of the Province, different settlements, different parts of the Province, different regions and so on and comparing.

MR. HODDER: How many have you done?

PREMIER PECKFORD: And there have been comparisons between the two, between the same item over a number of weeks. If and when there is evidence to suggest that some law has been violated, then the appropriate agency which is responsible for that law will be asked to take action. So it could be federal, it could be provincial; it depends upon under what item, under what law the violation occurs. And when we have identified what law has been violated or evidence to show that we can allege that some law has been violated, then we will apply whatever law that is. If that happens to be a law under the federal jurisdiction, then obviously a federal agency will be asked to carry the ball from there. If it is under provincial jurisdiction, then a provincial agency will be asked to carry the ball there.

MR. SPEAKER (Simms): The hon. the member for St. Mary's - The Capes.

MR. HANCOCK: Thank you, Mr. Speaker.

I have a question for the Minister of Recreation, Culture and Youth. Earlier this Fall, especially in the district which I represent, there were a number of caribou needlessly slaughtered, in my opinion, Mr. Speaker. Some reports say there were as many as twenty-five or twenty-six caribou slaughtered. First of all, I would ask the minister if there was an investigation carried out into this matter and, if so, what were the results?

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

MR. DAWE: Mr. Speaker, the figures that I have available to me now indicate that there were some twenty caribou in that particular instance, about sixteen on the first indication and another four found later. Investigation indicated that it was very difficult because of the numbers of people who were hunting that day to indicate exactly who was to blame and, in fact, who did the actual damage to the animals. The investigation is ongoing. It has not been completed as of yet. As soon as it is, I will be glad to make the information available to the member.

MR. HANCOCK: Mr. Speaker, a supplementary.

MR. SPEAKER: A supplementary, the hon. the member for St. Mary's - The Capes.

MR. HANCOCK: Mr. Speaker, if I were the minister I would immediately suspend all licences to be issued next year for the caribou hunting season until the matter was cleared up, and I am sure the legitimate hunters in the group would report the illegitimate hunters. Sir, can we expect the minister now to take further action to see that

MR. HANCOCK: this will not happen again?

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

MR. DAWE: Well, fortunately, Mr. Speaker, the hon. member is not the minister and I am.

SOME HON. MEMBERS: Hear, hear!

MR. DAWE: Each matter that occurs as it relates to wildlife in this Province is taken into consideration in determining both the quotas for next year and, in fact, how the quotas are distributed. There are a number of options which are available to the department as it relates to that particular incident. The member, I am sure, is aware that in that particular case again, the animals were in close proximity to the community more so than they were in other years and they moved further back in previous years. It is a situation that we are looking at and we will address ourselves to in due course.

MR. HANCOCK: Mr. Speaker, a supplementary.

MR. SPEAKER: A final supplementary, the hon. the member for St. Mary's - The Capes.

MR. HANCOCK: A final supplementary, Mr. Speaker. Does the minister feel that there will be charges laid against any of the hunters involved in this incident?

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

MR. DAWE: If it is found during the investigations that there was a violation of the wildlife regulations and the person is subsequently brought to court, I am sure he will be prosecuted accordingly.

MR. SPEAKER: The hon. the member for Terra Nova.

MR. LUSH: Mr. Speaker, I want to direct a question to the Minister of Labour and Manpower (Mr. Dinn)

MR. LUSH: about the state of labour relations in the Province today, particularly within the Public Service, an area in which the minister can be a part of the solution and not the problem.

Mr. Speaker, I refer specifically to the present strike by the support staff at the College of Trades and Technology. It is my understanding that there are some eighty workers involved in this strike and maybe the minister could

MR. T. LUSH: confirm that figure and inform the House as to what effect that this is having on the operation of the College of Trades and Technology that is minus some eighty support staff workers. So I wonder if the minister could indicate to the House just what effect this is having on the operation of the College of Trades and Technology with respect to the level of services, instruction, etc.?

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

MR. J. DINN: Mr. Speaker, the hon. member started off his question by talking about the state of labour in the Province. The state of labour in the Province, to answer his little preamble, is in a better condition than it was last year and last year it was better than the year before.

SOME HON. MEMBERS: Hear, hear.

MR. J. DINN: And next year it will be better than this year.

Now, Mr. Speaker, with respect to the seventy-five, it was not eighty, but seventy-five people working at the College of Trades, which is one of a continual problem over the past three weeks and more, and prior to the strike, negotiations had taken place up to that time. We have a conciliation officer available and a mediator available to Treasury Board and to the employees, we have been in constant touch with them to determine if there is a change of view. The President of Treasury Board would be able to indicate further whether there is a change anticipated by his side. The workers seem to indicate that they are not willing to change. Unless there is a change on either side, I anticipate that the strike will continue for some time. There is not much that one can do with respect to negotiations. The Public Service of this Province have the right to strike, that is

MR. J. DINN: their ultimate weapon, and we have no intention as a government, or while I am Minister of Labour, of taking that right to strike away from those people.

MR. T. LUSH: Supplementary, Mr. Speaker.

MR. SPEAKER (Simms): Supplementary, the hon. member for Terra Nova.

MR. T. LUSH: Mr. Speaker, the minister did not address himself to the essence of my question which was what effect that this is having on the operation of the College of Trades and Technology? Again I point out the minister says that there are seventy-five workers involved so minus seventy-five workers, Mr. Speaker, is this having any effect on the operation of the College of Trades and Technology?

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

MR. J. DINN: Unfortunately, Mr. Speaker, I am not responsible for the operation of the College of Trades and Technology but I am informed -

SOME HON. MEMBERS: Oh, oh.

MR. J. DINN: - by the minister who is responsible that the College of Trades and Technology is not being adversely affected.

MR. T. LUSH: Final supplementary, Mr. Speaker.

MR. SPEAKER: Final supplementary, the hon. member for Terra Nova.

MR. T. LUSH: This is an odd situation where you have an institution having seventy-five workers not in place and that to have no effect on the operation of the institution certainly is a strange combination of circumstances, Mr. Speaker.

MR. LUSH: Another question to the Minister: I wonder if the minister can indicate to the House just where the group are in terms of negotiating? Are they negotiating for their 1980 contract or are they negotiating for their 1981 contract? If they are negotiating for their 1980 contract, when did it expire?

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

MR. DINN: Mr. Speaker, as all negotiations that go on in this Province, whether it is in the private or public sector, negotiations sometimes go beyond the termination of one agreement and into another. These negotiations, I forget the exact date of termination but they will be effective when a new agreement is signed - I believe March 31st or the 1st of April, 1980 and will continue on. I believe the proposed agreement is for a two year period.

MR. BENNETT: Mr. Speaker.

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

MR. LUSH: I want one more.

MR. BENNETT: Sure.

MR. LUSH: One further question, Mr. Speaker.

MR. SPEAKER: The hon. member for Terra Nova.

MR. LUSH: The minister indicated that the contract then expired in March so we are some six months after and the people are still without a contract. Could the minister indicate to the House just what is the hang-up with respect to the negotiations? Is it related to salary, is it related to working conditions, just what is the hang-up in the negotiations?

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

MR. DINN: Well, Mr. Speaker, I do not intend to outline what all the problems are with respect to negotiations for the College of Trades and Technology, but

MR. DINN: just to outline for the hon.
member that salary is one and -

MR. LUSH: Is is only salary?

MR. DINN: - possibly the main item, it is one of the items. It is one of where the government is involved with negotiations with - and it is one of the reasons, by the way, that sometimes the negotiations go over an expiry date of a previous collective agreement by so long a period of time is that at this point in time, for example, we have the general service which just concluded and signed, or is in the position of being able to sign an agreement - signed now, The hon. the President of Treasury Board indicates it is signed now. We have the College of Trades and Technology and we have the Maintenance and Operations staff that are conducting negotiations so that one is kind of trying to determine and wondering what the other is getting and as a result of that there is sometimes a delay in the negotiations.

But as I say to the hon. member, I will not tell him what all the details are. Suffice it to say, I will tell him privately. It will suffice to say that salary is one of them.

MR. BENNETT: Mr. Speaker.

MR. SPEAKER (Simms): The hon. member for St. Barbe.

MR. T. BENNETT: Mr. Speaker, my question is directed to the Minister of Forest Resources and Lands (Mr. Power). Could the minister tell us or suggest to us how many Crown lands does the Province have North of the Bonne Bay Gros Morne National Park? Approximately. Put a handle on it. That would be basically timber-bearing Crown lands.

MR. SPEAKER: The hon. Minister of Forest Resources and Lands.

MR. C. POWER: Mr. Speaker, I do not know exactly how many acres of Crown lands we have North of any given point in the Province. Certainly on the Great Northern Peninsula we have several million acres of land that has been - well, there has been over a million acres returned to the Crown because of our Land Management Taxation Act of 1974 which had caused Bowaters Corporation to return one million acres of land North of that point on the Great Northern Peninsula, in units management I guess, eighteen and nineteen. That is certainly one million acres we have there. There is a lot of licensed and leasehold land held by Bowaters and some by Abitibi-Price in that area, Mr. Speaker. I will be glad to the question as notice and get the exact acreage for the member on tomorrow.

MR. T. BENNETT: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary, the hon. member for St. Barbe.

MR. T. BENNETT: Mr. Speaker, the reason I asked that question is because it seems to be so hard to get to acquire Crown lands. And I am wondering, Mr. Speaker, could the minister tell us how much pressure is being applied to Crown lands by Bowaters to harvest timber off Crown lands rather than putting pressure on their own timber rights that they have.?

MR. SPEAKER (Simms): The hon. Minister of Forest Resources and Lands.

MR. C. POWER: Mr. Speaker, on a resource level certainly one of the biggest problems that forestry has in Newfoundland, and I guess the greatest giveaway that was ever given away in Newfoundland history, albeit, I suppose, in a certain sense, in a certain period of time in our history, but these ninety-nine year leases and ninety-nine year licenses that the pulp and paper companies have are certainly major deterrents in developing an industry to the point that it should be developed. Those giveaways we are actively now participating in discussions with Bowaters and Abitibi-Price to re-negotiate leasehold land that they have and licensed land that they have. With the matter that is relating - especially as it relates to the Hawkes Bay area of the Great Northern Peninsula.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

MR. C. POWER: Mr. Speaker, on the Great Northern Peninsula where we just had a large sawmill close down in Hawkes Bay where there are a lot of sawlogs available on Bowater held limits, we have had discussions in Corner Brook, the Department of Development and our department, the companies involved, both Bowater and Lundrigan's, Chambers of Commerce and town councils in the area to make sure that those saw logs are made available from Bowaters limits to the sawmillers in the area. Bowaters has agreed to hold discussions with any sawmiller who is willing to go in there and set up either another sawmill, either a larger or smaller one. One of the problems that relates to the Great Northern Peninsula particularly is that there is on that part of the Northern Peninsula a lot of healthy wood. We are certainly encouraging and actually forcing the companies to cut as much budworm damaged timber as we can and to save the healthy wood for as long as we possibly can.

MR. T. BENNETT:

A supplementary, Mr. Speaker.

MR. SPEAKER (Simms):

for St. Barbe.

A supplementary, the hon. member

MR. T. BENNETT:

it is difficult

not geared properly for the minister's answers. But when I

say acreage I mean

Mr. Speaker, I am wondering -

pinpointing it, probably the question is

MR. C. POWER: on the average it does not take two years to get a piece of Crown Land. Now, if there is Crown Land available in the area, then any person can apply for it whether it be a department of government on behalf of a social services recipient or private individual himself. If there is no Crown Land in the area, you are talking about cutting rights and timber rights and rights given the paper companies where they have sole and complete access to large amounts of timber in our Province, which is different than in any other province of Canada, and those are entirely different problems, one relating to getting Crown Land if there is Crown Land available, the other in getting back from the companies the ownership of timber whereas in every other province all they have is cutting rights, which is an entirely different matter.

MR. SPEAKER (Simms): Order, please! The time for Oral Question has expired.

NOTICES OF MOTION

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

MR. F. STAGG: Mr. Speaker, I give notice that I will on tomorrow as leave to introduce the following resolution, "WHEREAS the West Coast of Newfoundland has an extremely high unemployment rate; AND WHEREAS the fishery in Western Newfoundland has been on the upswing during recent years; AND WHEREAS the licencing of fishermen and the proper utilization of the resource should be geared to the maximum benefit of Western Newfoundlanders"- and we will include the rest of Newfoundland too in that but particularly Western Newfoundlanders -"

MR. STAGG:

"AND WHEREAS the federal government has recently indicated that the management of the West Coast fishery will take place from an office in New Brunswick;
AND WHEREAS such division of authority for resource management will further compound and complicate problems within the industry and indicates a shift away from Newfoundland of management of a resource historically part of this Province;
NOW THEREFORE BE IT RESOLVED that this House of Assembly opposes the decision of the federal government to set up the Gulf regional management office in New Brunswick, and further proposes that federal management of the Newfoundland resource remain with the Newfoundland division."

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Simms): Any further notices?

ORDERS OF THE DAY:

MR. SPEAKER: Motion one, on the resolution.

The hon. the President of the Council.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: Mr. Speaker, yesterday I believe that I had the opportunity to speak for about ten minutes and this is the next installment that the hon. members have hopefully been waiting for.

As I was saying yesterday, the stand of the Liberal Opposition with respect to this motion that is before the House is far too narrow. They are concentrating in defining sacred rights as being solely confined to our rights to determine the type of education in this Province and our borders.

While these are of supreme importance, and of great importance, and of equal importance, they do not include, as far as this government is concerned, all of the sacred rights. All of the rights have really been embodied in the resolution which is before this House.

MR. MARSHALL: Now yesterday when the member for the Strait of Belle Isle (Mr. Roberts) was speaking, he spent a great deal of time talking about the mobility section in the resolution before the House of Parliament, and in particular its affect upon the local preference policy of this government.

In his statements he made, which I found to be somewhat startling he made such statements, and here I am paraphrasing but it is in effect almost an exact quote, either we in Canada have freedom to live and work where we wish or we are not Canadians. He said this is the same as saying no one will work in Newfoundland unless we were born and bred here. He went on to talk about, you know extending this to locking out doctors or locking out business people, locking out everyone from this Province.

MR. MARSHALL:

He spoke in great exaggeration because, Mr. Speaker, it is not the intention of this government - and I repeat this again - it is not the intention of this government through its local preference policy to construct a wall around the Province of Newfoundland. As a matter of fact, last year there were approximately 10,000 people from outside of Newfoundland, most of them from Canada, who came into this Province and they were welcomed with open arms and they participated in our lifestyle. And in the same way, many Newfoundlanders went outside as well. The purpose, and I will reiterate, the purpose of the local preference policy is to give Newfoundlanders a chance, and a fair and equal chance, to obtain employment where they would not have obtained it before. Again, I give to this House the example of - and this is a real example and a real occurrence; I have mentioned it before but I think it is worthwhile mentioning again - about the application of these policies to a major oil company which was drilling off the coast of this Province last year. The local preference policy was before them and they had to hire a certain number of Newfoundlanders on their rigs. They came in to the government and they indicated that they were very concerned about this - the usual type of scare tactics and the usual type of tactics you get justifying hiring their own people from outside. They said, 'What about if we have a blowout, and what happens to the fishery? We have to have experienced people in order to be able to operate the rigs.' Now, you do not take those statements, Mr. Speaker, very lightly, and they were considered, and considered in-depth by the government. After full consideration of it, the government said, 'Now, you go ahead and you must hire Newfoundlanders.' As a result, a substantial number of young Newfoundlanders were working

MR. MARSHALL: on those rigs. Now I will not recount to the House the lamentations that accompanied the representations, but they were great and they were weighty, you know, the usual thing, that you had to have people of experience on the rigs. Well, what happened? Subsequently, this company pulled up its rig and went to another part of the world, and within recent months I saw officials of this company, other officials in high places in this company who were well versed in the affairs of the company, and I said, 'How did these Newfoundlanders make out?' They looked at me as if I had two heads and they said, 'They made out marvellously. Why? As a matter of fact,' they said, 'there are a substantial number, a fair number - not all of them - who are still on the rigs and they are working in other parts of the world.'

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: Now, Mr. Speaker, that is an example of what we are trying to attempt and the success. None of these young Newfoundlanders would have ever had a chance at employment but for the local preference policy that was applied.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: Because this is an industry,
Mr. Speaker -

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: Because this is an industry with which we are not familiar, our people are not familiar, and we are insisting that as this industry comes into this Province, that our young Newfoundlanders particularly are going to have an equal chance with other people in order to get employment. That is exactly what we want when we have our local preference. It is exactly what we are achieving, and the statements made by the hon.

MR. MARSHALL: the member for the Strait of Belle Isle (Mr. Roberts) and his colleagues, or some of his colleagues from time to time to the effect that this is anti-Canadian and anti-Newfoundland, I say do not serve the interests of the people of Newfoundland at all. Because I think it has to be realized what this Province is not only doing but what it is determined to do and the results which are being wrought.

As I said yesterday, I am very surprised that the hon. the member for the Strait of Belle Isle could on the one hand compliment us for our rule on the offshore jurisdiction with respect to 51 per cent ownership in Newfoundland content in a company and at the same time condemn us with respect to our local preference policy. To me, it is putting a higher priority on capital than it is on human beings and human resources. And as far as this Province is concerned, while it is going to insist on the 51 per cent ownership of Newfoundlanders in companies, the purpose of this, the main purpose of it, is to secure jobs for Newfoundlanders, not to the exclusion of other Canadians, Mr. Speaker, but in order to ensure that young Newfoundlanders have a fair chance.

As I say, we are not trying to construct a wall around this Province, and I think that that has to be understood.

It is hard also, Mr. Speaker, to understand what the hon. the member was speaking about, and he got, I think, into semantics. And I think lawyers - and I am one of them - can sometimes get into too many legal semantics and too much theory or what have you and not be really relating to the practical everyday effects of measures which are taken. But he made what to me is a most astonishing statement to the effect that those who claim the right to legislate, that is, the right to

MR. MARSHALL: legislate with respect to local preference depends upon ownership. He says that such a statement is intellectually dishonest. Well, Mr. Speaker, I just ask this: Should,

MR. MARSHALL:

in the unlikely event that the legitimate rights, and I say very unlikely event, that the legitimate rights of this Province to the offshore are snatched away by the federal government and they took over the ownership through amendment to the Constitution or by whatever other means, how many young Newfoundlanders do you think would have the opportunity to be able to be employed in the offshore endeavors through our local preference policy? Everybody knows that he who owns property has the right to determine how that property is used and to dictate the terms on which it is to be used. And that is, I think, as I say a most astonishing statement that I would like to see in another debate the hon. member elucidate a bit more, because its significance very much escapes me. It is a matter, as far as I am concerned, of prime importance, a sacred right to this Province that our rights to the offshore be retained. And if you do not want to take it from a politician, Mr. Speaker, as some people do not, as to the effects of our offshore ownership and our offshore preference policy not being applied here, if you do not want to take it as to the effect of it as to what will happen from a politician, just listen to what or recall what the president of the Board of Trade of St. John's said a little while ago. He indicated that certain companies are gearing up in Halifax, where are you, in order to be able to reap the benefit which as far as we know legitimately, and we insist legitimately, belongs to Newfoundlanders.

So, as I say, I cannot understand the stand taken by the hon. the member for Belle Isle (Mr. Roberts) when he spoke yesterday. All these rights, Mr. Speaker, are sacred. Now with respect to education, our rights to determine our education means and our rights to the border and, yes,

MR. MARSHALL: our rights with respect to having a say and consenting to any amendment which effects our resources, what this particular resolution before the Parliament of Canada does is it denies and takes away basic rights which we now have. And they are sacred and this is an attempt to take away basic rights.

But, Mr. Speaker, equally so the failure of the federal government to recognize our right to transmit power, a confirmation of our offshore jurisdiction and our shared jurisdiction in the fishery as far as I am concerned is a betrayal by the federal government of the very spirit, intent and purpose of Confederation itself as exhibited in the Constitution. Because, Mr. Speaker, with this we are treated unequally, and this is the whole point of the whole resolution that is before us. How can any Newfoundlander say that we are being considered as equal when we are denied our legitimate demands for shared jurisdiction in the fisheries when these -

MR. WARREN: The fishermen do not want it.

MR. MARSHALL: 'The fishermen do not want it! The hon. gentleman had his opportunity, Mr. Speaker, to speak in the debate and I am very sorry, Mr. Speaker, that the hon. gentleman joined the 'Uncle Toms' of this world in lamenting of the position that was being taken by this government. But, Mr. Speaker, how can they say that when we are denied our legitimate rights for shared jurisdiction in the fishery, when Quebec has been delegated and enjoyed this authority for decades? I do not think it is generally known in this Province, but the federal government had delegated many of the powers, which we seek in the Constitution, to the province of Quebec. Now the reason why they have done it is because Quebec has seventy-five seats and they deny ours because we have seven. But the fact of the matter is, Mr.

MR. MARSHALL: Speaker, it is not treating us equally. The same thing with our offshore. How in the name of heaven can we be deemed to be treated equally when we are denied our rights to the offshore when oil and gas in the bed of Lake Erie is owned by the province of Ontario? And what is the difference then between Newfoundland and Ontario? Why should Newfoundland be treated differently than Ontario? Why in the case of fisheries should Newfoundland be treated differently than Quebec?

The same thing, Mr. Speaker, of course, with respect to the transmission of our electrical power. Why should we be denied the right to freely transmit our electrical power through other provinces when, as has been said over and over again, when Alberta's oil is transmitted through other provinces? Now we are in fact,

MR. MARSHALL: Mr. Speaker, by the proposals that have been put before the Federal Government—that are before Parliament now, we are being treated unequally and the question we have to ask ourselves is why we are being treated unequally. It is quite obvious why we are being treated unequally: We have seven seats and these other provinces, particularly Ontario and Quebec, as I have indicated, have eighty-odd seats and seventy-five respectively. And this is always present, Mr. Speaker, we are a minority. I am not contending that we should have seventy-five or eighty seats in the House of Parliament, but, Mr. Speaker, what I am contending is that a constitution, if it is a constitution, if it is not a hollow sham of a document, must protect its minorities and we as a minority have to look to the Constitution for our protection.

And in these particular proposals, Mr. Speaker, there is no protection to the minority of Newfoundland. That is why, Mr. Speaker, provincial rights are very important and that is why, Mr. Speaker, provincial rights are so very much more important to the Province of Newfoundland because we have such a minor position. We have, as I say, to look to the Constitution. The proposals in this Constitution do not, Mr. Speaker, protect us and we have to seek and strive and we will not yield until they do protect us.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: In addition to the Constitution, Mr. Speaker, we are entitled, I think, to receive protection from the Federal Government to this end. The Federal Government, quite rightly, and Mr. Trudeau, quite rightly, from time to time talks about the protection of minorities and nobody

MR. MARSHALL: can question the fact that the linguistic minority of Canada he attempts to protect. But we are a minority as well. In this Province we have a premier of a Province but we also have a Prime Minister of Canada who, with respect to federal matters, is Prime Minister of this Province and as far as I am concerned his actions are not in the best interest of all of Canada. His actions are certainly not in the best interest of Newfoundland.

Now, Mr. Speaker, if we are to gain our rights, if we are - if there is any possibility at all at this particular time of us gaining our rights, the Federal Government must relent, and in order to get the Federal Government to relent, Mr. Speaker, Newfoundland - it is much easier to get the Federal Government to relent, let us put it this way, if Newfoundland speaks in one voice and that is why we have put this resolution before the Assembly. It is not an argumentative resolution. It is a resolution in tempered language that objects to the present intent of the Federal Government to unilaterally request the Government of the United Kingdom to first cause the British North America Act to be altered, to have passed a new amending formula. It asks that the Federal Government recognize our rights to our offshore, to confirm our rights to the offshore. It asks that we be given the right to freely transmit electricity, it asks that we be given a shared jurisdiction in the fishery.

Now, some people might say, you know, what is the share? Well, that is a matter we can debate afterwards. I think all members must recognize that there should be some share in the jurisdiction of the fishery. It asks, Mr. Speaker, the Federal Government to recognize these rights, and anyone who votes against this resolution, Mr. Speaker, is voting against the legitimate aspirations of the people of

MR. MARSHALL: this Province -

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: -is voting against the rights of the people of this Province to confirmation of their off-shore, is voting against their rights for the free transmission of electricity, for shared jurisdiction of the fishery. It is acquiescing to the amendment of the Constitution respecting our own resources at any given time without our consent and it is also acquiescing, Mr. Speaker, to the procedure taken by the government objecting to the educational and boundary matters.

Now, in those particular two items I have no doubt, or I have an anticipation that they may be changed and if they are changed, Mr. Speaker, it should, I think, be underlined that they will only have been changed as a result of the initiative taken by the government through the Premier in drawing this to the attention, not only of Newfoundland but to the people of Canada, because it is of concern to everybody in Canada.

So, there it is, Mr. Speaker, here is the resolution. The resolution just asks the hon. members there opposite if they will stand shoulder to shoulder with us, if they will stand shoulder to shoulder with Newfoundlanders, if they

MR. MARSHALL: will stand up for the rights of Newfoundlanders, if they will stand as one with us in asking the federal government to recognize offshore jurisdiction, to recognize our right to fisheries, to recognize our right to the free transmission of electricity, and Mr. Speaker -

PREMIER PECKFORD: And the other rights too.

MR. MARSHALL: - and most importantly, Mr. Speaker, for young Newfoundlanders, for the rights of the young Newfoundlanders to be able to get a job in our offshore industries and in other areas, ancillary areas where they have not got the training and they have not got any hope whatsoever of getting a job if you just allow the companies to operate as they wish to.

So if the hon. gentlemen wish to take a stand for Newfoundland, I suggest that what they can do is stand shoulder to shoulder with the members of this government in voting for this resolution -

SOME HON. MEMBERS: Oh, oh!

MR. MARSHALL: - and thereby, Mr. Speaker -

AN HON. MEMBER: (inaudible) yesterday.

MR. MARSHALL: Mr. Speaker, I do not choose to put up with the hon. gentleman. I did not interrupt the hon. gentleman when he was speaking so I would ask him to afford me an equal courtesy.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Simms): Order, please! All hon. members have the right to be heard in silence.

MR. MARSHALL: So, Mr. Speaker, as I say in closing I could not really fathom how the member for the Strait of Belle Isle (Mr. Roberts) could take the position that he took, particularly at his striking at the local preference policy of

MR. MARSHALL: this Province, which is geared to, and has as we have proven, meant so much to the young people of this Province in the furnishing of jobs. And if, I say, the hon. gentlemen there opposite wish to act in the best interest of Newfoundland, I suggest that they might have a little bit of sober reflection. We will adjourn the House if they wish to for them to have a caucus-and see whether they can vote for this very, very temperate resolution which sets forth a blueprint as to what the people of Newfoundland are entitled to and which this government will fight for to its last breath.

Thank you very much, Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER (Simms):

The hon. member for Twillingate.

MR. W. ROWE:

Mr. Speaker, I rise to say a few brief words, like the Minister of Justice (Mr. Ottenheimer) the other day, on the matter of the constitutional proposals, the Canada Act, the Constitution Act, as proposed by the Federal Government of Canada, and a few words about the resolution relating thereto as proposed by the Premier of the Province.

Mr. Speaker, I have reflected, agonized might be the more appropriate word, on the procedures being adopted, the processes being followed by the federal government with respect to these constitutional documents for the past month or so. I have reflected on the contents of the constitutional documents as proposed by the Federal Government of Canada, the Liberal Federal Government to which I have the honour of belonging to, as a party member, the Liberal Party.

Mr. Speaker, I can say quite flatly, after these weeks of reflection, thought on the question of the constitution, that I can find little if anything, it would be true to say I can find nothing in the procedures adopted by the federal government which I do not find as a

MR. W. ROWE: provincial representative, as a member of this House, which I do not find obnoxious, offensive, and distasteful as far as this Province is concerned.

SOME HON. MEMBERS: Hear, hear!

MR. W. ROWE: I do believe, Sir, in the patriation of our constitution consisting of the various BNA acts and other documents associated therewith, the patriation of our constitution to Canada so that Canadians can deal with our present constitution as we as Canadians see fit. I believe in the patriation. I think it should have been done years ago. I think there would have been unanimous consent in Canada for such a move, the patriation of our existing constitution in a dignified way, in an honourable and dignified way and then deal with our constitution ourselves as Canadians in the provinces and in the federal government, the Canadian Government of this nation.

But, Mr. Speaker, the federal government is not asking the House of Commons in the UK, the Parliament of the UK or the UK Government to bring home, let us have, our existing current constitution. They are not doing that. What the Government of Canada, people keep saying federal government, in fact federal government means the whole spectrum of government in Canada. We are talking about the Canadian Government as distinct

MR. W. ROWE: from the governments of the provinces. The Canadian government is asking the House of Commons and the government in the UK and the House of Lords in the UK to pass a new Constitution for this nation which we belong to, not to send back the old one, the present one, but to pass for us as Canadians a new Constitution.

Now, Mr. Speaker, without getting into personalities, and I will not get into personalities during these few remarks this afternoon, I have to say in brutal frankness that I find that to be one of the most hypocritical acts ever perpetrated in this country as far as a government is concerned.

SOME HON. MEMBERS: Hear, hear.

MR. W. ROWE: On the one hand, Sir, we hear federalists, hyper-, super-federalists, saying that it is undignified, it is shameful, it is terrible that we have to have a foreign parliament pass amendments to the Constitution of Canada. That is what is said on the one hand. And on the other hand, Sir, our government is asking that same foreign parliament- related parliament, certainly; related by history and culture -but this foreign parliament, the UK Parliament, in the same breath they are asking them not to send back our own Constitution but to pass a new Constitution for us. What is shameful on the one hand and undignified on the one hand suddenly becomes proper and sensible international relations on the other, Sir, and I find that to be a hypocritical act.

The federal government and everybody in Canada will say that we, as Canadians, the Canadian nation is mature enough to deal with our own Constitution, to change it as we see fit, to negotiate changes, to have head on confrontations to come up with changes to our Constitution. Yet, Sir, at the same time we have the spectacle of our

MR. W. ROWE: Canadian government asking this foreign parliament to pass a constitution for us, to ram a constitution down the throats of us as Canadians.

This new Constitution, Sir, has been touted as perhaps the most historical, momentous, important document in the history of our country over the past one hundred-odd years. If that is true, and I believe it may be true, getting a new constitution may be the most momentous document, but if it is true, Sir, then surely such a document is entitled to sober reflection, to a long period of dealing with the contents, the essence of such a document over a period of months and years by individuals and groups and governments in Canada. Not just the governments of the day either, Mr. Speaker, but other people in Canada; all wisdom in Canada does not repose in the provincial governments and in the federal government. It reposes in other groups, other organizations and the bulk of the Canadian people as well and they should have sufficient time to have say as to what goes in the new Constitution, what the contents of this new Constitution should be. But instead of this kind of sober reflection, this kind of give and take, this kind of an intellectual cross fertilization, what we have seen is, at first, the odious institution of closure imposed in the House of Commons in order to cut off debate in that House on this most important document which Canada has seen, and perhaps will see. We have seen a Joint Committee of the House of Commons and the Senate set up in order to deal with this document - a good move, a sensible move; but is this Committee supposed to give an exhaustive hearing and review to all segments of opinion in our nation? No, Mr. Speaker, we have seen a deadline imposed on the operations of this Committee, a cutoff date. And we have seen now, over the past number of weeks we have seen an unseemly haste, a rush

MR. W. ROWE: and a railroading procedure going on with regard to the resolution and the constitutional documents, and as a result of this, Sir - it could have been anticipated by anybody - as a result of this we have seen the Committee itself making mistakes, giving the impression of not listening to people as a result of the unseemly haste, the appearance of railroading which is being forced upon them. And what is the reason for this unseemly haste and rush, Mr. Speaker? I do not believe, as a number of people have suggested across Canada, that the Prime

MR. W. ROWE: Minister of Canada is selfishly concerned about trying to carve out his own little historical niche, the man who brought back the Constitution and who developed a new Constitution for Canada, a man who will have a chapter in our history books devoted to that act. I do not think he is motivated by that kind of a selfish concern. It may be on the periphery of his thoughts; everybody in politics, every politician, may feel that from one day to another. I believe he genuinely feels that it is time for Canada to have its own Constitution and he genuinely feels that now the time is ripe when we cannot have any more shilly-shallying around and we should go ahead with it. That is what he feels. And I can understand that point of view. But, Mr. Speaker, as a member of a provincial House and as a citizen of Newfoundland as well as Canada, as much as I may admire that man's intellect and his motivation, I have to say flatly for the public of this Province to know, that I do not agree with what he is doing, I do not agree with the procedures adopted, I do not agree with many of the contents of the constitutional documents. What is another reason - talk about undignified action, Mr. Speaker, and the shame of having our Constitution dictated to us or changes made by a foreign Parliament - what is another reason for this unseemly haste? I think it is clear to anybody who has looked at the reports, the commentary coming out of England in the newspapers and in periodicals and so on that the U.K. Government has in fact told the Government of Canada that they have their own deadline and their own schedule as far as passing this Constitution is concerned. So what we have now in our nation, our mature Canadian nation, is the spectacle of a federal government running roughshod over the desires of many of the provinces, running roughshod over the desires of many people who want to make their feelings

MR. W. ROWE: known about the Constitution, in order to accommodate a deadline and a schedule of the same foreign Parliament that the government has raged against for the last twenty years. Now, Mr. Speaker, if that is dignified, if that is an honourable way to go about this thing, Sir, then I should not be in politics at all and I am sure that there are members in this House who would feel the same way.

As a result of this unseemly haste and rush, we have seen members of the Committee in Ottawa - decent individuals trying to do their best - having to cut off and turf out people who have come, in many cases, long distances to make their views known, because they might only have ten minutes or five minutes or a half hour in order to state their views on the most important constitutional documents which we have seen in our history. Now, Mr. Speaker, that is not dignity, it is not the right way to do it, and it is not an honourable way to do it.

The unseemly rush and haste has even brought misleading statements from the head of government and from the ministers in Ottawa.

When the Premier went on television a number of weeks ago and raised some fears - people can have doubts about opinions one way or the other as to whether he did it in an hysterical fashion or in a rational fashion - when he went on television and raised fears about our border and about our denominational system of education, what we got out of Ottawa because of the desire to ram this thing through were misleading and deceptive statements. I am not saying anyone deliberately lied or tried to mislead; what I am saying is that the rush, the haste brought about deception and misleading statements, because there was a flat denial by ministers and the Prime Minister

MR. W. ROWE: that there was any way that the denominational system of education or the Labrador border or any border of any province could be changed as a result of these new constitutional documents. And over a period of a couple of weeks of research, thought, reflection, it turns out that there is, in fact, a way or several ways in which these two important matters could possibly be changed by this new Constitution proposed by the federal government. Remote, the possibility may be astronomically remote, Mr. Speaker, and a lot of people might say that the Premier perhaps built the possibility out of all proportion to the reality of it happening in fact that is a matter of opinion - but it can happen.

MR.W.ROWE:

The fact is that it can happen under the new Constitution. We ourselves have brought in, did bring in an amendment to prevent it from happening, but we saw because of the desire to get this thing over with by the federal government, we saw denials and deceptions and misleading statements made as to the possibility of these important matters being changed by the present constitution.

Mr. Speaker, those are some brief remarks on the procedures which the federal government has adopted with regard to this constitution. As far as the content, as far as what is contained in the constitutional proposals are concerned, let me say, Sir, that I find the contents scarcely less offensive in many respects than the procedures which have been adopted to try to ram them through. I find it a very inelegant document. I find it a document which considered as a constitutional document compared to some of the documents one sees brought in by countries and nations, I find it inelegant. I find it almost laughable inelegant as a constitution. As a lawyer - and I am sure other lawyers in this House share my opinion on it - as a lawyer I had to read the thing five or six times before I finally got through as to what exactly was meant by some of these sections. Not as to what interpretation the Supreme Court of Canada might put on conflicting claims under the constitution, but what did the words mean? It took me a couple of days of reading the thing over to finally zero in on it and find out what the words meant, the plain meaning of the words. Such bureaucrats, Mr. Speaker, I have never seen in some of the worst drafted statutes from any legislature, House of Commons or provincial, in this country. And I find it to be inelegant. I do not think it is a constitutional document.

MR. W. ROWE: I am not going to get into any details of the contents of that document, Sir. I will mention the Charter of Rights. Some of that goes in the right direction. I do not think it goes far enough. I think it is wrong with respect to some of the legal procedures which are enshrined in it. And I will not get into that for fear of boring the House to death, but it is an important matter and it does not go far enough and some very insidious and odious doctrines are being enshrined in that Charter of Rights as far as legal protection is concerned. I will say it does not go far enough with regard to the handicapped in our nation or with regard to sexual equality and rights, the rights of women particularly in our nation. And I do not think it goes where it should go with regard to native rights, and I hope to hear my hon. colleague the member for Torngat Mountains (Mr. Warren) have a few words to say on that particular aspect of it because it is important to the native people in this Province of Newfoundland and Labrador as well as across Canada. So I am not going to get into the detail of that. I am going to mention the contents which caused me to be very disturbed as a matter of principle and conscience, and I am referring to these general amending formulas which have been put into the constitution. As every member now knows, the two general ways proposed to amend the new constitution would be by a referendum which attains a majority across Canada together with a majority in two Western provinces, Ontario, Quebec and two Atlantic provinces. There is another method which requires resolutions of the House of Commons and Senate and resolutions of the legislatures in the various provinces, and again

MR. W. ROWE: the same general procedures of the two Western and the two Atlantic and so on, with Ontario and Quebec possessing, not only in the referendum where there has to be a majority in Ontario and Quebec, but possessing under this general amending formula a veto over any constitutional proposal made by anybody, provincial or federal, if an amendment is sought. A veto, Sir, by the provinces of Ontario and Quebec not for the foreseeable future but forever, not until other provinces gain a certain population or proportion of the population of Canada, Sir, but these provinces will have that veto, a veto on all constitutional proposals they do not like, forever.

MR. W.N. ROWE: If the Government of Ontario, the Province of Ontario 100 years from now has 12 per cent of the population and if Alberta and B.C. have 40 per cent of the population - Alberta and B.C. will get their little veto as well - Ontario retains its veto. The Province of Quebec, for which I have a soft spot in my heart and find it difficult to say anything against the struggles of the people, the linguistic and cultural struggles of that people over the past 200 years, I find it hard to say anything about them that is to their detriment or disadvantage.

But, Mr. Speaker, we have to recognize the brute reality, and that is as adjoining provinces, Newfoundland and Labrador on the one hand and Quebec on the other, there have to be in the nature of things conflicts over who owns what, what should be done with what, who has the right to do this, that or the other thing with regard to resources.

And, Mr. Speaker, that province will have a veto if it has 10 per cent of the population fifty years from now, will have a veto forever and ever against any constitutional proposals or changes made with regard to the existing Constitution.

Now, Mr. Speaker, I am not going to get into airy-fairy theory about federalism. Like the hon. Minister of Mines and Energy (Mr. Barry) who bores himself with constitutional law, I get bored with this aspect of my own scholarly background, I suppose, the federalism, the concept, the theory of federalism. But, Mr. Speaker, let me say this as forcefully as I can. Under a federal system, it is not a matter of the federal government being the great grand-daddy of them all and the provincial governments being little county councils hoping for a hand-out or hoping to get some largess from the federal coffers. That is not the way federalism works. Under a federal

MR. W.N. ROWE: government, the Government of Newfoundland and the Government of Canada are equal. They are equal and they are independent within their own spheres of jurisdiction, within the rights they have, within the powers that they have. It is not a matter of Ottawa saying, 'You can do that if we let you do it.' It is a matter of two equal and independent governments operating within their own spheres of jurisdiction. And, Mr. Speaker, in a true federalism it is not a matter of as George Orwell's Animal Farm said that, 'All provinces or all animals are equal but some animals are more equal than others.' It is not a matter in a federalism of all provinces being equal but some provinces being more equal than others, Mr. Speaker. That is not federalism. In theory or in practice it is not a federal system of government where one province has the right to say, 'No', no matter how right something may be, and another province does not possess that same right: It is not a federal system of government. It is a system of government which goes dangerously close to being, on the one hand, because of the powers of the federal government a unitary system with two big blocks, the central blocks, being the tails that wag the dog, and it is not a federal system of government.

In theory, Sir, that is the situation and in practice, to my mind, is even worse than the theory. Because what, in fact, these constitutional documents do is give the provinces who, as the hon. House Leader for the Government side (Mr. Marshall) said, one has seventy-five seats in the House of Commons, another has eighty-odd seats in the House of Commons, give these two massive central powers within our federation, not only the powers they have now but additional political powers as well, the power to say 'No', to anything that they do not like no matter how advantageous it may be to every other province in Canada. Add

MR. W. ROWE:

the power of a veto to these massive political powers they now have, and the overwhelming economic powers these provinces now possess, Ontario being richer than Quebec, admittedly, but still Quebec and certainly Ontario being massively powerful economic entities within our federation, not satisfied with that, not satisfied with the economic power or the power they had in the Federal Government, the Federal House of Commons but give them additional powers as well.

Now, Mr. Speaker, I say to you that no federation worth its name or worth its salt can operate for long under that kind of a pernicious system. And if we hear sounds and rumblings about separatism from out West now, Mr. Speaker, in almost a joking way, although I would submit that it is a joke that should be taken seriously, if we hear them now, Sir, let this thing operate for a few years where Alberta wants some changes or B.C. wants some changes and Ontario says no or Quebec says no, then our joking little western separatism, Sir, will become something more serious and it may even become more serious in other parts of Canada as well as this Constitution shows that it is not operating properly.

Mr. Speaker, it is not a doomsday scenario that I am painting because I can see quite clearly what can happen in a certain situation. Say this Province, say we are in the government and this government is out, or say that government is in - it makes no difference - but say this Province enlists enough support across the rest of Canada, Western Canada and in Ontario, to get a constitutional change which states that we do own the offshore oil and gas off our coasts, and B.C. will own it and Ontario will own it in those international waters, both in the Hudson Bay

MR. W. ROWE: and in the Great Lakes. And say, Mr. Speaker, and I am not saying Quebec would do this but the specter of the possibility is there, say the Government of Quebec of the day fifty years from now, not even present personalities at all, and says to the Government of Canada, 'Look I will tell you what - you want control and ownership of offshore oil. We want something else; whatever it might be, X Y Z, it makes no difference. 'I will tell you what: You give us this and we will exercise our veto against the proposal to amend the Constitution to award Newfoundland and Labrador the offshore oil. And remember, Sir, it is the Federal Government under these documents which chooses whether it goes by way of resolution through the Assemblies or whether it goes by way of referendum.

Now, Mr. Speaker, is that the kind of power we want a Federal Government to have? Is it the kind of power we want a neighbouring province to have? I say, no, Sir, it is not the kind of power. Under any kind of a federation we should be giving to the Federal Government or to another one of our sister provinces. If we want a unitary form of government, let us vote for a unitary form of government, but let us not do it in a sneaky, backroom, backdoor type of way.

So, Mr. Speaker, on principle, I am against the procedures which have been adopted by the Federal Government regarding the Constitutional documents and I am against those contents of the Constitution which will redound, as certainly I believe as the sun will come up tomorrow, against the better interest and the best interest of this Province.

MR. W. ROWE: And Sir, I am elected as a provincial politician to - not as a Canadian politician, as a Newfoundland politician in order to say what I believe is the situation regarding Newfoundland's best interests. Now, Sir, I see I do not have too much time left but I do have about ten or twelve minutes more to go, I believe, and I wonder if the House would afford me the indulgence of making these few remarks.

MR. SPEAKER (Butt): It is agreed then.

SOME HON. MEMBERS: Agreed.

MR. ROWE: Thank you, Sir.

Mr. Speaker, I turn now to the resolution which has been brought in attendant on the federal proposal for constitutional changes in patriation.

Mr. Speaker, I have read it carefully, as have other hon. members. "Whereas the proposed constitutional resolution currently before the House of Commons and Senate will, if implemented, unilaterally adversely affect the rights of this Province as now enshrined in our Terms of Union." I think, Sir, that that is a correct statement from what I have just said a moment or so ago. "And whereas the proposed resolution does not"-

MR. W. ROWE: that is, the constitutional Resolution, - "does not address the areas of shared fishery jurisdiction, provincial ownership of offshore oil and gas and the free transmission of electrical energy across neighbouring provinces which are vital to the development of this and other provinces." I agree with that, Mr. Speaker. I think it is a statement of fact and if there is any opinion in it and it is well considered opinion and direct opinion. "Be it resolved that this House supports the patriation of the Constitution of Canada" - I agree with that, Mr. Speaker. I have already been at some pains to state that we should have our Constitution patriated, our existing Constitution - "but strenuously objects to the present intent of the federal government to unilaterally request the Government of the United Kingdom to first cause the British North America Act to be altered and, in particular, to have imposed a new amending formula." I agree with that, Mr. Speaker. I cannot disagree with that statement. I have shown, I believe, in the last ten or fifteen minutes why I agree with that statement. "Be it further resolved that this House urge the federal government to recognize the established Canadian practice of determining internal Canadian relationships by consultation and agreement with all Canadian provinces and with all Canadian Governments" - I agree with that, Sir. That has been, in fact, what has grown up over the last number of years in a constitutional way - "and immediately reinstitute Federal/Provincial constitutional discussions with the aim of altering the Constitution to provide amongst other things for recognition of shared jurisdiction in fisheries, confirmation of provincial rights to offshore resources and confirmation of the right to transmit hydro power across neighbouring provinces;" Three or four matters raised there, Sir, and I will deal with them briefly one by one.

MR. W. ROWE: Recognition of shared jurisdiction in the fisheries - I am in favour of that. I am not sure that I am prepared to go as far as hon. members opposite are or want with regard to shared jurisdiction in the fisheries.

PREMIER PECKFORD: The last word we said on that, for the record of the hon. member, was that if the principle were enshrined, we would negotiate what the details were and we took off the table any specific proposal in order to give time for negotiations to work out the principle, so that we would not be bogged down to any one particular aspect of it.

MR. W. ROWE: That is one way of looking at it, Sir. I agree with a shared jurisdiction in the fisheries. I do not think I agree with provincial and federal veto powers over whether a licence will be given to this person or that person. I do not think I agree with that. But certainly, Sir, I agree that the Northern cod stock, which is the source of the fish, the codfish, for a great portion of this Province, the inshore fishery particularly, from all the North, Northeast Coast, East Coast of Newfoundland - certainly, Sir, I believe that we, as a House and as a government, should have the right to say no to any attempt by anyone else, federal government or otherwise, to trade off portions of that Northern cod stock.

SOME HON. MEMBERS: Hear, hear!

MR. W. ROWE: And, Sir, there is nothing new in that. Members on this side have said that repeatedly in other sessions of this hon. House and perhaps in this session - nothing new in that. I agree that we should have that power. If we should not - our future, the inshore fishery of this Province should not be in the hands of somebody who on a whim may decide that it is better for Canada as a whole to have a certain trade relationship and

MR. W. ROWE: therefore send over a few Russian trawlers to fish the Northern cod stock. We should not be in that position and we should have rights and powers over that vital resource.

Confirmation of provincial rights to offshore resources - it has been our position, Mr. Speaker, for as long as I can remember. Certainly, I have made public statements in that regard myself. I do not think members in this House differ on that. There may be some differences as to how it should be obtained - some people say go to court, some people say negotiate a political settlement. I used to say go to court myself one time. Mr. Speaker, over the last number of years I have come to the conclusion that whereas our position may be sound in law and in history and in precedent, is it right and proper for us to yield our destiny as a people to half a dozen robed gentlemen, intelligent and with integrity, sitting on a bench up in Ottawa who may, in fact, make a decision not in strict accordance with legal niceties but policy and idea as to what they deem Canada to be, which may not be in our best interests - may even be in the best interests of Canada as a nation but not in the best interests of Newfoundland as a people. I do not think I am prepared, Sir, to run that risk without great consideration. I think we need to have a political solution to the problem.

MR. W. ROWE: If we were sure of winning in court then I say go to court. But, Sir, why put all our eggs in one basket? I think we should try to negotiate this in a political way by way of trade offs and horse trading and compromise, which is the essence of politics.

Now, Mr. Speaker, confirmation of the right to transmit hydro power across neighbouring provinces. I agree that that should be in the constitutional documents; I believe it should be a mandatory duty on the federal government to allow us to have a pipeline carrying electricity across the Province of Quebec. I believe it should not be a discretionary power or an optional power on the part of the federal government as to whether they feel like doing it or not, whether it is going to upset Quebec or not and upset some of their colleagues in the House of Commons.

Mr. Speaker, I will not mention any names on this little aside I will make now, but I am told that by a reliable source that these things did, in fact, happen: When the Upper Churchill power deal was being negotiated, long before it was finally completed some former members of this House, some members of government sat down with the Government of Quebec and they had the Premier of the Government of Quebec - I will not say what Party he belonged to - nodding sagely saying, 'Yes, it is only right and proper, what you are saying is a good thing for Newfoundland and perhaps we should work out some kind of a compromise on putting lines across Quebec'. And then, Sir, according to my source, the Premier took on sort of a lopsided grin and said, 'But tell me, how would you deal with this problem of sabotage if you had a hydro line across Quebec?' Now, Mr. Speaker, I took that for what it was worth and subsequently I and one or two other of my colleagues in the House sat down with a group of men on the mainland a couple of years ago, one happened to be a former minister in

MR. W. ROWE: the Government of Canada - I will not say whether he was Liberal or Tory - and we talked about this idea of a hydro line across Quebec. And he told me something which I did not know before, that in fact the question of a hydro line across Quebec had been mentioned and talked about in Cabinet Committees and in Cabinet as a whole in Ottawa on a couple of occasions. And so the Government of Canada came to a conclusion - it was not necessarily the conclusion - or certainly a substantial number of the ministers, because perhaps there was not decision to be made, came to the conclusion that it would be virtually impossible to protect in a military way a hydro line owned by Newfoundland which went across the Province of Quebec and filtered power down into, say, the United States or into another province of Canada. And, Mr. Speaker, I find that disgusting. I find it disgusting that we in this House or we as a Province have our destiny, our future, altered or adjusted in accordance with some idea of blackmail or possible terrorism by some lunatic fringe. I find it disgusting that decisions can be made on that basis. And that is why, Sir, I say that the Constitution of Canada should contain within it a mandate, a duty, on the federal government to allow the free flow of resources from one province to another, whether it is Libby's beans as manufactured or whether it is hydro power or whether it is oil and gas through a pipeline; there should be a free flow. And the Government of Canada should guarantee that free flow, Sir.

SOME HON. MEMBERS: Hear, hear.

MR. W. ROWE: So, Mr. Speaker, I agree with everything in this resolution. I have not dealt with 'Be it further resolved' with regards to approaching the UK government or the Parliament of the United Kingdom. I will make mention of that very briefly in a minute. I agree

December 2, 1980

Tape No. 2589

SD -3

MR. W. ROWE: with everything in the resolution for the reasons I have given. The question which arises as a member who is sitting in opposition to the government is how will I vote on the resolution?

MR. W. ROWE: Will I find the weasel words or the technicalities or the little problem here or the little problem here and to stand up and say, 'Well, I agree in principle but I am going to vote against the Government resolution because of these weasely little words or technicalities'?

Will I say, for example, Mr. Speaker, You know, there is no international protocol which allows a government, a provincial government to go and approach the House of Commons, and say, 'No, we do not want this Constitution. There is no international protocol or procedure which allows that, therefore I am going to vote against this resolution'? I could do that in a weasely way on a technicality.

Mr. Speaker, I could say that I do not agree in whole with the mobility rights or anti-mobility rights, I should say, as proposed by this government. I am of the mind of the hon. member for the Strait of Belle Isle (Mr. Roberts) and other members on this side of the House that there should be a free flow back and forth throughout Canada of people, residents and workers.

SOME HON. MEMBERS: Hear, hear!

MR. W. ROWE: And the question of local preference, which is a good concept, should be dealt with by training procedures.-

SOME HON. MEMBERS: Hear, hear.

MR. W. ROWE: - by making sure that our people who have the proximity, also have the skills and training and ability to get on with the jobs which are being offered. And I am not above saying, Mr. Speaker, or below - whatever the case may be - that there can be, of course, government suasion and influence over local industries with regard to hiring first Newfoundlanders and Labradorians, just as we saw happened in the Michelin plant up there in Nova Scotia

MR. W. ROWE: where the Government of Canada and the Government of Nova Scotia made it quite clear that local preferences would apply and prevail. There is nothing wrong with any of that, but in principle there has to be a free flow and I do not think—maybe the government over here are straightened and narrow in their thinking on it, I do not know. I think their idea and our idea and everybody's idea is going in the right direction, namely, that we want to make sure that men and women, young people in Newfoundland and Labrador get first crack at jobs and we are going to see that that is done. But, Sir, I agree with the freedom, the mobility rights as contained within the government's proposals. There is nothing about mobility rights in this resolution. I could say, however, that although I agree in principle with everything I am going to cling onto the — perhaps the disagreement on mobility rights to vote against the resolution. Perhaps I could say, Sir, resorting to personality, I do not like the style of the Premier. He waves his arms too much to suit me, I might say, therefore I will vote against the principle of this resolution.

Sir, I do not think that on a matter as vital to our economy, our future, our young people, that any politician should resort to weasely words or technicalities to get out of a matter of principle. Certainly, Sir, I, as one politician, have been through enough in Newfoundland politics so that the idea of using weasely words is repugnant. If I believe something strongly, which I believe this to be on principle, the right direction, then, Sir, I am going to have to take a stand in this hon. House on the principle, not on the slipping or sliding out on technicalities. My political priorities, Sir, are Canadian first, Newfoundland second, Liberal third. Those are my political priorities. Canada against the world; I am on Canada's side broadly and generally. Newfoundland against

MR. W. ROWE: Canada, if it is in the greater interest of all Canadians that we should suffer some disadvantage, then perhaps you are put into a hard situation when it comes to making up your mind, but, Sir, that is not the situation we are in here. The situation we are in here is not the best interests of Canada or the best interests of Newfoundland as such; we are talking about a power play, on the one hand, by a federal government and a couple of provincial governments and what is vitally necessary for the

MR. W. ROWE: preservation of Newfoundland as an economic entity and, Sir, I have no hesitation in that kind of a dichotomy saying that I will vote for Newfoundland against not the rest of Canada but against these procedures and the contents of this constitutional document. So, Mr. Speaker, I will say that when this matter comes up for a vote I will be voting for the government's resolution.

SOME HON. MEMBERS: Hear, hear!

MR. W. ROWE: I will be doing so, Sir, because I agree with the principle of the thing. I will be doing so, Sir, because I am elected by the people of Twillingate district to represent Newfoundland's best interests -

SOME HON. MEMBERS: Hear, hear!

MR. W. ROWE: - not Canadian but Newfoundland's best interests and I believe that these matters are in the best interests of our Province. I believe that profoundly and on principle and conscientiously. This is an internal battle between one level of government, the Federal Government, the Government of Canada, and other levels of government. Mr. Speaker, I believe that I, in any event, have to come down on the side of the level of government which represents our best interests and which I am elected by the people to make my views known.

Now, Mr. Speaker, this does not mean I am going Tory. What it means, Sir, is that it is one of those occasions where, apparently, on a matter of principle, I cannot side with my own colleagues' position. On 99 per cent of the cases that will arise, one sides with one's own colleagues, but, Sir, on this particular matter I have to side in favour of the political opposition, the Government of the Province.

MR. W. ROWE: Mr. Speaker, it is not an easy decision to come to and I in no way want to embarrass the new leader of our party, a man for whom I have the utmost respect. I do not want to embarrass any of my colleagues. I will even say that I have not really discussed the matter with my colleagues, although we have talked about it in caucus a number of times. I have not tried to persuade any members, any colleagues of mine, to my view. Other members said there may be some doubts among some of my colleagues which are not great enough in their minds to make them take the move or make the move that I am now making. They may feel that the Government of Canada's proposals are right and proper for Canada and for Newfoundland. I respect that. I respect that, Sir, no problem there whatsoever, and I do not want to embarrass my colleagues or the leader but, Sir, as a matter of grave principle it is a matter which vitally affects the future of our Province. I think that the Federal Government is wrong in the way it is going about this thing. I think it is wrong in most of the contents of the constitution in that it does not go far enough in the direction of protecting our interests, and I think that in principle the government resolution is correct and in the right direction for Newfoundland and Labrador and I have, in conscience and principle, to vote for the resolution.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Butt): Is the House ready for the question on the resolution?

MR. WARREN: Mr. Speaker.

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

MR. WARREN: Yes, Mr. Speaker, well, I think the House just witnessed that this side of the House is not pulled by strings. Our caucus, any member in our caucus, will stand at any time on what his conscience dictates,

December 2, 1980

Tape No. 2591

GH-3

MR. WARREN: and I have to give all the credit in the world to my colleague for Twillingate (Mr. W. Rowe) who spoke very well on what his conscience dictated.

Well, Mr. Speaker, I am not going to vote for the government resolution. Again, Mr. Speaker,

MR. G. WARREN: I am speaking because of what my conscience dictates. I would like to read the second part of the resolution which says, "AND WHEREAS the proposed Resolution does not address the areas of shared fisheries jurisdiction, provincial ownership of offshore oil and gas, and the free transmission of electrical energy across neighbouring provinces which are vital to the development of this and other provinces." Mr. Speaker, I represent a district that is roughly between seventy and eighty per cent of a native population. This population, Mr. Speaker, comprises of Inuit and Indian. Now, this government has asked us to support them in this resolution but nowhere in this resolution are they speaking about the aboriginal rights of the native people. Mr. Speaker, I would venture to say the reason that this government did not include the aboriginal rights into their resolution is, number one, that the Premier and this government have not addressed the issue of land claims, that is why aboriginal rights are not included. These people in my district, which is seventy-five to eighty per cent, and there are some in the member for Naskaupi's district (Mr. Goudie) and I understand there are some in the member from Burgeo - Bay d'Espoir's district (Mr. Andrews), however, my district does comprise of between seventy and eighty per cent of aboriginal people. Now, Mr. Speaker, on November 14 the Director of the Labrador Inuit Association presented a speech to a support group of the natives and I am going to quote some part of his speech. And also on October 7 - it is in response also on October 7 of the Premier's statement on native land claims in the Province. Now, Mr. Speaker, Professor Saunders from the University of British Columbia said

MR. G. WARREN: that the Premier had two or things in mind when he made this statement concerning native land claims. He said, "The Premier wants an orderly framework for development in Labrador. The Premier and the government of this Province are looking at the development of Labrador." So, he said, "We have to look at land claims." Also, he said - I might add too that his statement was a fair statement. Also, he said, a settlement would help the isolated people. Now, this is what Professor Saunders interpreted from the Premier's statement, that if we had a settlement of land claims it would help the isolated people. Now, Mr. Speaker, on page three, in fact if we go back seven years in history, on August 8, 1973 the federal government announced that it was prepared to settle land claims with native people who did not have treaties but who had a traditional right to their land. Now, that was in 1973, some seven years ago. Now, if the government can remember back last year, I asked the Minister of Mines and Energy at the time what was the government's position on land claims. This was over a year ago and we still have not got any position from this government on land claims. I am going to quote some parts from Mr. Obed's release which I think is very valuable. He said, "The LIA has struggled and worked

MR. WARREN: hard to get some recognition of its claim to Labrador through lobbying and frustrated knocking on political office doors.' He went on and said, "The native people are thankful for government's good intentions but have these promises solved the problem?". He is asking the question. And he gives an answer, "It seems today social workers are the ones who profit the most from passing out welfare cheques along the coast. The problems have not gone away but have gotten worse." And here is the reason why. "It is because the problems of native people are not just problems of poverty but of people trying desperately to preserve their cultural identity. We have seen policies designed to suppress our native language, our culture and our native economy."

Mr. Speaker, I believe Mr. Obed in one paragraph there has given this government every opportunity in the world to recognize that they are natives - now this is coming from Mr. Obed - that they are natives and they want to be recognized. And here is what he said in paragraph one on page 6; he said, "By reaching a land claim settlement the Inuit and the government will be rearranging their rights and obligations so that the people of Labrador and the Government of Newfoundland can work with each other instead of against each other. In that sense the settlement is not a real estate transaction. It is a blueprint for co-operation and progress." So here we have the Director of the Labrador Inuit Association of Land Claims saying, "Look, we want to co-operate with the Government of Newfoundland and Labrador. We want to see co-operation and progress." And it will reflect Newfoundland's commitment to Labrador.

Now, Mr. Speaker, another reason maybe why the entrenchment of mere rights was not included in this resolution, I understand there is a constitutional train that left British Columbia and went across to Ottawa

MR. WARREN: to present their views to the federal government, that they want native rights to be enshrined in the constitution. Now in the Premier's statement on October 7th., the Premier said that this policy is aimed at the extinguishment of native land claims throughout the nation. This was what he said was a federal aim and likewise his government's aim. Now here is what Mr. Obed said; he said, "I would urge the Government of Newfoundland to rethink their position on extinguishment of our aboriginal rights after a land claim settlement and their stubborn stand not to discuss political development of native people in Labrador."

SOME HON. MEMBERS: Hear, hear!

MR. WARREN: Now, Mr. Speaker, so in order for a Director of Land Claims to make this kind of a statement, the Premier's statement had to give him this kind of feeling that - and I repeat - to "rethink their position on the extinguishment of our aboriginal rights after a land claim settlement and their stubborn stand not to discuss political development of native people in Labrador."

He went on and said, "We have never stated at any time that we want to opt out of Newfoundland. An area government of some sort will have to be put into place in order to protect the rights and benefits." Mr. Speaker, as I said earlier, there is no provision in there at all for the entrenchment of native rights. And I understand also from the Premier's statement on October 20th. he did write the Minister of Indian Affairs and Northern Development concerning involvement in the

MR. WARREN:

settlement of native land claims. I do not know what transpired since October 20th but, Mr. Speaker, I am looking forward to seeing a bill brought forward in this House from the government of the day to consider, number one, native land claims. Not just make a press release and say we are considering it, but bring a bill into this House. And I would be the first to speak for the bill.

However, Mr. Speaker, as I said earlier, I was elected by the people of Torngat Mountains. I was elected by 70 per cent to 80 per cent of the native population and those are the people that I will stand up for. I will continue to stand up in this House and support their views and ideas. Mr. Speaker, with that in mind, I will be voting against this Resolution, because it does not include people in our Province. And as we go down through history, they have more of a right to walk on the ground of Newfoundland and Labrador than we do.

Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Butt): The hon. the Premier.

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: Mr. Speaker, obviously, I think, all hon. members realize now that the debate will be closed by this particular speech of mine.

MR. SPEAKER: If the hon. the Premier speaks now he closes the debate.

MR. STIRLING: There are a couple of people who wanted to speak on this side and with the blessing of the Premier -

PREMIER PECKFORD: I am sorry. Then I shall bow, even though I have the floor, to allow those members to speak, but I am sorry that the agreement that the

PREMIER PECKFORD: Leader of the Opposition and I had earlier today has been destroyed by his breaking of the agreement with me, which was that two members were to speak. All of my members came to me and indicated, and I indicated that they would no longer speak because I had an agreement with the Leader of the Opposition and, therefore, that must be gone now and I regret that.

MR. STIRLING: Well, Mr. Speaker -

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

MR. STIRLING: -I did not realize - there was a subsequent development that I thought had been reported to the Premier by the House Leader on our side; however, as per the agreement, we can certainly have the vote today. There are two people who would like to speak on our side.

PREMIER PECKFORD: Mr. Speaker, the Leader of the Opposition says, 'But certainly there will be a vote today.' Does he determine when the vote is taken? I mean, the thing is, if a number of members on the opposite side - this is the whole point of an agreement - want to speak, that will then provoke members on this side speaking, which would therefore perhaps mean that a vote would not be held today, that the ERCO legislation will be delayed, that the Upper Churchill legislation will be delayed, that we will not be able to recover the monies in January from ERCO that we would like to do because we might be here Christmas Eve debating it, and this is the whole idea.

MR. NEARY: Well, what does the agreement do? What is the agreement?

PREMIER PECKFORD: Well, just that we would try today - we understood that the member for Torngat Mountsins (Mr. Warren) wanted to make a number of points as related to native rights and, obviously, that had to be done, that there had already been an agreement by the Leader of the Opposition for the member for Twillingate (Mr. W. Rowe) to speak and that

PREMIER PECKFORD: all of our members would not speak even though they had prepared speeches, if in fact we could then bring the matter to a vote after those two gentlemen on the opposite side spoke and that nobody here would respond even to the member for Twillingate (Mr. W. Rowe) or the member for Torngat Mountains (Mr. Warren), that I would just close it, seeing I opened the debate.

MR. SPEAKER (Butt): Well, the hon. the Premier has the floor. Does he wish to yield to the hon. gentleman opposite?

MR. HODDER: Mr. Speaker.

MR. SPEAKER: The hon. the member for Port au Port.

MR. HODDER: Mr. Speaker, I understand that there was an agreement made, but I went over during Question Period and spoke to the House Leader opposite (Mr. Marshall) and said that there would be a couple of more speakers but a couple of more other than those agreed.

MR. MARSHALL: Wait now. Mr. Speaker.

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

MR. MARSHALL: The hon. the member for Port au Port and spoke to me, but subsequently the Premier and the Leader were speaking, so -

SOME HON. MEMBERS: Oh, oh!

PREMIER PECKFORD: I am talking about an agreement between your Leader and myself.

MR. STIRLING: Mr. Speaker, there does seem to be some misunderstanding.

PREMIER PECKFORD: You are a party to what is convenient.

MR. STIRLING: Mr. Speaker.

MR. SPEAKER (Butt): Yes.

MR. STIRLING: Mr. Speaker, there does seem to be some misunderstanding and that is probably why the rules of the House are good as they are. I do apologize to the Premier. I thought that was cleared up by the House Leaders and I would suggest that we resort to the rules of the House. I did understand from the Premier that he was anxious to deal with this matter and that he had other matters, and we did agree that these were important matters to be dealt with. It was my misunderstanding that he was satisfied as long as we came to a vote today, and I want to -

AN HON. MEMBER: No, no!

MR. STIRLING: Well, then, I would suggest that we revert to the rules of the House and that you will recognize him and then -

PREMIER PECKFORD: The rules of the House! I have the floor! I have the floor -

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: - you know, but I am not going to revert to the rules of the House. I am going to sit down again and allow the debate to continue on this very important resolution. But I want it clearly understood that there was a verbal agreement between the Leader of the Opposition and myself that I would recommend to my colleagues that there would be no speakers on this side of the House after the member for Twillingate (Mr. W. Rowe) and the member for Torngat Mountains (Mr. Warren) spoke, and that I would get up and close the debate quickly and then we could get on with additional legislation which will mean money in the pockets of Newfoundlanders for the ERCO contract as of January, and that was the reason for it. I am not going to do what the Liberal Party in Ottawa did.

PREMIER PECKFORD: The people of this Province will have an opportunity through their representatives to hear what they have to say.

SOME HON. MEMBERS: Hear, hear!

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

MR. STIRLING: Mr. Speaker, this was done in a very short time and, obviously, there was a misunderstanding. As I said, I thought there was a subsequent clearing of that up by the House Leaders but if the Premier insists that that was the understanding, on this side we have no intention of ever breaking any kind of an arrangement, and I would remind the Premier that when the House rules were set up in this House last Fall we also thought we had an arrangement and I would expect him to live up to it. I hope he will now close the debate and we will vote.

PREMIER PECKFORD: If it is the unanimous agreement of the House, I am satisfied.

MR. SPEAKER: Is it agreed?

SOME HON. MEMBERS: Agreed.

MR. SPEAKER: Agreed.

PREMIER PECKFORD: I thank the hon. Leader of the Opposition and I assure him that the matters that we have been discussing, that I have given him an assurance that I am looking at them and it takes a while to look at them because it is not just an easy matter of resolving those. Although they are small matters, sometimes the smaller ones are more difficult than the bigger ones, and I will get back to the Leader of the Opposition on them as I promised him I would and I will do that and keep my commitment to get back to him on it. Then, Mr. Speaker, that is out of the way, it is all history. It has not happened and there is a cordial relationship between both sides of the House and it has never happened.

PREMIER PECKFORD: Well, Mr. Speaker, we have had a wide-ranging debate upon a very important resolution and today, I guess, sort of brought - yesterday evening or last night, yesterday evening and today brought the thing in clear focus for me, very clear focus for me, especially yesterday evening. I think one of the - and I guess the member for Twillingate (Mr. W. Rowe) put it fairly well when he said there are a number of elements to the resolution, perhaps, or things that the government is pursuing as it relates to its economic policies which he cannot agree with, but he will not weasel out in under them to try to diminish or dilute the principle and the intent of this resolution. The thing that really brought it in clear focus for me then, Mr. Speaker, was the member for the Strait of Belle Isle (Mr. Roberts) yesterday afternoon and yesterday evening when he tried to justify his opposition to this resolution by his pronouncements on the mobility rights and the local preference that we have as it relates to offshore. Now, I think this clearly shows the difference between at least the member for the Strait of Belle Isle - not too many other members on that side - but at least between the member for the Strait of Belle Isle and myself, because it is becoming increasingly clear that the member for the Strait of Belle Isle is more and more recoiling into his intellectual and philosophical closet. There is no question about it. The guy is downtown practising law, that he is not in touch with his constituency, he is not in touch with the common people of this Province, that he is out of touch with what is going on in this Province and that, sure, if you are talking about Plato's perfect society, if you are talking about some other philosopher's perfect society, then perfect rules apply. But when you are in the real world, when you are in the real world of 14 per cent unemployment

PREMIER PECKFORD: versus 7.6 per cent unemployment, when you are in the real world of being number ten on the ladder of Confederation, when there are inequalities, there must be particular, affirmative action programs put in place to catch up. If you are ten feet ahead of me -

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: - if you are ten feet ahead of me when we start the race, I have to run faster than you in order to be at the finish line with you, and that is the problem in Confederation today. That is the problem now and why we have consistently said, consistently said that when there are measures in the Canadian economy, in the Newfoundland economy, which show that we are roughly equal on these things, then the same rules must apply for the federation to survive and for Canada to survive. But when you are in unusual circumstances - that is why DREE was established by the Federal Government because there are unusual circumstances in this country. There is regional disparity

PREMIER PECKFORD: and, therefore, there must be special programmes to try and alleviate special problems and we are saying the same things that relate to mobility rights. We all agree on this side, and every Newfoundlander and Canadian agrees; ideally and constitutionally there must be a recognition of a movement, not only of people but of energy products, too, from one province to another all across this nation, but at the same time we recognize, within the Canadian Constitution that there are certain uneven qualities to the country which demand in the short-term certain unusual policies to be in existence so that you can work out that uneven pattern and make it even so that we all have equal chance then in the country, and that is the argument for the local preference. Philosophically, no problem; it should never be there. If the country had worked well in the last thirty or forty years as it relates to regional disparity, it would not be necessary today. The very fact that we need to bring in this policy demonstrates the failure by Confederation; the Province and the federal government and everybody are not doing their job properly, because it should not be necessary if things were working right in the country. But obviously things are not working right in the country and, therefore, we need it. And then, Mr. Speaker, more importantly, we are not talking about a slowly developing industry. Then I think the remarks of the member for the Strait of Belle Isle (Mr. Roberts) and the member for Twillingate (Mr. Rowe) would be relevant. If this was a slow developing industry so that you could get your training programmes, that you had time, then the marketplace could play its role

PREMIER PECKFORD: and we would get our share of the jobs. That is not true. They are bringing in hundreds of people in one fell swoop into the Province, in one fell swoop. You do not get a chance to turn around. You do not get a chance to turn around. So by the time we could do what the normal marketplace demands us to do, there would be hundreds and hundreds if not thousands of people in the Province from other countries who would have jobs that Newfoundlanders should have, and that is why you need this kind of programme now. There is no time, Mr. Speaker, there is no time. And, therefore, you have to put in place special programmes to respond to special circumstances. One equals one: Special programmes to respond to special circumstances. It will just change the Province overnight just from an employment point of view, just from an employment point of view. To replace in one fell swoop as the Minister of Labour and Manpower (Mr. Dinn) did under this regulation - What was it? one hundred and - How many Filipinos did we replace in one fell swoop?

MR. DINN: Ninety-eight to one hundred and twenty-eight.

PREMIER PECKFORD: Ninety-eight to one hundred and twenty-eight. That is how quick it was; one day, one action saw ninety-eight Filipinos being replaced. Not that we want to replace not only Canadians but our fellow human kind wherever they come from from having a job on this planet, but the facts of the matter are there are special circumstances and that is why, it is the dramatic nature of it that I think justifies in the short-term, on the front end this kind of affirmative action local preference policy. In the long-term, once we have the unevenness worked out, once we are equal and we only have an unemployment

PREMIER PECKFORD: rate approximating the national average, then the same rules must apply. So it is in the nature of Newfoundland, it is in the nature of the industry that we must respond in an unusual, special way to respond to an unusual special circumstance. And I would defend it, Mr. Speaker, as being absolutely necessary if we are to get in on the ground floor of this very, very important industry. And furthermore if anybody wants any other justification, as I hear members of the Opposition talking about the fishery and talking about controlling the development and trying to work it in and integrate it with the fishery, there is only one way that can be done, and I will not belabour the issue anymore, and that is through ownership provincial ownership of the resource. And let me just remind hon. members opposite for their own edification and so that I write it into the record, perhaps for some of our own members too; some of you, it seems to me some hon. members and some people in Newfoundland and outside either deliberately or accidentally get it wrong. When we talk about ownership, we are not talking about national ownership of the oil and gas, we are talking about provincial ownership of oil and gas, provincial ownership of oil and gas. It is not ownership in the way France owns something, or Canada owns something, or the United States owns something; it is ownership of the oil and gas in the way Alberta owns it, in the way Ontario owns it, in the way Saskatchewan owns it; provincial ownership within the Canadian context, not a national ownership principle but a provincial ownership principle. And if we are ever to safeguard, and if the hon.

PREMIER PECKFORD:

members from rural Newfoundland like myself are genuinely interested in preserving some semblance and enriching and enhancing our basically rural society, then the only way realistically it can be done in our lifetime, given that we are going to have an oil and gas industry, is through provincial ownership of oil and gas in the same way as we have provincial ownership of trees, the same way as we have provincial ownership of hard rock minerals above the salt water. Any other way the mechanism is not there to ensure that we can dovetail the development of that massive resource with the other renewable resources of forestry and fishery and the rest of it so that we can enhance and encourage and simultaneously bring along these renewable resources with the money we make from the oil and gas and other non-renewable resources.

Now, Mr. Speaker, I am not going to belabour the point and go on very long. I just want to say one or two other things and then we can bring this resolution to a vote. It is this, a number of hon. members have mentioned my speech to the Newfoundland people a number of weeks ago. That speech stands for itself and any hon. member can read it and I do not have to read it or quote from it. Just let me say this, I did in that speech on the first page highlight the three - and I did in the opening of this resolution when I spoke on this resolution - we highlighted again and I highlighted in the speech for the government that night the three basic economic thrusts that we took in the constitutional talks this Summer because we did not know that there would ever be a unilateral action, number one, by the federal government because they were doing it through consensus. And, two, we never thought in our wildest dreams we would ever have to get down into talking about historic sacred rights under the Terms of Union like boundary and education. So we had all during the Summer highlighted and put a major thrust on those three economic points. And even in the statement that I gave on Province-wide

PREMIER PECKFORD: television and radio, I went back to, number one, highlight those and then go on to say that additional concerns then have arisen because of this unilateral action, one; two, the nature of the amending formula and Terms of Union which even put into jeopardy sacred rights we never thought we would have to argue with, which were not part of our White Paper, which just aggravated ever further the frustration that we feel as a Province of Canada trying to pay our way and to contribute to the Canadian whole.

So those who have tried to take the position that through the amendment that the Opposition brought in that they covered off the concerns that the government had and, therefore, why has the government not supported the amendment to this resolution, fail miserably if they really read that speech because albeit that speech highlighted two additional fears that we had, it also reiterated the ongoing fears we had during the Summer, over shared jurisdiction of the fishery, over transmission of hydro power, over ownership of offshore oil and gas, plus, thirdly, sacred rights like the boundary and education and going on, fifthly, to saying that even under this amending formula existing ownership of resources above the salt water ^{was} ~~were~~ in jeopardy if you want to take it to its logical conclusion, remote, yes, but logical conclusion that it could happen.

And so it was in its totality that the speech must be seen because the speech does not cover just two items, it covers all of them; the transmission of hydro power, shared jurisdiction on the fisheries, ownership of offshore oil and gas, sacred rights that we never thought we would ever have to raise like the boundary and education and others, the Terms of Union with Canada and the amending formula itself which cut us out and destroys the very basic tenet which underpins Confederation, ten equal provinces, not

PREMIER PECKFORD: two with veto and a couple of more because of their population who could access another and get 50 per cent in their region, and then a third group of provinces, because of their history and culture and small population could not access anybody and never had a chance to change anything or stop anything; not three or four different classes of provinces but the principle of juridical equality that there are ten equal provinces, and that is the only way you can have a federal state. To say anything else destroys the nature of federalism, you do not have it anymore. Federalism means by definition that the constituent parts of the federation are equal. Now they are for obvious reasons within the Parliament of Canada represented differently, and that is why Quebec has eighty seats or seventy-nine and Newfoundland has seven. Fine! That is fine in the ongoing business of debating national policy and so on as defined

PREMIER PECKFORD: under the Constitution that has no power to decide unilaterally over the legislative competence and powers that had already under existing constitutional law been divided up amongst the provinces and the central government. That is a different quintal of fish altogether. So this administration, this government, and all the members of the caucus on this side pursued this Resolution, and we put it on the Order Paper, as the House Leader (Mr. Marshall) so aptly said, in a temperate way, in a way to try to garner the most support possible, in the least provocative phraseology as we could muster to show our sincerity in putting it forward, and that we were trying to encompass the totality of our concerns. In my speech, I had to highlight two additional ones because I had never highlighted them before. We thought the only concerns we would have would be in having some chance to create wealth and to become a 'have' Province some day - at least to have the chance to do that. And we highlighted that all during the Summer. Then I had to highlight a brand new horizon, a brand new fear, and that was existing sacred rights under the Terms of Union which also now were threatened. Not only were we threatened with the possibility that our offshore resources would not be confirmed, that hydro transmission would not be confirmed, that shared jurisdiction would not be confirmed, but existing rights, specific, explicit in the Terms of Union, were now in jeopardy. Therefore, I had to add that to the number of concerns. So it is in its totality that we were looking at it and the Resolution reflects that point.

Now, Mr. Speaker, just a couple of other points which really concern me and, I am sure, a lot of Newfoundlanders. We were one time told - and I have to put this on the record - we were one time told, 'Do not worry about the offshore, you are going to get

PREMIER PECKFORD: 100 per cent of the revenues anyway.' We proved that to be wrong. We have proven that beyond a shadow of doubt to be wrong. And as the member for Twillingate (Mr. W. Rowe) well said, perhaps that statement came out of unseemly haste, I do not know, but we were told on national television, we were told by representatives of the federal government on many occasions that we would get 100 per cent of the revenue. That was a deceptive statement. It was a very deceptive statement - 100 per cent of the revenue. We have proven beyond a shadow of doubt that that is incorrect. We can demonstrate it in any court of law or any arbitration.

MR. STIRLING: Is ther a possibility that you now have fallen into the (inaudible) what they said was 100 per cent of the benefits.

PREMIER PECKFORD: 100 per cent of the revenues - the word 'revenues' was used, 100 per cent of the 'benefits' was used.

MR. STIRLING: Yes, but that is two - okay, so -

AN HON. MEMBER: (Inaudible).

PREMIER PECKFORD: Well, the people of Newfoundland - okay, let me put it to you this way then, Mr. Speaker. I will not get into an argument with the members opposite, I am just saying that all the people of Newfoundland that I spoke to interpreted it, and it was left general deliberately, interpreted it to mean that we were going to get 100 per cent of the dollars offshore. Now that is what the people of Newfoundland told me and that is what I responded to in the many meetings that I held. That was what they told me and that is what my letters say and phone calls that I get.

PREMIER PECKFORD: Secondly, they went on to say - and this is the unseemly haste of it all that the member for Twillingate (Mr. W. Rowe) well pointed out, and it was this, that on the night that I gave this address, the day afterwards, and for a number of days thereafter, the federal government pointed - well, first of all, I was accused of everything under the sun.

MR. STIRLING: Not by this side.

PREMIER PECKFORD: but be that as it may, I can deal with that in due course in some other forum "Section 43 covers you. Do not worry, none of those guarantees mean anything, none of those guarantees are going to be touched. Section 43 covers you." We have demonstrated beyond any shadow of a doubt that that was an incorrect statement for them to make. It was done in unseemly haste because we are not covered under Section 43. We have shown that. And then, the greatest plum of all, which should never have been done, is when the Leader of the Opposition and the Minister of National Revenue (Mr. Rompkey), on that fateful Friday which they will live to regret until the day they die, had a press conference in which they announced that it would now be quite possible - not only possible, but probable - that we would be able to garner through indirect taxation - a very, very crass political move on behalf of the Minister of National Revenue because it was so wrong.

Before I came up to the House this afternoon, Mr. Speaker - and I had to get it on the record because it was a very important thing at the time - a telex was coming in and I hauled off a long sheet of paper, and

PREMIER PECKFORD:

it was longer than this. I am - what? - six feet, so it was longer than six feet.

AN HON. MEMBER: From who?

PREMIER PECKFORD: From Mr. Chretien. And I said, "What is it all about -

MR. STIRLING: Today?

PREMIER PECKFORD: Just two minutes to three today.

MR. STIRLING: Today.

PREMIER PECKFORD: This comes to the third point. It is so difficult to deal with this. My point being simply it is so difficult to respond to all these things because you do not know what is being serious and what is not being serious. I responded then on the Saturday and the Sunday with a very cool telegram and said, 'Well, perhaps, you know, there is something to this'. And I sent a telegram off - never bothered anybody since - sent a telegram off to Mr. Chretien asking him to clarify the Minister of National Revenue's statement and what is it that Mr. Broadbent and the Prime Minister were up to in these amendments. Could it affect Upper Churchill? Because if it was glory be the day! Fantastic! I will be on my knees. And I waited and I waited and said nothing because we have been waiting to hear. And the telegram just came in; well, the telegram is just a repetition of the exchange that we have had between Mr. Broadbent and Mr. Trudeau which we had before.

And then there is a telegram there which says - from Mr. Chretien-after considered, now, opinion, two weeks, however long that is, however long we have had that announcements, two or three Fridays ago, asking him to give us some assurance that this will affect - the Minister of Justice for Canada says, "I do not know if this can affect the Upper Churchill contract or not. I do not even know the details of the Upper Churchill contract." After two weeks of silence

PREMIER PECKFORD: from me, asking him to give me assurance so that I could somehow say, 'Well, you know, the minister was right and why he sent the cool telegram in the beginning even though I had advice that this was almost impossible, could not work, from every man and his dog. The first day I became Minister of Mines and Energy, I took a piece of paper and put it on my desk and had it there the whole while I was Minister of Mines and Energy and had more legal opinions than I cared imagine on the whole business of the lease and the Upper Churchill. And I kept it on my desk the whole while I was Minister of Mines and Energy. How well and how close I have been to that problem over the last five years.

So here we have it. You have those things there. It makes it extremely difficult. And why I think this resolution commends itself to all hon. members of this House. We have asked to re-institute the federal-provincial conference, the mechanism that has been used historically to deal with these things, and let us patriate the constitution, let us bring it home and let us make it work here and let us get down to hammering out those thorny issues which - and there are always going to be thorny issues, that is the nature of the country, the diversity of the country - but let us do it through consensus and co-operation and let us not do it through this way of unseemly haste that is being done now and making statements which have confused the Newfoundland people, confused well meaning, intelligent, well-read Newfoundlanders and Canadians when those kinds of statements come forward. And now we have it from the Minister of Justice on his indirect taxation that he does not know.

MR. STIRLING: But of course he does not.

PREMIER PECKFORD: He does not know and we have asked him to address himself, to get the Minister of Justice -

MR. STIRLING: The amendment has not even been brought in. Be fair now. Come on, you are muddying it up.

PREMIER PECKFORD: He has quoted the amendment.

MR. STIRLING: The amendment has not even been brought in.

PREMIER PECKFORD: The question is not the amendment, Mr. Speaker, the question is that no kind of wording of an amendment can deny the kind of phraseology of the power contract or the lease agreement. So that therefore any kernel, no matter how it is phrased, dealing with indirect taxation-for the future, yes, but as it relates to existing contracts entered into is highly, highly unlikely. And even if it was, you see, the fact of the matter is that CFLCo could be taken over. So do not dig your hole any deeper, I say to the Leader of the Opposition (Mr. Stirling), do not dig your hole any deeper. Wait until I give you a copy of the telegram.

MR. STIRLING: Do not be so anxious to be the only one who can have a thought. If it is not your -

PREMIER PECKFORD: No, no, no. That is why I asked the Minister of Justice to give me a ruling on it.

MR. STIRLING: Check with the minister.

PREMIER PECKFORD: That is why I asked the Minister of Justice to give me a ruling on it. And after two weeks the Minister of Justice, with all the lawyers and with all the constitutional experts he got up there comes back with a telegram saying he does not know if it affects the Upper Churchill contract or not. That is the kind of research -

MR. FLIGHT: (Inaudible).

PREMIER PECKFORD: That is the kind of research -

MR. FLIGHT: You brought it up.

PREMIER PECKFORD: Can I speak, please?

AN HON. MEMBER: No, keep quiet.

MR. SPEAKER (SIMMS): Order, please!

PREMIER PECKFORD: That is the kind of research that the

PREMIER PECKFORD: Leader of the Liberal Party of Newfoundland (Mr. Stirling) and the Minister of National Revenue used to have their press conference, to hoodwink the people of Newfoundland into saying that something we were saying was wrong. That is the kind of information that is available.

SOME HON. MEMBERS: Hear, hear!

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

MR. SPEAKER (SIMMS): A point of order has been raised by the hon. Leader of the Opposition.

MR. STIRLING: Mr. Speaker, I think the Premier is abusing the rules of this House when he brings in this matter which has nothing to do with this resolution and tries to provoke me into getting into some debate with him and then uses the rules of the House to say, "Oh, protect me. I do not have to answer you. I am speaking and I have the right to speak."

AN HON. MEMBER: Is that how it works?

MR. STIRLING: Sure, that is the way it works and that is why I am up on a point of order to say that the Premier knows, from checking with his lawyers, that one of the approaches that his lawyers used, one of the ones they looked at -

PREMIER PECKFORD: You are not supposed to talk about that.

MR. STIRLING: - was this indirect taxation, one of the -

AN HON. MEMBER: It is not a point of order.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Simms): Order, please!

MR. STIRLING: Mr. Speaker, I am making a point of order. I am using the same rules of the House, Mr. Speaker, that the Premier is using.

PREMIER PECKFORD: I have the floor (inaudible).

SOME HON. MEMBERS: Oh, oh!

MR. STIRLING: That is right.

MR. SPEAKER: Order, please! The hon. Leader of the Opposition has a point of order -

MR. STIRLING: Yes, Mr. Speaker.

MR. SPEAKER: - please state the point of order.

MR. STIRLING: And that the Premier knows that the same lawyers that he is now referring to used this as one of the approaches and what he has now come up with is even more drastic but he cannot cheer for one moment the question that anyone else can have a thought.

AN HON. MEMBER: A good point of order.

MR. SPEAKER (Simms): With respect to the - Order, please!
Order, please! With respect to the point of order, there is obviously no point of order.

The hon. the Premier.

PREMIER PECKFORD: Anyway, Mr. Speaker, all I was trying to show by example of a number of initiatives, statements made by the Federal Government since they introduced the Canada Constitution Act 1980, which demonstrate the unseemly haste with which they want to move, because their statements indicate that they are motivated by an unseemly haste and not in full possession of the facts or research that was necessary. I cite as my final example the press conference of a number of weeks ago which now shows that what the Minister of National Revenue and the Leader of the Liberal Party of Newfoundland were doing had been done without much research because the Minister of Justice for Canada has replied to me today, two weeks later, saying he does not know whether, in fact, it can apply to the Upper Churchill or not. And I say that is a shameful way to deal with the Constitution of Canada.

In any case, Mr. Speaker -

MR. STIRLING: (Inaudible).

PREMIER PECKFORD: - in any case, Mr. Speaker, let me just finish by saying I regret and I think all -

MR. STIRLING: (Inaudible).

MR. SPEAKER: Order, please!

The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, I -

MR. STIRLING: Are you going to table that document?

MR. SPEAKER: Order, please!

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

SOME HON. MEMBERS: Oh, oh!

MR. STIRLING: As I understand it -

MR. SPEAKER (Simms): Point of order. The hon. the Leader of the Opposition has raised a point of order.

MR. STIRLING: As I understand it, there is a rule in the House that when some document is quoted from and he illustrated a twelve-foot telex that he quoted an answer from and he has quoted from that telex and has now given a statement from the Minister of Justice, will he table that telex?

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

PREMIER PECKFORD: Mr. Speaker, to that point of order -

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: - if the Leader of the Opposition would just read the rules or get the member for Port au Port (Mr. Hodder) to read the rules, if you are quoting from a document then you have to table it. I did not quote from the document. I referred to it in my speech that there is a telegram. Now, in due course, in any case, I will be tabling it, but to use a specious point of order to do it and to abuse the rules of the House to do it is completely out of order. I did not quote the document. I have not got it in my hands. I referred to a document. I referred to a piece of paper and, therefore, Mr. Speaker, the Leader of the Opposition once again, for the umpteenth time since he became Leader, is out of order.

MR. SPEAKER: With respect to the point of order, obviously the hon. Premier has not quoted from the document as referred to by the hon. Leader of the Opposition. If he had, of course, he would have had to table the document he had referred to.

I understand the hon. the Premier is about to conclude. The hon. the Premier.

PREMIER PECKFORD:
very much.

Yes, Mr. Speaker. Thank you

So, just let me say that we regret that from the indications from the opposite side of the House that they are going to vote against this very important resolution. I think that if, in fact, that is true I think they are doing a great disservice to the Province; they are doing a great disservice to Canada because they are saying, in voting against this resolution, that they are against Canada which is ten equal provinces; they are against the Canada which will give a chance for a province which has potential to be treated the same way as other provinces were treated in the last fifty years with their potential, that they are voting against any chance of Newfoundland having a real say in the make-up of this country and the make-up of this Province. And that is a sad, sad day. On the other hand, it is a victorious

PREMIER PECKFORD: day for this side of the House, Mr. Speaker, because to a person, as I understand it, to a person, we are today voting on this Resolution, demonstrating that we are going to stand up for Canada and stand up for a strong Newfoundland.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Simms): Is the House ready for the question on the Resolution?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Is it the pleasure of the House to adopt the Resolution? Those in favour, 'Aye'?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Contrary, 'Nay'?

SOME HON. MEMBERS: Nay.

MR. SPEAKER: In my opinion, the 'Ayes' have it.

SOME HON. MEMBERS: Divide.

MR. SPEAKER: Call in the members.

Order, please!

Those in favour of the motion,
please rise.

The hon. the Premier, the hon. the Minister of Mines and Energy (Mr. Barry), the hon. the Minister of Lands and Forests (Mr. Power), the hon. the Minister of Fisheries (Mr. Morgan), the hon. the Minister of Social Services (Mr. Hickey), the hon. the Minister of Municipal Affairs (Mrs. Newhook), the hon. the Minister of Public Works and Services (Mr. Young), the hon. the Minister of Recreation, Culture and Youth (Mr. Dawe), the hon. the Minister of Labour and Manpower (Mr. Dinn), the hon. the Minister of Development (Mr. Windsor), the hon. the Minister of Finance (Dr. Collins), the hon. the Minister of Justice (Mr. Ottenheimer), the hon. the President of the Council (Mr. Marshall), the hon. the Minister of Rural, Agricultural and Northern Development (Mr. Goudie),

the hon. the Minister of Education (Ms Verge), the hon.
the Minister of Health (Mr. House), Mr. Andrews, Mr. Walsh,
Mr. Butt, Mr. Rideout, Mr. Stagg, Mr. Collins, Mr. Carter,
Dr. Twomey, Mr. Patterson, Mr. Aylward, Dr. McNicholas,
Mr. Stewart, Mr. Baird, Mr. William Rowe.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (SIMMS): Those against the motion please
rise:

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

The hon. Leader of the Opposition
(Mr. Stirling); Mr. Flight; Mr. Lush; Mr. Hodder; Mr. Thoms;
Mr. F. Rowe; Mr. White; Mr. Bennett; Mr. Hollett; Mr. Warren;
Mr. Tulk; Mr. Neary; Mr. Hancock; and Mr. Hiscock.

MR. SPEAKER: Order, please!

Those in favour of the motion, thirty;
those against, fourteen. I declare the motion carried.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Order, please!

Before proceeding with any further
business, I have a communication here which I believe I should
report to members of this hon. House. It is addressed to me
as the Speaker and it is from Mr. Jamieson, Don Jamieson, the
MHA for Bellevue. "I hereby tender my resignation effective
this date as member of the House of Assembly for the district
of Bellevue. I would like to take this opportunity to say
a sincere thank-you for your help and co-operation during
my period in the House of Assembly. Kindest Regards.

The hon. President of the Council.

MR. MARSHALL: In view of the time, there does not
appear to be much point in getting into other business so -

SOME HON. MEMBERS: Carry on. Carry on.

MR. MARSHALL: - I move, Mr. Speaker, that this House
at its rising do adjourn until tomorrow, Wednesday, at
3:00 P.M. and that this House do now adjourn.

On motion the House at its rising
adjourned until tomorrow, Wednesday, at 3:00 P.M.