

PRELIMINARY
UNEDITED
TRANSCRIPT

HOUSE OF ASSEMBLY

FOR THE PERIOD:

3:00 p.m. - 6:00 p.m.

THURSDAY, NOVEMBER 20, 1980

The House met at 3:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER (Simms):

Order, please!

Statements by Ministers

Oral Questions.

MR. NEARY:

A point of order, Mr. Speaker.

MR. SPEAKER:

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

MR. NEARY:

Or a point of privilege or whatever.

I am not sure if the hon. the Premier

heard the hon. the Speaker call Ministerial Statements. I mean, what is wrong? Is he sick? Is there something wrong with the hon. gentleman?

MR. SPEAKER:

Order, please!

That obviously is not a point of order.

ORAL QUESTIONS

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. STIRLING:

Mr. Speaker, my question is for the Minister of Mines and Energy (Mr. Barry) and, in his absence, the Premier, and I apologize, I just got this information.

We have almost a disaster in the Bonavista North area because of the high winds last night, and, apparently, in many other areas of the Province. Seven main transmission lines are down, thirty-eight poles in the Wesleyville area alone are out, and the indication is the power will be off for a number of days. I wonder if the Premier, in the absence of the minister, has a report or can get a report on how widespread this is throughout the Province and what is available in the way of emergency power in the way of generators or anything of that nature that can get emergency power restored at least until this can be done?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, I do not have a report on it now but I undertake to immediately have a report on it for the hon. member before the House closes at 6:00 P.M. We will get a full and up-to-date report of every place in the Province including the hon. member's district and the measures being taken to try to alleviate it, and make it available to the hon. member before the House closes at 6:00 P.M. or whatever time the House closes.

MR. SPEAKER (Simms): The hon. the member for LaPoile.

MR. NEARY: Mr. Speaker, my question is for the hon. the Premier in connection with the Come By Chance oil refinery. Would the hon. the Premier inform the House if he has in his possession, and has had for several days, the report of Petrocan on the actual physical condition of the oil refinery at Come By Chance?

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: We are aware of - I do not know if I have the actual report in my hands or it is on my desk. I am aware of the report and I am aware of some of the major findings of the report. We will be discussing that further with the Petro-Canada people over the next week or so.

MR. NEARY: A supplementary, Mr. Speaker.

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

MR. NEARY: I am not sure if I understood the hon. gentleman correctly that the report is on the Premier's desk. Is that what the hon. gentleman said?

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: No, I did not say that, Mr. Speaker, I said I am not aware if it is on my desk or not or whether it is in the confines of what is normally classified to be my office, but I am aware of the report and aware of some of the findings of the report and that in the next little while we will

PREMIER PECKFORD:

be discussing that with the Petro-Canada people.

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

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

MR. S. NEARY: I do not understand the answer, Mr. Speaker. Is the report in the hands of the Premier and the government or is it not? I mean, what kind of a -

MR. SPEAKER: Order, please! The hon. member is asking the same question.

MR. S. NEARY: A report of such magnitude, the Premier would know if he has received it or not. And if so, let me ask the hon. gentleman another question. Will he confirm the declaration that Petrocan has decided that they will in no way have anything to do with the Come By Chance oil refinery as far as operating the refinery is concerned?

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: No, Mr. Speaker, it is a rumour as far as I know, it is a rumour that the hon. member just passed along to me, but I am not aware of the factual validity of the rumour, I do not think it is true - it is a rumour. I am not aware of that being the case, no.

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

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

MR. S. NEARY: Is the hon. gentleman aware that the President of Petrocan is quoted in the Toronto Globe and Mail today and Mr. John Ridsdel, the PR man for Petrocan is quoted in the Chronicle Herald - Halifax Chronicle Herald - yesterday saying that if Shaeen proceeds with his court case, for instance, that Petrocan will not proceed with the purchase and the President of Petrocan is quoted in the Globe and Mail today as asking that they are interested only in taking over the oil refinery as a desperation move, as a salvage operation but not operating it as a refinery?

MR. S. NEARY: Is the hon. gentleman aware of that?

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

PREMIER PECKFORD: No, I am not aware of that at all. I have not had a chance to read the Globe and Mail or I had not read the Chronical Herald. All I can tell the hon. member is that we are in constant contact and communication with Petro-Canada and that these statements that the hon. member just made are unfounded and untrue from the information that I have.

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

MR. SPEAKER: I indicated a final supplementary. The hon. member for St. Barbe.

AN HON. MEMBER: A new question.

MR. S. NEARY: A final supplementary.

MR. SPEAKER: A new question.

MR. S. NEARY: A final supplementary.

MR. SPEAKER: I indicated a final supplementary. A new question.

MR. T. BENNETT: Mr. Speaker.

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

MR. T. BENNETT: Mr. Speaker, my question is directed to the Minister of Transportation -

SOME HON. MEMBERS: Yield. Yield.

MR. T. BENNETT: If the hon. gentleman would like me to yield, I would if it is okay with the Speaker.

MR. SPEAKER: The hon. member - a new question.

MR. S. NEARY: Well, it is a new question, yes, Sir. If the report indicates that Petrocan will not operate the oil refinery as a going concern but merely just buy it and take it over and leave it there, will the Premier inform the House if he will then consider the Shaheen proposal, or his associates' who are prepared to take over the refinery and operate it, having the supply of crude and the markets so we are told, will the

MR. S. NEARY: hon. gentleman indicate if the government will then consider that proposal?

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

PREMIER PECKFORD: It is purely a hypothetical question to which it is very difficult to give an answer, Mr. Speaker. At that point in time if there are any eventualities which occur which are irregular and are pessimistic in the sense of Petro-Canada's operation of the refinery as a viable refinery, at that time Cabinet and government will make a decision as to what the next move will be.

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

MR. BENNETT: Mr. Speaker, my question is directed to the Minister of Transportation. In view of the season of the year I understand there is a little procrastinating, I might suggest, in having a second shift in place when it comes to snowclearing and, Mr. Speaker, in view of all the danger to life and limb with people trying to move over the highways, and in view of all the complaints that seem to be coming in from around the Province I am wondering, Mr. Speaker, what time the second shift might be in place to keep our highways free and, if there is not a second shift available or about to come onstream at this time, what effort is really being made to keep our highways free from snow and provide safety in travel?

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

MR. BRETT: I think, Mr. Speaker, it will probably be sometime up in January before a full second shift will be coming on. And it might sound a bit late, but what happened in the last two or three days certainly was unexpected and might never happen again. And I do not think it would -

AN HON. MEMBER: Were you talking to Almighty God?

MR. BRETT: No, I have not been able to get him on the staff yet. But I do not think it would be sensible to take on two shifts at this point in time and it is conceivable that they would be sitting around for the next month or so with absolutely nothing to do.

MR. BRETT: And I think then probably the hon. member would be on my back or the public would, saying, 'Well, what are you doing with several hundred men on in your depots sitting around playing cards all day long?' Normally we do not run into too much in the way of a lot of snow or blizzards until the latter part of December or early January and that is the reason why we will not be taking on the second shift until then.

But we have our staff now coming in at five in the morning, at which time the salt trucks and the sand trucks and the plows are going out and we think this is ample time for the travelling public. You know, we do not really foresee any problem unless of course you run into a blizzard every second day but, as I indicated, I do not think that is going to happen anywhere.

MR. BENNETT: A supplementary, Mr. Speaker.

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

MR. BENNETT: I am curious to know, Mr. Speaker, what does constitute an emergency? How well informed is the Minister of Transportation (C. Brett) with regards to the weather? How well informed can he keep himself and how long does it take to bring on emergency forces to clear the highways of the Province? When I travelled myself, Mr. Speaker, from Corner Brook a week or ten days ago, between Deer Lake and Corner Brook, by the time the salt trucks and snowclearing equipment gets out we do not really need them because the sun is in effect by ten o'clock in the day. We really do not

MR. BENNETT: need them. We need them at seven o'clock in the morning, six o'clock, seven, eight o'clock when people are going to work and when school buses are on the highways, this is when we need them, and when I travelled between these towns and I witnessed the damage to people's motor vehicles in the ditch and banging around, lives even lost, and I am wondering, Mr. Speaker, can the minister

MR. T. BENNETT: tell us just how effective can his emergency force be while they are procrastinating and waiting for the second shift to be put in place as a permanent organization for the Winter snowclearing?

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

MR. C. BRETT: Mr. Speaker, while I was answering the last question, one of the hon. members mentioned something about the Almighty and I indicated He is not on the staff, so we do not have contact with Him.

SOME HON. MEMBERS: Oh, oh!

MR. BRETT: Just a second now.

MR. NEARY: Not yet.

MR. C. BRETT: We have the same method or the same way of finding out what the weather is going to be as everybody else does in Newfoundland and all over Canada: We listen to the forecast, of course, and I do not know if there is any other way that it can be done.

MR. T. BENNETT: It is not good enough.

MR. C. BRETT: Well, if the hon. member says it is not good enough, I suggest that he might have some ideas. But we do listen to the forecast as closely as we can. For example, if it is mild and we hear that the temperature is going to drop, then we will prepare our salt trucks and our sand trucks and send them out. But you must remember we are not going to put salt and sand down on bare pavement. You have to wait for the ice to come first before you take it off, and the same thing applies to the snow, you do not send the snow plows out until the snow is down. I do not know if I have answered the hon. gentleman's question or not, but the only way I know is the forecast. If you have some better ideas maybe you should see some of my staff.

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

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

MR. T. BENNETT: Thank you, Mr. Speaker.
I am just curious to know if the Department of Transportation has substantially less numbers on payroll this year as opposed to last year, and how it compares with years down the road and how much they have, in effect, reduced the number of persons? Last year there was great emphasis placed by rural areas, great emphasis, in effect, that there was terribly run-down, obsolete equipment. I am wondering if this has been upgraded to accommodate this Winter and if indeed, we have employed extras persons that were released last year and if these people are now onstream and available to go to work at a minute's notice?

MR. SPEAKER: The hon. Minister of Transportation.

MR. C. BRETT: Mr. Speaker, with respect to staff, the staff complement in the department of highways has been reduced somewhat over the last three or four years. And I think most people who had anything to do with that department would acknowledge that probably the department was overstaffed in that in many instances there were actually people sitting around in the depots not doing very much.

MR. BRETT: What has happened now is that we have less staff but I think we are more efficient and I think that is what counts.

With respect to equipment, I have said that a hundred times in this House and other places in the Province, yes, a lot of our equipment is old. I wish I had the list here showing what we ordered last year and the cost of it, because it is just frightening what the cost of one of those flyer trucks is, or a grader - \$1 million is like that glass of water in St. John's Harbour.

AN HON. MEMBER: Get it from Ottawa.

MR. BRETT: I wish we could get it from Ottawa. But every year we do have new equipment come in. Last year a lot of equipment that we ordered did not come in, through no fault of ours. It could not be supplied by the manufacturer. So this year we have got a double dose, we have what we ordered this year and the back log from last year. And in particular we have fourteen new flyer trucks, these are the ones that plough and sand at the same time, so that is quite an addition to the fleet, and if nothing else then we will not do any better job on the Trans-Canada Highway because I think we did an excellent job last year.

SOME HON. MEMBERS: Hear, hear!

MR. BRETT: But certainly it would help us probably to make more progress on the other roads because we would be able to move some of the equipment off the TCH and onto the by-roads.

PREMIER PECKFORD: Good man. Good man.

SOME HON. MEMBERS: Hear, hear!

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

MR. HISCOCK: My question also is to the Minister of Transportation. I realize that the Minister of Transportation has just said that this Province has a lot of outdated equipment, but can the

MR. HISCOCK: minister inform this House as to what plans and how much equipment is bought this year, and plans for next year's budget of buying extra equipment for this Province?

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

MR. BRETT: The hon. member asked for the amount - was it? - and the list. I am sorry, I cannot give him the exact amount. I would have to get that from the department, that is the amount of money and the same thing would be how many flyers, how many graders, how many dozers. I do not know exactly but, you know, if the hon. member, if that is important to him then certainly I would take it upon me to find out and get the information for him.

MR. HISCOCK: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary, the hon. member for Eagle River.

MR. HISCOCK: I think it is very, very important because the minister said himself that their equipment is outdated and cannot do the necessary work, you only can work the machines so long. If that is the case then basically it would have to be replaced and we would like to know how long this would take and how many years it would take to build up the fleet of equipment to clear the roads in this Province.

The other question I would like to ask is with regard to the Straits Road. Last year, because of severe storms, over thirty days of school were lost and equipment had to be brought in by the ice breaker. Can the Minister of Transportation inform us now in that area is there enough equipment that this problem will not recur, that over thirty school days were lost because of snow problems?

MR. NEARY: Bring Greg Power back, boy.

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

MR. BRETT: I wish I did have a telephone
line to upstairs.

If I may, Mr. Speaker, the replacement of the equipment, that is a revolving thing. You know, you never really get ahead of it. Every year there are several million dollars spent in replacing old equipment. You will never see the day when all of the equipment on the road is new. Every year there is so much new and then - you know, eventually down the road, I suppose, we will get rid of the obsolete stuff, because some of what we have, you have to wait for months before you get parts. So, you know, it takes time.

But with respect to Southern Labrador, what we need up there, what we needed up there last year was snowblowers, heavier machinery. Because what we had there was like Dinky toys, we just could not get through it. And I cannot guarantee the hon. member that that will not happen again because it can come so bad that no matter what you put there you just cannot get through it. There were times last Winter up there when eight o'clock in the night we had the roads open and the traffic was moving freely, and by twelve o'clock it was blocked again. I mean, there is nothing you can do about that, you just keep at it. And you can move all the machinery in the world in there and, again, that is the guy upstairs. I just cannot cope with that kind of thing. But I am going to try to get, possibly, a heavier snowblower or some extra equipment in there this year, if at all possible. But I certainly cannot

MR. BRETT: guarantee the hon. member that that road will not be blocked again; I do not know.

MR. SPEAKER(Simms): The hon. the member for Fogo.

MR. TULK: Mr. Speaker, I have a question and it is also directed to the Minister of Transportation and it concerns the ferry service to Fogo Island: I wonder if the minister - I am under the impression, first of all, that the ferry operator threatened to take his ferry off the run this year because he had not had a contract for two years; I am wondering if the minister could tell us why it was two years that the contractor did not have a contract, and why we had to be left in that situation?

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

MR. BRETT: Mr. Speaker, I cannot be specific, I can only tell the hon. member that negotiations were going on all during that period of time, and, I suppose, both parties could not come to an agreement. But I do not think that at any time the service to Fogo Island suffered because the contract was not signed; I mean, that was something between Mr. Miller and the Department of Transportation. Really, I do not think it had any effect on the people of Fogo Island or the ferry service. It was a matter between the operator and the government, and when we finally reached an agreement, then he signed it and I signed it, and that it all there was to it.

MR. TULK: A supplementary, Mr. Speaker.

MR. SPEAKER (Simms): A supplementary. The hon. member for Fogo.

MR. TULK: I can assure the minister that there was a great deal of anxiety on Fogo Island at the time. And I am wondering - let that be bygone - but I am wondering if the minister would now inform the House if there has been anything new written into that contract to deal with overload situations, the number of trips to improve the whole situation with regards to those kind of things?

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

MR. BRETT: Again, Mr. Speaker, I do not have the contract on my desk. I do not know exactly what is written into it. We try to cope with the situation as best we can and I do not know if it is possible to draw up a contract that will take care of every single situation that might arise. I know what the hon. member is talking about: You get a long weekend and you have a line-up over in Carmanville or a line-up in Fogo and it is very uncomfortable for everybody. If it will make the hon. member feel any better, I acknowledge the fact that that ferry service needs to be improved and I hope that when we get that report that there was so much controversy over, that there will be some good recommendations in that and we can do something not only with the ferry service in Fogo Island but in all the ferry services in the Province.

MR. SPEAKER: A final supplementary. The hon. member for Fogo.

MR. TULK: Mr. Speaker I wonder if the minister will assure the House again - I believe that contract, the new one, runs until March 31, 1980 - I am wondering if the

MR. TULK: minister will assure the House that he will meet with the councils on Fogo Island, the Fogo Island Improvement Committee and other concerned groups, legitimate concerned groups, about that service and will try to build better conditions into that contract before it expires March 31st of this year?

MR. SPEAKER (SIMMS): The hon. the Minister of Transportation.

MR. BRETT: If the hon. member is asking me if I will go to Fogo, the answer is no.

SOME HON. MEMBERS: Oh, oh!

MR. FLIGHT: We know that.

MR. BRETT: I have been to Fogo on many, many occasions. Do not let the hon. member worry about it. I was born down there and forgotten more about it than he knows or the hon. member either.

SOME HON. MEMBERS: Oh, oh!

MR. BRETT: As a matter of fact, I am a real hero down there, Mr. Speaker. They do everything but roll out the red carpet.

SOME HON. MEMBERS: Hear, hear!

MR. BRETT: And the member for the area just acknowledged the fact that I was a hero for down there. But, yes, I would only be too happy to meet with anybody down there. As a matter of fact, I had a request from some group which wanted me to send them a copy of the contract. I felt that that was not really right and proper and I do not think it is. But I agreed that I would answer any questions that they might have with respect to the contract. I will be happy to meet any groups down there any time to discuss it.

MR. TULK: Will you try meeting their requests?

MR. BRETT: Inasfar as money will allow.

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MR. SPEAKER (Simms):

The hon. member for Terra Nova.

MR. LUSH:

Last Spring, I think it was, the minister will recall that his department set up an in-house committee to look into the ferry services throughout the Province, the intra ferry services. Questioned in the House, I believe that the minister indicated that when that report was in that he would make it public. Two questions, if you will, Mr. Speaker: One, is that report in and, if so, does the minister intend to make that report public?

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

MR. C. BRETT: Yes, Mr. Speaker, that committee has been in for months and months and I have no objections to making it public. It was not a very detailed report, it was not a great big volume - that thick I suppose. I certainly have no objections to making it public. I think the hon. member knows what has transpired since that report came in, that CN has been engaged to do a study on the whole system and to make some final recommendations and final proposals as to which way we are going to go. And I am hoping to get a copy of that report early in the new year. If there is money available, maybe we can make a start next year in doing something with the ferry system.

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

MR. G. FLIGHT: Mr. Speaker, my question is also to the Minister of Transportation.

The minister confirmed to the House yesterday that he would be holding a meeting, I think, on the 25th. with provincial officials and federal officials for the purpose of discussing our long-term transportation plans, as I understood it. I wonder if the minister would confirm that the purpose of the meeting is to identify the priorities in as far as he is concerned or the government is concerned with regard to new road construction in the Province, identify the priorities and what roads will be funded, that kind of thing, and identify the roads for which the minister will seek funding from the federal government for? Is that the purpose of the meeting?

MR. SPEAKER: The hon. Minister of Transportation.

MR. C. BRETT: I suppose the answer is yes, Mr. Speaker. We are to meet on the 25th., that is correct, and I do not know if it will be necessary for us to go all over it again and tell them what our priorities are, I think they know that, we have had it up there long enough. It has been up there for months. If they do not then there is no problem, we have no objections going over the whole thing again. But we will be happy to meet them on the 25th. and negotiate further if necessary. But I will make it very clear then and I will make it very clear now that we are not going to discuss any trade-offs. They are very much aware of our priorities. But if we have to reiterate them again we will do it.

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

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

MR. G. FLIGHT: I wonder if the minister would be specific and advise me or advise the House of whether or not the Buchans-Burgeo road is a priority in this meeting on the 25th.? I want to be sure the minister heard the question, Mr. Speaker, and I want the minister's answer-not necessarily the Premier's. Is the Buchans-Burgeo road a priority item for discussion at that particular meeting that the minister is about to hold with federal officials?

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

MR. BRETT: Mr. Speaker, the Buchans-Burgeo road is not a priority inasfar as providing a second Trans-Canada Highway is concerned.

MR. FLIGHT: A supplementary, Mr. Speaker.

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

MR. FLIGHT: I did not ask the minister if it is a - nobody talked about the Buchans-Burgeo road as a second Trans-Canada. This Province has already committed \$1 million to about eight and one-half miles of road built as part of the Buchans-Burgeo road and it was not seen as a second Trans-Canada. The minister knows that all the committees from Buchans and from all over Central Newfoundland have been requesting that the Buchans-Burgeo road be put in place, not necessarily as a second Trans-Canada. If it becomes that, then sobeit. My question simply is, Is the minister intending to seek funding for the Buchans-Burgeo road in the agreements that he is about to discuss with the federal government?

MR. MOORES: Yes or no.

MR. FLIGHT: Yes or no.

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

MR. BRETT: Mr. Speaker, this government has on many occasions indicated that if there is a development with respect to the Tulks deposit and if a request were made for funding, then the government would certainly consider requesting funds from the federal government and, of course, putting our share into it, but it has been suggested that if the hon. member would turn to page twenty-six of this discussion paper published by the Premier on the major bilateral issues, then he would find out where our priorities lie in that case.

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

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

MR. FLIGHT: Mr. Speaker, I would want to inform by way of a short preamble. But the Tulk ore deposit has nothing to do with the Buchans-Burgeo road. That road that gives access to Tulks is already in place. It has nothing to do with it. So the minister should take a look at the map and see what we are talking about when we talk about the Buchans-Burgeo road.

MR. T. LUSH: He has got his geography mixed up.

MR. FLIGHT: I am asking the minister if he intends to seek funds to complete the Buchans-Burgeo road, to upgrade the present Buchans-Lloyds Lake road and is it his intention to complete the Buchans-Burgeo road? And is his intention to allocate funds, either provincial or federal? In next years proposal does he intend to discuss it with the federal government? And I want him also while he is up to tell me just how big a priority it is. He has been telling the committee in Buchans it is a priority. Would he identify at just what point - how high a priority it is with his government?

MR. MOORES: Is it as big a priority as the (inaudible).

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

MR. BRETT: Mr. Speaker, I already answered that question and all I can say is ditto.

MR. NEARY: Mr. Speaker.

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

MR. NEARY: Mr. Speaker, now that the Minister of Transportation and Communications has admitted that a meeting is going to take place on November 25th, would he inform the House if the committee is now handicapped? Because the Premier knew that this meeting was taking place and the Premier prematurely released his railway report knowing that this committee was going to meet and that the priorities were going to be worked out. Where does the railway now stand in

MR. NEARY: relation to highways, for instance, as a matter of priority? Is the government laying top priority on the railway, on highways, on shipping? I mean, when the order of priorities is worked out and

MR. NEARY: funding is arranged, could the minister indicate what order the priorities would take? What is the minister, for instance, what is he advising his officials to rate as the number one priority - the railway, road transportation, shipping? Could the minister give us some idea what instructions the officials will have in this regard?

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

MR. BRETT: Mr. Speaker, look, the highways and the railway are two distinctly separate issues. There is no way - I gather that the hon. member for LaPoile is agreeing with the federal government, when they are saying to us, "Look, Newfoundland, you can have either the Gander Terminal or the railway or the Trans-Canada Highway, but you cannot have it all."

Well, now we do not agree with that and the railway is not going to be either on the top or the bottom, because it is a separate issue altogether. We want our Trans-Canada Highway upgraded, we want the Southern Labrador Highway built, and we want the Trans-Labrador Highway built, and we still want to retain the railway, because we believe - not only believe, we know that we have a right to that under the Terms of Union, the same right as every other Province in Canada.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Does the hon. member wish to put another question?

The time for Oral Question has expired.

PRESENTING PETITIONS:MR. DOYLE:

Mr. Speaker.

MR. SPEAKER (Simms):

The hon. member for Harbour Main-Bell Island.

MR. DOYLE:

I would like at this time to present a petition on behalf of 100 per cent of the voting population of the community of Harbour Main.

MR. S. NEARY:

What percentage?

MR. DOYLE:

100 per cent. That amounts to just over 300 people in that community, and the prayer of the petition reads as follows.

"We, the undersigned, residents of Harbour Main, Conception Bay, in the constituency of Harbour Main-Bell Island, do hereby protest most vigorously the unilateral patriation of our constitution and do also support, without reservation, the stand taken by Premier Peckford regarding same."

SOME HON. MEMBERS:

Hear, hear!

MR. DOYLE:

It goes on to say, Mr. Speaker, "As a result of the foregoing we do today petition all members of the hon. House of Assembly to take a similar stand and support our Premier in that great effort."

Your Honour, I would obviously like to lend my support too, and associate myself with this particular petition, as it sums up quite well the very important message that the government of our Province have been attempting to get across to the people of Newfoundland ever since the recent constitutional conference in Ottawa. And it is quite apparent, Mr. Speaker, in reading the prayer of the petition, that the people of Harbour Main do have a very genuine concern for the welfare of our Province in general, and they would like to make their feelings known through the members of the House of Assembly whom they ask to unanimously

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MR. DOYLE: support, and I repeat that phrase,
Your Honour, unanimously support, because I feel it is a very
important one that the government has taken

MR. DOYLE:

on this issue. What is, in effect, actually being stated here with the phrase 'unanimous support' is that regardless of political affiliation the people of that particular community want to see all members of the House of Assembly stand up and be counted and support the government's position on this matter which is so very vital to every single community in the Province of Newfoundland.

Your Honour, inasmuch as this is the very first petition to be placed upon the Table of the House regarding this most vital issue, I would like it to be noted that the community of Harbour Main is setting an example that I am sure all other communities will follow. Each community, as a matter of fact, in that particular part of my district is presently circulating petitions to that effect and I am told they are meeting with a very good response indeed in the communities of Holyrood and Marysvale and Colliers and Conception Harbour and Avondale and Lakeview and so on.

So, Your Honour, because every single member of the House of Assembly will be given the opportunity in the next couple of weeks to speak out on this issue, I will keep my remarks relatively short and simply state in closing that this petition is one which I support without reservation and I will caution - or rather I would urge all members of the hon. House to -

MR. FLIGHT: Caution is the word (inaudible).

SOME HON. MEMBERS: Oh, oh!

MR. DOYLE: - do likewise for the sake of Newfoundland's future. So I ask that this petition be placed upon the Table of the House and

MR. DOYLE: referred to the department to which it relates.

SOME HON. MEMBERS: Hear, hear!

MR. WARREN: Mr. Speaker.

MR. SPEAKER (Simms): The hon. member for Torngat Mountains.

MR. WARREN: Mr. Speaker, I stand on a point of privilege.

MR. SPEAKER: A point of privilege.

MR. WARREN: Yesterday during this storm that we had on the Avalon Peninsula and Burin Peninsula, there was a young man by the name of Scott Parsons out in Conception Bay South who did an heroic deed. He is a bus driver, was driving a bus with several children on it and the power lines and that came down across the bus. He took fast action by asking the children to stand up in the aisles of the bus and by himself taking a broom and lifting the power lines off the bus. By doing so he saved the lives of those children and himself. So I would like for the Speaker of the House to send a letter of commendation to Mr. Parsons on his act of bravery.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Agreed. The hon. the Premier.

PREMIER PECKFORD: I just wanted - not on that matter, obviously all members of the House are in full agreement with that - I just wanted to point out, if I may, Mr. Speaker, and I will only take ten seconds, that in the Gallery today is the Premier for today, Tina Fagan, who has been on a campaign of support for the new CAT-scanner at the Health Sciences Complex. And just a few minutes

PREMIER PECKFORD: ago she took over the Chair downstairs and until nightfall or twelve o'clock the hands of the government have been put in others than myself and we just hope that the job that she does between now and then still leaves us with some money tomorrow.

SOME HON. MEMBERS: Hear, hear!

MR. STIRLING: Mr. Speaker.

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

MR. STIRLING: By whatever means

the Premier used, in the same context: I happen to know Tina Fagan and if you had given me any advanced warning of this, if she now has full control, I have absolutely no doubt that the Province is going to be run for the next few hours better than it ever has been run in its history.

SOME HON. MEMBERS: Oh, oh!

SOME HON. MEMBERS: Hear, hear!

MR. DINN: Mr. Speaker.

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

MR. DINN: Mr. Speaker, I rise in support of the petition so ably presented by my friend and colleague from the great district of Harbour Main-Bell Island (N. Doyle) and note that in the petition all of the people, 100 per cent of the voting population, regardless of political stripe, have supported the efforts of the Premier of this Province to secure for us some sort of a future. I will say, Mr. Speaker, that it will be unfortunate, it will be seen, and an unfortunate thing that we will not get

MR. DINN: support from all members of the House of Assembly to the petition simply because we know that -

AN HON. MEMBER: How do you know?

MR. NEARY: Not if you keep talking like that.

MR. DINN: For example, our resolution on the constitution has been amended which leaves out local preference, offshore rights - rights to our offshore oil and gas and ownership of our offshore oil and gas, a share in our fisheries, our most important resource next to our people -

SOME HON. MEMBERS: Oh, oh!

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

MR. SPEAKER (Simms): A point of order. Order, please! A point of order has been raised by the hon. member from Port au Port.

MR. J. HODDER: Mr. Speaker, I understand that when responding to a petition that the person -

AN HON. MEMBER: Supporting.

MR. HODDER: - supporting the petition confines his remarks to that particular petition and does not enter the realm of debate.

SOME HON. MEMBERS: Hear, hear!

AN HON. MEMBER: Out of order! Out of order!

MR. SPEAKER(Simms): To the point of order, the hon. President of the Council.

MR. W. MARSHALL: I would like to say very quickly, because I do not want to impinge on the hon. member's time, he has only got five minutes, but the fact of the matter, the prayer of the petition is that you support - that this House support the Premier in his position on the offshore, and they include exactly the same things that my hon. friend mentioned and exactly the same things the hon. members there opposite that are conspicuous in leaving out of their resolution.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: Further to the point of order, the hon. member for Port au Port.

MR. HODDER: Mr. Speaker, do points of order use the hon. member's time as it does in Question Period? But, Mr. Speaker, I understand that the hon. member's were confined to the petition, but he was entering the realm of debate.

MR. FLIGHT: Most definitely.

MR. SPEAKER: With respect to the point of order, the rules are clear for everybody to read, 'Confine yourself to the statement of the parties from whom it comes, the number of signatures attached and the material allegations it contains. There shall be no debate on a petition.'

SOME HON. MEMBERS: Hear, hear!

MR. J. DINN: Mr. Speaker, I was not wanting to enter into the realm of debate on this petition. Obviously, I will be given an opportunity in the constitution debate, but I would like to thank all of the people from the community of Harbour Main in the great district of Harbour Main-Bell Island, the over 300 people, people who have concern about the issues of this Province who sent in their petition. Although I have to regret that they will not get the unanimous support of this House, they will have the unanimous support of all the people on this side of the House.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Simms): Order, please!

I failed to give a ruling a few moments on a point of privilege raised by the hon. member. Obviously, it was not a point of privilege but the hon. member took the opportunity to make his statement.

Any further petitions?

ORDERS OF THE DAY

MR. SPEAKER: Motion 1, on the amendment.
The hon. Leader of the
Opposition.

SOME HON. MEMBERS: Hear, hear!

MR. L. STIRLING: Mr. Speaker, I, too, welcome the petition from the people in Harbour Main. It would be very interesting to find out when that petition was started and what the real concern was that caused 100 per cent of the people to sign a petition. I wonder, Mr. Speaker, if it had anything to do with the most important address a certain individual made in his life, everything that he ever did paled in comparison to it. This is what he said as we all sat with bated breath, it was all set up, we were all given the big build-up. There was the

MR. L. STIRLING: meeting with the Cabinet and a meeting with the full caucus and then a meeting with the PC Party executive and then the time was asked for - no indication of what it was, but maybe the most important thing that ever happened in that particular individual's lifetime. So we all waited at 7:30 that night and the speech opened, 'Good Evening, Ladies and Gentlemen; This evening I want to speak to you on a matter of vital importance to all of us. I wish to speak to you not as Progressive Conservatives, Liberals or New Democrats but as citizens all of the Province. The matters I wish to discuss with you are the ones above and beyond the divisions of party politics. These issues bear upon the most vital aspects of life in our Province; the right to educate our children in our own way, and the sanctity of the Labrador boundary.'

Now, Mr. Speaker, we sat back and wondered what this was all about. And then he thanked the people for all the support that he received while the constitution was being debated, all the T.V. coverage - the same man who will not allow T.V. in the House of Assembly so that the people can judge for themselves what happens here in the House of Assembly. He talked about these other things being important; 'However, it is not about these matters which I wish to talk to you about tonight' - the other matters about the great response that he had from his constitutional debate.

MR. STIRLING: And then he goes on again talking a bit about the constitution, the same sort of thing he talked about before, and how he thought that these rights were preserved. "Fellow citizens, I tell you tonight if the federal government's constitutional proposal is accepted, we can no longer be confident of our provincial boundary and the right to determine the education of our children".

MR. FLIGHT: Now.

MR. STIRLING: And he goes on to talk about some of the other things that they have been discussing in the constitution and he comes back again; "It would be possible to change our boundary without this Province's consent" - the key point in his speech. "Of equal concern is the threat to our denominational system of education". And then he went on again: He said, "I have not chosen to speak to you tonight about the failure to recognize our rights in fisheries, offshore and hydro, although we will eventually attain these rights", and this kind of thing, "but I speak to you tonight about the potential loss of basic solemn rights".

MR. WARREN: That was on T.V.

MR. STIRLING: This is across Newfoundland - Labrador coverage.

And then he comes back again: "These are now imperilled". The he goes on to say that there are certain things you can debate, "But we have certain rights. They are sacred." Back to the same thing again. "One of these sacred rights, we thought, was our boundary". Again back to the boundary. Then he goes on, "Never was it believed in our wildest dreams that a boundary confirmed in 1927 by the highest court could possibly be changed by people outside this Province". And then he goes on to the boundary, and he goes on for two

MR. STIRLING: more pages and then said, "Another equally sacred right in this Province was our education system". And then he goes on to say, "At the time of Confederation, how important our denominational education system". And then, "Under the new proposal the denominational system of education could be unconstitutional". Then he goes on to talk, again in review, about some of the other things that he was concerned about. And getting towards the conclusion, "We cannot sit idly by as our basic rights, negotiated in 1949, our boundary, our education system, became less than sacred and capable of being changed without the consent of our people, of our Legislature". The same points over and over again, the only two essential points.

So then he said to us, "I am going to introduce a resolution into the House of Assembly. I want to introduce a resolution into the House of Assembly and I want it to be unanimous". Now, when he introduced his resolution into the House of Assembly he did not mention those sacred rights, he mentioned a lot of political argument, a lot of debate. He did not mention, for example, as the Minister for Labour and Manpower - he did not mention the mobility rights, although he thought, I am sure - a minute ago he thought they were included. They were not included. And he got into a long debate.

He mentioned, also, going to see the Queen: We would all support him, you know, off to see the Queen. So we sat down in caucus and we actually spent about three days in this caucus saying that surely nowhere in Newfoundland or in Labrador is there a person who would like to see our basic rights, these sacred rights - the denominational system of education and the boundary - nobody in Newfoundland wants to see these things affected.

MR. STIRLING: So we called Ottawa and they said, "We do not want to make any changes". So what we said we would do is that we would word a resolution which we honestly believed everybody in this Province, including every one of the people in Harbour Main, would support. And I would ask the member for Harbour Main (Mr. Doyle) if he would take this resolution around to the people who signed that petition and ask them if they would support this resolution.

SOME HON. MEMBERS: Hear, hear!

MR. STIRLING: Now, just let me read it. Just let me read this resolution and see if it does not answer the fears that the Premier brought out that night on television. Now, let us put ourselves back in the context of that night on television, and let us suppose that the next day this caucus had said, "Here is a resolution, Mr. Premier, that we are prepared to support unanimously in the House. "Now, just listen to the wording, "WHEREAS the Parliament of Canada" - and I too would like to read this into the record for the sake of whatever the Premier read into the record, the other resolution -

MR. STIRLING: "WHEREAS the Parliament of Canada is now considering a resolution concerning the Constitution of Canada"-there can be no doubt about that. That is a basic statement of fact - "AND WHEREAS concerns have been expressed that under the terms of the resolution presented to the Parliament it would be possible to alter without the consent of this House" - or the consent of the people in Harbour Main - "the terms of the constitutional provisions representing the boundaries of this Province and the denominational education system as it presently exists." Now can there be any doubt about that? It says, "Whereas concerns have been expressed ." Now surely that speech that the Premier made in which he talked about those two sacred rights, a dozen times over on a half hour of television, certainly that could be concerns have been expressed.' There could be no doubt about that. And concerns have now been expressed by the people from Harbour Main about those same two doubts, the boundaries of the Province and the denominational education system as it presently exists. And 'WHEREAS the Government of Canada have stated their policy that such a result is neither intended nor desired by them.' The Prime Minister said it in the House. He sent down a telegram which the Premier, I do not believe, is prepared to accept, but he sent a telegram. So can there be any doubt about that? The Government of Canada said that, 'That is not our intention.' So we in our caucus said, 'Well, what can we do about it?' 'What can we do about it to assure every member on the other side and what can we do about it to assure every person who heard the Premier bring up the doubts? If there are any doubts around, what can we do to make it absolutely certain that we are completely in agreement on this side of the House with everybody in Newfoundland and Labrador? What can we do?' So we

MR. STIRLING: said, 'BE IT THEREFORE RESOLVED that this House requires and requests that the Parliament of Canada take such steps as are necessary'--whatever steps as necessary--to amend the said resolution to ensure that the Constitution of Canada contains provisions adequate to ensure that the territorial integrity of Newfoundland and Labrador--the boundary--and the denominational system of education cannot be altered without the authorization of a resolution of this House'-- this House of Assembly in Newfoundland.

SOME HON. MEMBERS: Hear, hear!

MR. WARREN: Right on. Right on.

MR. STIRLING: Now was there a person at eight o'clock that night anywhere in Newfoundland and Labrador who would not stand up and say, "Now the Liberals are doing something. Obviously they are giving credit to the Premier; he has had some doubts. He has raised some doubts - The Liberals are doing something to show that this is above politics. This is above pure, partisan, political manoeuvrings, that this is something sacred in Newfoundland and we are going to separate the politics from the things that are sacred. 'AND' BE IT FURTHER RESOLVED that subject to such amendment' - you know, I do not know if the people on the other side took a look at this.

MR. NEARY: I do not think so.

MR. STIRLING: The hon. member for St. John's East (Mr. Marshall), I wonder if he read the significance? 'BE IT FURTHER RESOLVED that subject to such amendment being made-- in other words if that amendment is not being made, if that amendment does not get made this House supports and endorses the proposal to patriate the Constitution of Canada. In other words we are saying, the Premier took time to say to everybody in Newfoundland the most important thing that I have ever spoken to you about and repeated six or eight times over, 'our sacred rights,' the people in Newfoundland said, "Maybe he has got something there." The people in the Liberal party

MR. STIRLING: said, "Look, if there is any doubt about it at all, any doubt, let us tell the Government of Ottawa that unless you make that amendment "-in other words, that these two sacred things can only be done with the approval of this House of Assembly, could only be done, and if that is not done we will not support your patriation of the Constitution.

SOME HON. MEMBERS: Right on!

SOME HON. MEMBERS: Hear, hear!

MR. WARREN: We do not mind standing up for our rights.

MR. STIRLING: Just let me repeat that again.

'BE IT FURTHER RESOLVED that subject to made

MR. L. STIRLING:

such amendment being made'- in other words, subject to being made, if it has not been made then we go on to say, 'supports and endorses the proposal to patriate the Constitution of Canada.'

MR. WARREN:

Right on.

MR. L. STIRLING:

'And be it further resolved that the Speaker of this House be directed to convey this resolution to the Co-Chairman of the Joint Committee of the Senate and the House of Commons now considering the said resolution and to the Speakers of the House of Commons and the Senate of Canada.'

MR. J. CARTER:

Why did you not put that in your amendment, the amendment you proposed to the House?

MR. L. STIRLING:

That is in the amendment.

SOME HON. MEMBERS:

Read it! Read it!

MR. HISCOCK:

You cannot read.

MR. L. STIRLING:

I take it we now have the approval of the member for St. John's North (Mr. J. Carter), and I know he is a man of principle and when he just said that to me, Why do you not put that in the amendment?" it means that he can support it. He is an individual, he will stand up and he will not be dictated to because when he said to me, "Why did you not put that in the amendment?" the implication was there that 'I can support it.' And I know he will. If there is not one other person in this House that will support this amendment, I will guarantee you that it will be the member for St. John's North, a man of principle, will support this amendment -

MR. WARREN:

Right on, right on.

MR. L. STIRLING:

- because he had not had a chance to take a look at it, because, man that he is, he can see that 'what could anyone possibly argue against in this?' Because we are saying, 'Unless you are prepared to give those endorsements, we are not going to support patriation.' And I know the man of principle, the man from St. John's North, will stand up and

MR. L. STIRLING: support this amendment because it is entirely acceptable in those areas that we can agree on -

MR. WARREN: If there is room for him to stop, he will too.

MR. L. STIRLING: - that we are taking what we said, which are those two sacred rights and we are saying, 'Never again in Newfoundland should the fear about religion, the fear about the denominational system of education, never again should religious bigotry and fears be stirred up in this Province' -

SOME HON. MEMBERS: Hear, hear.

MR. L. STIRLING: - 'never again should we ever have it.' And on this side we will not tolerate it, on this side we will not allow anyone to play politics with those sacred rights. And we debated it for days and we discussed it and we looked into our souls and in our hearts and said, 'Look, if it comes down to a question, there is not a question anybody can ever have of a person from Newfoundland and Labrador that if there is the slightest doubt, even if it is only a doubt in the mind of the Premier, if there is the slightest doubt, we will not allow that doubt to carry through and cause any problems. We will stand up, we in the Liberal Party will stand up and say, 'Ottawa, if you are not prepared to make this change, if you are not prepared to say that on this issue - two basic rights - on the boundary and on the system of education, Ottawa, if you are not prepared to say that only the House of Assembly can change that, that this is sacred to this Province, we are saying, Ottawa, even though you are political friends of ours, we are not prepared to support you on patriation of the Constitution. We are not prepared to support you' -

SOME HON. MEMBERS: Hear, hear.

MR. L. STIRLING: -that is what this resolution says.-

MR. WARREN: Right on.

MR. L. STIRLING: - unless we have this amendment.No.'

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MR. J. CARTER: (Inaudible) wishy-washy telegram from the Prime Minister.

MR. LUSH: No.

MR. L. STIRLING: No, we will not. We will not.

And the member for St. John's North (Mr. J. Carter) knows, and I have no doubt that the member for St. John's North will not vote against this amendment. He is a man of principle, he is a man of conscience, he is above all a firm and fine Newfoundlander and he cannot find anything - as he said, 'Why did you not put it in your amendment?', and when he looked at it and said, 'Have the Liberals really done it?' he will support us.

I was really disappointed when I heard the news brief in which the Premier commented on this in which he said, and it was a distortion, of course, he said we excluded this, this and this. We have excluded nothing. What we have tried to do in the spirit in which the Premier put out the challenge that night, what we have tried to do is to say there are some things in Newfoundland that are above politics; there are some other things on which we will have a great deal of disagreement. And let me give you an example, and the example is on fisheries jurisdiction. Now, it so happens that the members on that side of the House, essentially, 80 per cent of them, represent districts that are not fishing districts. If you happen to look, take a map and look at the fishing districts around the Province of Newfoundland, you will see that they are essentially represented on this side of the House, starting on the Coast of Labrador and essentially going around with one or two exceptions.

AN HON. MEMBER: The Southwest Coast.

MR. STIRLING: Now, if you ask the people who should know - now, this is where the Premier and I part, because he has the appearance of saying, 'I have decided what is in the best interests of Newfoundland and here it is and do not anybody bother me with any other details. Jim McGrath, you do not know what you are talking about! Joe Clark, you do not know what you are talking about! Trudeau, you do not know what you are talking about! Nova Scotia, you do not know what you are talking about! Economic Council of Canada, you have a vested interest and do not know what you are talking about! Richard Cashin and the Fishermen's Union, you fellows just have a little vested interest, you just want to keep fishermen employed, so you do not know what you are talking about!' That is his approach.

Our approach is a little bit different. Our approach is that the fishermen - strange as this may sound, we really do believe that the fishermen know what is in the best interest of fishermen. We really do believe that fishermen may know what is in their best interest. We think that they may know better than politicians, better than Liberal politicians or Tory politicians or NDP. So when we listen to the fishermen, when I go out in my district of Bonavista North and say, 'Would you like to have Romeo LeBlanc in charge of the fisheries jurisdiction or would you rather have Jim Morgan take over and handle all the responsibilities?' there is not a single fisherman that I know of who would agree to have Jim Morgan have total control on the fisheries.

AN HON. MEMBER: Not even as a dory mate.

MR. STIRLING: So that is an area of political disagreement. As the member for Deer Lake - that great fishing district of Deer Lake - said, he is not looking for total jurisdiction.

MR. HOUSE: There is a fishing part of my district.

SOME HON. MEMBERS: Oh, oh!

MR. STIRLING: There is a discussion, a political difference. There can be some areas on which we have a political difference of opinion and fisheries jurisdiction is one of them.

SOME HON. MEMBERS: Oh, oh!

MR. STIRLING: It is not coincidental that in that district that the member was just talking about that the fishermen in the district show where they have the greatest support. But the essential point is that there are some differences of policy, there are differences of political approach and there are differences which can all be classified as political, and on these we will debate and on these we will discuss and on these we will make political arguments. If we are into a general election, the P.C. Party would pay for their advertisements, the Liberal Party would pay for their advertisements and make the points. We are not into a general election, so those political points are now being made by the government using the people's money. But those are political discussions and what we are saying to you - and it is not too late for you to change your mind - is that if you look at the wording of this Resolution, you should have brought that Resolution in and we would have gladly supported it because they are sacred rights. And we are saying regardless of what we do in politics that in Newfoundland the denominational system of education and the boundary question are two questions that we should fight for -

MR. WARREN: Right on!

MR. STIRLING: - we will take on anybody and fight for -

MR. WARREN: Right on!

MR. STIRLING: - and that we should be united on it. And you could not get a more definite wording than this wording. You could not get a more definite wording that says,

MR. STIRLING: 'subject to such amendment being made'. In other words, unless they make that amendment, we will not support patriation of the Constitution of Canada. There is no stronger wording we can possibly come up with. We are saying to the Government of Canada that on these issues there is no difference between us. So essentially that is the point that we would ask you to agree on and to support us.

Now, if the government cannot support us on this, their issue, what was the purpose in bringing it up in the first place? What was the purpose of the half hour T.V. debate?

MR. WARREN: Right on!

MR. STIRLING: What do you think that the people in Harbour Main signed that petition for?

MR. HODDER: Because of those two issues.

MR. WARREN: Right on! Right on!

MR. STIRLING: Why do you think 100 per cent of the people signed that petition?

MR. BARRY: Offshore oil.

SOME HON. MEMBERS: Oh, oh!

MR. STIRLING: Why do you think that the people -

AN HON. MEMBER: You are programmed! You are programmed!

MR. SPEAKER (Butt): Order, please!

MR. STIRLING: - signed that 100 per cent?

SOME HON. MEMBERS: Oh, oh!

MR. STIRLING: And I would challenge, I would challenge the member for Harbour Main-Bell Island (Mr. Doyle) to honestly go out and give the people this as a resolution from this House, not a Liberal Party resolution, ask him to go out to the same people who signed the petition with this resolution and said, "Look, if we agreed with this resolution in the House, would that satisfy you?" And I would challenge you to go out to the petitioners and give them that resolution and see if that does not clear up any possible doubt that they may have.

Now, the other issue that was mentioned, by the way, by the Minister of Labour and Manpower (Mr. Dinn) about the mobility rights, and about the preference legislation, you may have thought, Mr. Minister, that that happened to get into your resolution, but it did not. You did not think that that was important enough to put into your resolution.

AN HON. MEMBER: Now.

MR. WARREN: Right on.

MR. DINN: I cannot read.

MR. STIRLING: Who else does not think -

MR. WARREN: I know you cannot read. Do not tell us.

MR. STIRLING: - who else does not think it? One of the things that this government seems to be intent on is protecting

MR. STIRLING: people against themselves even if they do not want to be protected. For example, the Newfoundland Federation of Labour - and presumably the Newfoundland Federation of Labour represents the people in labour from all over this Province. You would think that they would represent labour. They represent them from all over this Province. But what did these people say about your local preference, these people who represent labour? They voted it down. They supported the position that as Canadians people have to have the right to travel anywhere in Canada. Now that is a political issue. In that case the Liberal Party and the Newfoundland Federation of Labour are in agreement. It just happens that with the fishermen we were in agreement on shared jurisdiction; it is a political difference of opinion. And that is not in the area of the sacred rights. So how could we put that into a resolution? Because we could not agree on that.

The person who drafted your

resolution -

MR. WARREN: Cabot Martin, I think.

MR. STIRLING: - you have to wonder did he really - and he said it was carefully drafted to get our support. If it was carefully drafted to get our support, then how come all these political issues were put into it?

It makes you wonder what was the real purpose, what did the Premier have in mind when he went on television and brought up those two points that were essential points, the sacred points?

MR. FLIGHT: Appealed to the bigots and prejudiced.

MR. WARREN: That is right.

MR. STIRLING: What was really behind it?

MR. WARREN: What happened to the Labrador boundary?

MR. STIRLING: I wonder was there any possibility

MR. STIRLING: that for all his great TV appearance for that whole week, was there any possibility that when he checked with the real people on that occasion that he goes out to South Brook to check his rabbit slips, I wonder did he find out that the -

MR. WARREN: And the prices.

MR. STIRLING: - I wonder did he find out that the people in South Brook said, "Boy, we are more concerned about the price of food. We are more concerned about getting jobs. We are more concerned about unemployment. We are more concerned about the state of our highways. We are more concerned about, if there is a snowstorm on the 18th. of November, we are concerned about getting our snow ploughed, but the Minister of Transportation

MR. STIRLING:

(Mr. Brett) does not intend to put on the snow clearing operation in full operation until the 15th. of January, sort of regardless of when the snow comes.' We then had to pass - I wonder does that qualify as federal or provincial jurisdiction, passing the law to say there will be no snow until January 15, because that is when they get their snow clearing operation -

MR. WARREN:

A P.C. resolution.

MR. FLIGHT:

It depends on who is trying to get through them at the time.

MR. WARREN:

Yes.

MR. STIRLING:

No, I think it has to do with phoney budgeting and phoney promises that say, "How much money do we have to spend? In that case, if we have only that much money to spend, we will start the snow clearing January 15th. If they get cut back, then maybe next year the snow clearing will only be from February 15th. to March 15th.'

MR. HODDER:

They did not put any white lines down in Port au Port this year.

MR. HOLLETT:

We soon will not have any Winter.

MR. STIRLING:

I wonder if it was just possible that when the Premier got his information-collecting body in operation, that the information that came back to him said, 'Look, people are not buying your anti-Ottawa stand, people do not really want you fighting with Ottawa, they really do not want you fighting with the federal people, we are part of Canada, we do not like the idea that you are part of Rene Levesque and Lougheed and whatever that group that is ganging up on Ottawa, we really are not very happy with you in that stance'. Because I had a member of the

MR. STIRLING: P.C. Executive from the West Coast say, 'Look, I have been in and I have been talking to the Premier and told him that it is just going all over the heads of the people, going way over their heads. They are not the least bit concerned about you and Pierre Trudeau fighting about whether or not you are going to bring the constitution home or leave it with the Queen, or, for that matter, they were not the slightest bit concerned about what the constitution was because they had heard it for years.' Was it just possible that they sat down and sort of said, 'What is it that we can hit? What is a nerve that is still alive in the average Newfoundlander that can frighten them?

MR. FLIGHT: Frighten is the word, too.

MR. STIRLING: 'What is it that can dredge up the worst fears about that Frenchman up there in Ottawa? Trudeau handling Quebec, and doing all the favouritism for Quebec, what is it that we can really get them turned on with with that?' And I do not know where it came from, but there are only two issues they could find. He said, "What about the denominational system of education and the Labrador boundary? What is better to sort of get into the minds of the average Newfoundlander than, 'Boys, there is something that you are going to lose!'

MR. ROBERTS: It reminds me of that great campaign by Frank Moores, 'This land is ours' - remember that? - in 1975. 'The land is ours'- was it?

MR. STIRLING: And three by-elections fought on the issue, Let us fight Quebec. So maybe that was dug out one more time.

MR. ROBERTS: And the hon. gentleman over there supports everything that Mr. Moores did we know, we agree. Too bad his friend from Mount Scio - St. John's North, I am sorry, and St. John's East -

MR. STIRLING: So what happened? Now, I do not know if there are any politics involved. I do not know if there was anything that sort of said, 'Well, this is one thing that the Liberals will never be able to support. The Liberals will never be able to take on the federal people on this issue so we are safe on that issue'. He had two concerns: Either he was really concerned about it, concerned about the two sacred rights, or he was picking some political, some deep sense that this fear that Newfoundlanders had could be stirred up all over again.

So let us look at it two ways: Let us just suppose he really was sincere. Now let us give him full credit. Let us suppose the Premier was really sincere and he said, 'Now listen, Newfoundlanders, I want everyone of you to support me.' And his closing remark called for it. By the way, he never did invite me to sit down and look at the resolution that he was bringing in, or look at the concerns, so I could only read back through his report - and I read it through, eight or ten times that he talked about the sacred rights.

MR. FLIGHT: It was more than that.

MR. STIRLING: So that is why, Mr. Speaker, we went through the resolution that the Premier had brought in and said, 'Look, it has so much politics in it. Let us take out the politics.' And we took out all the political things, and I would have said to the Premier,

MR. STIRLING: 'Look, if you want to bring in a resolution on the offshore, bring in a resolution on the offshore' because this House is already on the record supporting the ownership on the offshore. This party is on the record, and I said it at the leadership convention, 'We own the offshore,' so there is no difference on that. Bring in that resolution on the offshore. If you want to debate how you are going to implement it, we'll bring that in separate. But let us not confuse the political and the economic issues with the sacred rights. So we really worked hard because there are people in our caucus - I will tell you a secret from our caucus.

MR. TULK: No, you are not allowed.
You are not allowed.

MR. STIRLING: Yes, I am going to tell you a secret. I will speak softly, I will whisper so that the member for St. John's North (J. Carter) - there were some people in our caucus who said, 'They will grab it, they will vote for it right away because it is their issue. And, Stirling, you are going to look like you are being me-too. You have fallen right into the Premier's trap. That is what he wants you to do, is bring in that resolution. And finally he has got you both and he is going to be a hero. You have gone in and you have acknowledged, you have acknowledged that there might be some concern.'

MR. WARREN: Now, boys, what do you think of that, eh?

MR. STIRLING: That was the down side of this, and we insisted and said, 'No. Look, what is the decent

MR. STIRLING: thing to do as Newfoundlanders?'
The decent thing to do as Newfoundlanders is forget the political consideration, let us put that to one side and let us deal with the sacred rights and that is why we hammered out an ironclad resolution. If you support this resolution, you support this resolution now with us - as a matter of fact, if you want to you can take it back and call it yours, I do not care. Take it over there on the other side, if you would like to call it yours, we will support your resolution. We will put it in the name of the member for St. John's East (W.Marshall) and he would be delighted, or the member for St. John's North (J.Carter) or the Premier -

MR. WARREN: Yes, why not.

MR. STIRLING: - and then we will all be together.

Now, Mr. Speaker, let us look at where we are in Newfoundland right now, because I do not think that that is a-

MR. WARREN: We are on the Labrador boundary now.

MR. STIRLING: - serious problem and I think once you vote against it and we get it over with it will be very clear to the people of Newfoundland that it really was not a sacred issue that you were concerned about, it was just making politics and creating the fear because you did not think that we would support this kind of thing. We will get that over with and we will look at the real situation.

The Premier talked yesterday when he was giving all the background about the constitution, maybe we should look at what it is - and he talked about that in Quebec, there was a promise made to the people

MR. STIRLING: in Quebec that there would be some constitutional changes and the people in Newfoundland want some changes. The people in Newfoundland believe that we own the offshore - you believe it, I believe, on that side of the House and we believe it on this side of the House.

MR. WARREN: Right on! 100 per cent.

MR. STIRLING: We know that we need to make constitutional changes because -

MR. NEARY: You know who said it first that we own the offshore? Do you know who said it first?

MR. STIRLING: I suppose it was Joey Smallwood.

MR. NEARY: It was Joey Smallwood and the Liberal Party in this Province.

MR. WARREN: What?

MR. STIRLING: It has never been any different.

MR. WARREN: What? I thought it was Brian Peckford.

MR. STIRLING: It was Joey Smallwood's position when he was Provincial Government. It was Frank Moores' position, it was Brian Peckford's position and it is Len Stirling's position. It is everybody's position in Newfoundland and Labrador that we own the offshore.

MR. WARREN: Right on.

MR. STIRLING: It has never been any different. Now, what are some of the reasons that Newfoundland would want to have some changes in the constitution? What

MR. STIRLING: are some of the reasons that we would want to have the Constitution changed? Right now it cannot be changed. It would be interesting if somebody were to go back through all the Hansards and find out how the member for St. John's East (W.Marshall) and the member for Mount Scio (L.Barry) were talking before when it suited their purposes to be making a point on the offshore - 'Oh, you do not need anything done unanimously; unilateral is alright, it was done before, there is no problem there.' It would be interesting to go back and check Hansard and find some of those statements.

The truth of the matter is we now have a constitution over in England that we cannot change and we have been trying to change for a hundred years. We cannot change it unless we get unanimous agreement -

MR. CARTER: Poppycock. You are wrong.

MR. WARREN: He was over to England on the flag, see, so he must know.

MR. STIRLING: - and the Premier took an hour and fifteen minutes to tell us about all the agonizing trials and how it broke down.

MR. L. STIRLING: It broke down for this reason, for that reason; there have been about at least four or five different approaches, different attempts, a different formula agreed to about changing it. But always somebody says 'No'. Somebody always says 'No'; we cannot get unanimous agreement. So one thing I believe that is unanimous in Canada, unanimous in the House of Assembly, unanimous in Harbour Main if they are given the full story, is that everybody agrees that the constitution should be back in Canada. On that there is no doubt. Now the second thing is that if you have a constitution - now what is a constitution? Let us look at the constitution of the Liberal Party or a union or the Red Cross or the Status of Women or any other group that comes together as a body, they have either articles of association or a constitution. And there are times, from time to time, when you want to change the constitution. When you want to change the constitution, you have to have some method of changing it. Now normally in, say, a Red Cross group or a union you set right out in the constitution, 'That this constitution can only be changed at an annual meeting by a two-thirds majority' or some other formula. That is what is called the amending formula. There is a constitution and there is an amending formula. It says who can vote, who can change the constitution and under what circumstances. Now we have all agreed there is no debate about bringing the constitution back to Canada. And the next step is how do we change the constitution? For one thing we could all take the position of the Province of Newfoundland and say, 'Unless we get everything we want we will not agree to it' and we carry on for another 100 years without any changes. And the Minister of Trans-

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provinces, we believe you, we really do believe that you want to do something about it, so let us take two years' - the Premier was talking about maybe a meeting in January or February at which he could solve all these problems if he could only get that meeting. So the Prime Minister of Canada said, 'Look, you can have two years, two full years to work out an amending formula. Let us sit down and we can spend two years trying to hammer out an amending formula'. And then what? Well, what he said was, 'Look, at the end of two years you provinces and the federal government cannot work it out -

MR. STIRLING: because the Prime Minister may not even be around at the end of that two year period - 'that if you cannot work it out at the end of two years we cannot have a constitution that just then dies because you cannot work out an agreement to amend it or who can vote on it, then here is what is going to happen' - what he says in his formula is that here is what is going to happen: There is going to be the Legislatures from the West grouped together; there is going to be the next population size, Ontario, the next one Quebec and the next one the Atlantic area, and let us see if you can do it with a majority of the Legislatures, let us see if even that can agree. And then he said, 'Well, now, there is a possibility even there you cannot get agreement, so then let us go to a national referendum to establish an amending formula.' Well, what could be more reasonable? There are many issues which were in your first Resolution that instead of saying, 'Do not bring the Constitution back,' you should be saying, 'Let us get the Constitution back and in that two year period let us get working on all of those things.' We will support you on the offshore, we will support you in two or three other things that you have in there, but there are some political things in there that we are going to have some disagreement on.'

So it would seem, Mr. Speaker, that what we are saying on this side of the House is let us separate out these sacred issues and get those put beyond the Parliament of Canada. Let us get these under the control of the House of Assembly. Let us all agree on that. Then let us bring back the Constitution, bring it back to Canada. And then let us set up a series of constitutional meetings, meetings that we will support you on certain things that you would like to have as benefits for Canada, some other ones we will suggest, and we will debate some others and we will disagree on some others.

MR. STIRLING:

But let us set up a series of constitutional meetings once the Constitution is back in Canada, agree on an amending formula - if you do not like this existing one, then you have two years to change it. Change the amending formula if you do not like it. Thousands have tried a better one and have not come up with one, but let us try it in the two years. Let us get on with some changes. Let us bring in some of the things that you are talking about. We cannot do it as long as you are fighting about it, fighting over in England. Let us bring it back, let us make those changes. Let us agree to a new amending formula, you have two years to do it. If you cannot agree then there is one imposed. Now, what else can we do? What else of a positive nature can we do? It seems that there is not a lot of consistency on the government side.

A year ago there was a difference between the Government of Newfoundland and the - let us say it was not clear on this question of ownership, a difference between what Prime Minister Trudeau was prepared to say and what the Government of Newfoundland was prepared to say. In this case, Mr. Trudeau shrugged and said, 'Well, take it to court.' 'No, we do not like court.' Now, in this set of circumstances it seems as though when we are in a situation where we are talking about the Constitution, the government has taken the position that we are going to take the federal government to court, we are going to try to prevent them because we think it is illegal. And maybe what we should do is suspend this whole discussion and suspend the advertising and suspend all the debate, because the government say they are going to go to court. The government says, 'It is a simple thing, it is illegal - we are going to go to court and prove that you are wrong.' So maybe we should suggest, 'Well, look, let us back off on it. If you are going to use that route,

MR. STIRLING: settle it in court and then we will see whether or not when the Constitution comes home there are other things for us to debate.

But what are some of the other things we can do in addition to going to court? There is a committee sitting right now, a committee hearing briefs, a committee that is prepared to look at wording, look at changes, look at amendments. Has this Province made a presentation to that committee? Have they asked for time to go to that committee? Maybe we should have a joint committee of the House.

MR. STIRLING: Let us see on these things, these things that we can agree on, the sacred rights. Do not forget, we never dug them up. This is not our cause. This is not our resolution. The person who put the finger on those sacred rights was the Premier - it was the most important thing that ever happened in Newfoundland. He took the TV time and he said, "Those are the two sacred rights." And now on this side we are agreeing and we are putting into a resolution, we are putting this in the form of a resolution that cannot be - if the resolution does not go through, if they do not make the changes, what we are saying in here is that we will not support patriation of the Constitution.

MR. PATTERSON: Will you resign?

SOME HON. MEMBERS: What? What?

MR. STIRLING: Of course, if this House will give unanimous support to this resolution - let us just go one step at a time. I have no doubt -

MR. PATTERSON: Will the hon. member permit me?

MR. STIRLING: Of course.

MR. PATTERSON: I was interested in your remarks. Now that you have already conceded to us that you are supporting 50 per cent of the resolution - there are five points in it; now you are supporting two: Would you support the other three?

SOME HON. MEMBERS: Oh, oh!

MR. PATTERSON: In this resolution we have Fisheries, we have jurisdictional control and you people are singling out the boundary and education.

MR. SPEAKER (BUTT): Order, please! The hon. Leader of the Opposition.

MR. STIRLING: Mr. Speaker, the member normally asks a very serious question and that is why I have always given up the floor to him before. I would like to ask the member to take a look and go back to what the Premier said, and we look down through the whole thing and we pick out the political questions on which we have to have political debate, and separate them from the sacred rights, which is all

MR. STIRLING: that the Premier talked about that night on television, and we have picked out those rights that are above politics and those are the two things that we put in our amendment. And then, Mr. Speaker, let us get back to what it is that we can do about it. We have a Committee sitting. There are people from all over this great Dominion of Canada who are making presentations. Some of them are very strong presentations and others are relatively minor, but the Committee is hearing everybody. Because if we start to put all this in proper context, if we start to put it all together, what is it that we are really talking about in Canada? Because, Mr. Speaker, it was not only the Prime Minister of Canada who made some promises to Quebec. Every Newfoundlander made promises to Quebec. Every Newfoundlander said there will be a new constitution, that there will be a fair and a new Canada and Newfoundland wants to get its fair share of this new Canada.

MR. WARREN: Right on.

MR. STIRLING: Newfoundland has said, as the Western provinces have said, "The present constitution is not satisfactory." Everybody said it. There was a long Summer in which something was trying to be done about it. Well, Mr. Speaker, in this Province the vast majority of the people want to be Canadians. They are proud of being Canadians. They are proud of being Newfoundlanders.

MR. HODDER: Canada has treated them good.

MR. STIRLING: There are no doubts in anyone's mind on these two sacred rights, though, that every Newfoundlander and every Labradorian stands together, that we want to have unanimous support from this House. Now, Mr. Speaker, I am going to sit down in a minute or two. I think my time is just about up. And if the Premier, wherever he is, and it is too bad that he thinks that this is such an important matter and he has not been in the House - I did him the courtesy of

MR. STIRLING: listening to ever word he had to say but he does not consider this important enough to be in the House to discuss and debate this very important resolution, by his definition the most important thing that has happened in his lifetime, by his definition, these two sacred rights. Now in a couple of minutes, when I sit down, if we are serious in this House about removing or ever again making any suggestion that there are things that we can take out of the political realm, that we can say that there are some things that you cannot, some things that are too sacred

MR. L. STIRLING: to play politics with and if these two issues that the Premier brought up on television, these two issues - one, the boundary and the second issue, our denominational system of education - and we have taken a stand, a very clear and decisive stand, you can remove the other things, the political things, and we will debate those later if you wish to debate them, but, Mr. Speaker, I have talked to the members of our caucus and if you are in agreement to support this we will not debate it any more. The Premier has made his opening remarks, I have made my opening remarks; if you agree, we will now allow this to go an immediate vote and this will be the end of the subject. You can bring in other resolutions dealing with the political matters and we can debate those on which we have no agreement. But let us take this issue and let us get it resolved immediately - those two sacred issues - because we are running out of time. If we do not pass this immediately we will have run out of time and we will debate on past the deadline, Let these two sacred things be dealt with immediately, have no more debate on them -

MR. HOLLETT: Like true Newfoundlanders.

MR. L. STIRLING: - put them through in the tradition that the Premier kicked off this debate -

MR. WARREN: Like fighting Newfoundlanders.

MR. L. STIRLING: - yes, Newfoundland is counting on you -

MR. WARREN: That is right.

MR. HODDER: Then they bring in another resolution.

MR. L. STIRLING: - then bring in another resolution that we can debate -

AN HON. MEMBER: Show your intestinal fortitude.

MR. L. STIRLING: - political thing

SOME HON. MEMBERS: Hear, hear.

MR. WARREN: Right on.

SOME HON. MEMBERS: Oh, oh.

MR. L. STIRLING: - let us get on with the political kinds of debate.

SOME HON. MEMBERS: Oh, oh.

MR. L. STIRLING: But the two sacred issues that you have identified, let us vote for that unanimously, let us agree on what we can agree -

SOME HON. MEMBERS: Hear, hear.

MR. L. STIRLING: - even my colleague from Placentia (Mr. W. Patterson) said, 'Look, you have already agreed on two out of the five,' Let us agree on the, let us take the two and agree on them, bring in your other resolution to deal with the other matters and we will debate those because they are political questions, so let us do the two, let us get that out of the way, there can be no difference amongst us on that, and then we will have no further debate, let us get that off and we will go on to the other resolution.

MR. HODDER: For the sake of Newfoundland.

MR. L. STIRLING: Mr. Speaker, we are very concerned on this side; we would like to have this subject put beyond political debate and we would urge the members on the other side to let politics stand aside and to stand up and as one person we will unanimously support the resolution that brings in these two sacred rights, the great concerns that the Premier have developed throughout the Province, Let every Newfoundlander and Labradorian know that in this House of Assembly on those two we are not playing politics and that we are all in total agreement. Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear.

MR. SPEAKER (Baird): The hon. House Leader.

SOME HON. MEMBERS: Hear, hear.

MR. W. MARSHALL: Mr. Speaker, before getting into the matter before the House, I would like to, since this is the first occasion that I have had an opportunity to speak since the House reconvened other than on points of order from time

MR. W. MARSHALL: to time, to extend my congratulations to the hon. the Leader of the Opposition (Mr. Stirling) for his election to the head of his party and as Leader of the Opposition, of course. To be elected as the head of any political party is a signal honour and I certainly would like to extend to him my congratulations and best wishes for his time in office as Leader of the Opposition. Now, Mr. Speaker, having said that, I have now to address myself to the remarks made by the hon. gentleman because the way in which I will address myself to my remarks will not be really in the same terms and the same temper as the first words to which I referred. He refers, Mr. Speaker, to all - let us say he wants to segregate the sacred rights. He wants to identify these two rights as being vital. I would say to the Leader of the Opposition and his colleagues on the other side of the House that perhaps he might like to go out and tell the young Newfoundlanders in this Province who we have been attempting to get jobs for and have been very successful through our local preference policies, that the local preference policy is not a sacred right that they have. Perhaps he may wish, Mr. Speaker, to tell the people in Newfoundland that the confirmation of our offshore rights are not sacred rights. Shared jurisdiction in the fishery -

MR. WARREN: Not sacred rights.

MR. W. MARSHALL: our right to transmit power -

MR. WARREN: That is not sacred.

MR. W. MARSHALL: That is not sacred, no. The hon. gentleman opposite -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Simms): Order, please!

MR. W. MARSHALL: -his Leader made that quite clear.

Mr. Speaker, last Saturday there was an editorial in the Evening Telegram which I thought was well taken and it was

MR. W. MARSHALL: entitled 'Province or Politics' and the question was whether or not this House could unanimously endorse the resolution that was brought in by the Premier to put aside political matters and put their Province first. I think the editorial writer of the Evening Telegram today has his answer because the response given by the hon. the Leader of the Opposition had to be grained and motivated by political considerations. In this particular resolution that we brought before this House, Mr. Speaker, it was drafted very carefully.

MR. MARSHALL:

It was worded with temperate language. It was deliberately worded with language that we thought everybody could support. We realize the hon. gentlemen there opposite are members of a party which forms the Government of Canada, so there was no attempt to put inflammatory words in this resolution, in the hopes that all of the House, including themselves, could support it, and support it as Newfoundlanders, unanimously as Newfoundlanders.

Very sadly we see that that is not to be the case, and we have our answer in this particular amendment which has been posed, which, as was noted by the hon. the member for Placentia (Mr. Patterson) in his question to the Leader of the Opposition a few moments ago, ignores basic rights, sacred rights, vital rights to Newfoundland. It makes no mention, Mr. Speaker, of the fishery, no mention of offshore. It ignores the hydro situation. It ignores the jeopardy to the preference policy which has been adopted in this Province by this provincial government and is cast in jeopardy by this resolution, and it certainly ignores the fact that amendments can be made to the constitution without the consent of this Province.

Now if the hon. gentleman does not think they are important, if he does not think they are sacred, I think the hon. gentleman had better think again.

SOME HON. MEMBERS:

Here, here!

MR. MARSHALL:

On this particular resolution let us make it quite clear as to why we cannot support the amendment. This amendment first of all says, "That the House requires and requests the Parliament of Canada to take such steps as are necessary to amend the resolution, to ensure that the Constitution of Canada contains provisions adequate to ensure that the territorial integrity of Newfoundland and Labrador,

MR. MARSHALL: and the denominational system of education cannot be altered without authorization of a resolution of this House."

Now, Mr. Speaker, our resolution encompasses much more than this. This amendment, as the hon. member for St. John's North (J. Carter) indicated, is mealy-mouthed, it is weak. We do not say to the Federal Government or any government, 'we leave it to you to engrain protection for the people of this Province and we will go along with you if you promise to do it.' We want to see that amendment, we want to see the amendment on the Table of this House and we want it recognized that we are a party to this agreement and we have the right to assent to this amendment.

If they want to really protect the integrity of the boundary and if they really want to protect their educational system, all they need do is leave the constitution in those respects as it presently is, that is all, because we have this guarantee, we have had this guarantee since 1949, but the most objectionable part of the resolution, Mr. Speaker, which I think bespeaks it all for the Opposition, is where it says "Subject to such amendment being made, this House supports and endorses the proposal to patriate the constitution of Canada." In other words, Mr. Speaker, everything is okay if these two items are put in, we will support the patriation of the constitution we are not concerned with anything else, we are satisfied.

AN HON. MEMBER: Read it.

MR. MARSHALL: They are satisfied then, Mr. Speaker, I ask them: Are they satisfied to give Quebec

MR. MARSHALL: and Ontario a veto in the constitution?

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Baird): Order, please!

MR. MARSHALL: Are they satisfied, because that is what the constitution does? The hon. Leader of the Opposition says if we cannot agree in two years then this one is imposed. Well, you can jolly well be sure they will not agree in two years because the Federal Government have taken the opportunity to attempt to give to Quebec and Ontario a veto first off which Quebec and Ontario are not going to give up too lightly, so that is what we are going to be saddled with.

So they are satisfied, Mr. Speaker, they are satisfied to patriate the resolution, taking away our rights with respect to the amendment to the constitution. A constitution is nothing, it is an empty document unless it protects minorities: This Province is a minority, it is a geographical minority.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: The Federal Government took steps, and we agree with the Federal Government taking steps, to protect the French minority in

MR. MARSHALL:

Canada, although there is debate as to whether they are doing it properly or not. We have no objection with that, but what about the geographical minorities, Mr. Speaker? What about the minority of Newfoundland and Labrador? I remind you, Mr. Speaker, that there is a paper that was filed in the House of Commons by Mr. Guy Favreau in 1966 which indicated, and specifically said, that the Constitution of Canada with respect to federal/provincial relationships cannot be changed without consultation with and the agreement of all of the Provinces. This particular principle was recognized, has been recognized time and time again, but sadly, today, it is being swept under the table.

Newfoundland, after this resolution comes into effect, or if it does, is going to be an unequal province in Confederation, and let there be no doubt about that. Newfoundland will no longer have the right to veto, it will no longer have the same rights as Quebec and Ontario, and I do not think that that is - surely that is not acceptable to any Newfoundlander, be he Tory, Liberal, NDP or whatever he may be.

So they say they are satisfied, Mr. Speaker. Are they satisfied, then, to see the 1,000 jobs that were provided for young Newfoundlanders this year, are they satisfied to see those disappear? Because that is what will happen. There are mobility rights in this constitution, Mr. Speaker, and those mobility rights are aimed directly at the preference policies of this government. Every Canadian has a right to work. This is the way in any part of Canada.

Now, it is rather unusual that it be brought up at this particular time. We have suffered in this Province for years where you could not get work. Newfoundlanders could not get work in Quebec

MR. MARSHALL: without work permits.
There were no mobility rights talked about at that particular time; we did not hear them talked about, we did not hear them enforced. But we have a local preference policy now, we have a chance for young Newfoundlanders to gain experience in a new industry, and what do we see? We see an amendment striking right at the heart of this policy by the federal government, and I ask Newfoundlanders, whether they are Liberal, Tory or NDP, whether, really, they can support this.

I want to emphasize, because there is a lot being said about this preference policy, Mr. Speaker, that we are not trying to erect any barrier or any wall around Newfoundland, that is not the purpose of it. Last year -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Baird): Order, please!

MR. MARSHALL: Mr. Speaker, last year there were thousands of Newfoundlanders who went to the rest of Canada to work, and there were thousands of Canadians who came in here, and they were not obstructed. All we are trying to do with this local preference policy, Mr. Speaker, is to give the young Newfoundlanders in this Province a chance to get employment. And I can give you, Mr. Speaker, an example of how that works:

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

The member has the right to be heard in silence.

MR. MARSHALL: I remember, Mr. Speaker, and I can recount this to the House - I will not mention the name of the company - but I can remember one of the drilling companies, a little over a year ago, which was drilling in this Province. And they came and they took out the crying

MR. MARSHALL: towel and they said, 'Oh, no, we cannot use your preference policies. We are drilling in deeper waters than have ever been drilled in before; what happens if there is a blowout? What happens with the fishery? After all, we have to have experienced people.' And they really were bearing in hard on this. So if you get a representation like that you do not take it lightly, you look at it. We looked at it and examined it and we said to them, 'Very sorry, the preference policies are in effect and you are going to hire young Newfoundlanders'. Now, subsequently that particular rig left - it was a dry hole, there was no find - and it is over in the North Sea, or somewhere else, I do not know where it is now, but not too long ago, about a month or two months ago, these same people I was talking to, the executives of the corporation, and I said, 'How did the Newfoundlanders make out?' And they looked at me as if I had ten heads and they said, 'They made out great, why? Why would you ask such an unusual question?' They said, 'As a matter of fact, a certain number of them are still on the rig in the North Sea and they are working'.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: Now, Mr. Speaker, that is what we are trying to do. We are just trying to get young Newfoundlanders the right to have the experience. Every young person going for a job knows what it is like when they apply for a job.

MR. WARREN: It is a (inaudible).

MR. SPEAKER (Baird): Order, please!

MR. MARSHALL: The first question that is asked is, 'What experience have you?' And they are shut out because they have no experience. And I repeat, it is not this administration's intention to try to erect a barrier

MR. MARSHALL: striking down, of striking down forever and a day, our ability to be able to do it.

MR. NEARY: A red herring.

MR. MARSHALL: It is some red herring! It is a red herring, all right, because red usually connotes when somebody is in debit, and we are very much in debit on the work force and our rights to employment in this Province.

MR. NEARY: Who gets the \$2 an hour for every hour they work?

MR. MARSHALL: And now, Mr. Speaker - so the Leader of the Opposition is satisfied. He is also satisfied with the situation with respect to our offshore rights. Now, we do not speak about gaining our offshore rights, we say that we want our offshore rights confirmed. This particular proposal does not touch upon these rights, and for the life of me I cannot see, myself, how any red-blooded Newfoundlander in this particular context of our times can support a government which is prepared to lead in changes to the Constitution which suit itself, but at the same time are taking away from us our very basic rights. What is the answer we get? The same answer as the Leader of the Opposition gave us a moment ago - take it to court. Why should we take it to court? We are in a country. They talk about confrontation. If there is a political will, and there should be a political will to do it, all it requires is the agreement of the federal government. We had it before, about nine months ago. That is all it requires; the same thing that was done in the 1930s with respect to resources, by agreement. It is absolutely and completely essential to this Province that we obtain it. As I say, I find it very difficult to see how anyone can fail to support a measure which urges the federal government to see that our offshore rights are confirmed.

MR. MARSHALL: I could go on on the other. What about the denial? What about the continued denial of our rights for the transmission of electrical power? What about that? They are satisfied with that.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (BAIRD): Order, please!

MR. MARSHALL: The hon. gentlemen are perhaps satisfied with it because we have the morass that we have right now because this was the hon. gentleman's type of thinking in the 1960s when that particular contract was signed. Well, we are not satisfied with that.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: There is a right, and a real right, in the Constitution of Canada, and we have a right as Canadians. Surely, we have the right as Canadians in this nation, the same rights as other people, the right to transmit our power, to market our resources, not to be tenants in our own land, to give young people employment. Now, if the hon. gentlemen there opposite are satisfied with this, perhaps they had better call public meetings throughout the Island and explain to the numbers of unemployed young people around as to how and why they are satisfied to leave the status quo as it is and not take a dramatic action or an action when the opportunity has been presented before them.

Now, the hon. the Leader of the Opposition has misread, by the way, I want to point out, this Resolution, because he can only see things, I suppose, if they are right before him. But the Resolution that we asked for their support, 'We support the patriation of the Constitution, but strenuously object to the present intent of the federal government to unilaterally request the Government of Canada to first cause the British North America Act to be altered.' Now, that includes a myriad of things. The hon. gentleman said mobility rights were not covered. Mobility rights are covered

MR. MARSHALL: in that very thing. This is the very reason why we do not want them to change the Constitution as it is presently proposed, because it will shoot down the preference policy and other things, but particularly that preference policy which is so necessary to provide jobs for the young people of this Province.

So they are satisfied, they are very self-satisfied with their situation.

As far as I am concerned, I regard - and I really mean this - I regard this amendment to this Resolution as being nothing more, if it were viewed in history in years to come and we passed their amendment - what would be happening would be that people would say the Legislature of this Province sold out the people of Newfoundland, and we are not prepared -

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: - we are not prepared to sell out the people of this Province. So that is why we are not supporting their amendment.

SOME HON. MEMBERS: Oh, oh!

MR. MARSHALL: Now, Mr. Speaker, I want to address myself, because I only have a few more minutes, to a few remarks that are made from time to time when we take these positions, because I would like

MR. MARSHALL: to explain why we take these positions. And, you know, they are very, very practical, they are bread and butter. They involve employment, they involve the generation of wealth from our resources to be able to sustain some reasonable degree of social level in this Province that we have never been able to attain before. And all we are asking is that we get a chance to be equal with other Canadians.

But when we make these statements, we get certain replies and the replies usually go along the line, and they have been creeping in from time to time, and I will hear the hee haws when it is said, that we are anti-confederates, that we are against Canada. You know, since when has it become anti-Canadian or separatist just to assert your rights within Confederation and to ask for equality?

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: If that is so, Mr. Speaker, there are many people in Ontario and Alberta and British Columbia and everywhere who are anti-Canadian. And I find that rather distasteful. I think the hon. member for Burgeo - Bay d'Espoir (Mr. Andrews), yesterday, when he was speaking in a debate - and he made a real good speech as he always does - alluded to this and he said that he does not particularly appreciate these kinds of comments because, really, what they do, they smack of allegations of disloyalty to your country, or to treason or what have you. And I think the level of debate, and their level - if they cannot reply in substance, Mr. Speaker, they should not try to raise - they talk about red herrings - try to raise -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Baird): Order, please!

MR. MARSHALL: - these rights.

MR. STIRLING: You ought to check your own Hansard before you say that.

MR. MARSHALL: I find, Mr. Speaker, as I say, that most distasteful. Now, the hon. gentlemen there opposite, make no wonder, if that is the attitude of people who really want to go cap in hand - of course, they had plenty of practice at going cap in hand; they went cap in hand and they dumped the whole proceeds of the collection plate and the whole works in the laps of Ottawa in times before.

SOME HON. MEMBERS: Now! Now!

MR. SPEAKER (Baird): Order, please!

MR. MARSHALL: And what we are trying to do is conserve it for the people in the future.

MR. BUTT: That is right.

MR. MARSHALL: I would also, Mr. Speaker, like to make an observation as well about certain statements that are made throughout Canada from time to time by representatives of this Province, on the Liberal side of the House, and in particular with the hon. William Rompkey, and some of his statements that he makes.

SOME HON. MEMBERS: Oh, oh!

MR. STIRLING: Oh, now, that is outside.

MR. MARSHALL: This is not outside. Mr. Rompkey -

SOME HON. MEMBERS: Oh, oh!

MR. MARSHALL: No, it is very, very relevant.

MR. STIRLING: It is not fair.

MR. BARRETT: Disassociate yourself with Rompkey.

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: I suppose I know Mr. Rompkey certainly longer than most people in this House, I went to school with him. He was a year or two behind me in school.

MR. BARRETT: Shame! He is a lot longer than that behind you now.

MR. MARSHALL: As a matter of fact, I am very aggrieved by his statements, from time to time, I cannot understand it, and I can only think of the old adage, 'Those whom the Gods will destroy, they will first make mad'. Because that is the type of statement that the hon. gentleman is making. When the hon. gentleman goes around and starts talking to the rest of Canada about how disgraceful it is for the provincial government to be asserting the rights of Newfoundland, when look at all the money that we got over a period of time. He said that in British Columbia not too long ago.

Well, I have news for Mr. Rompkey. I do not think anybody in Canada adopts that type of concept of citizenship, because what he is saying is, in order to gain full citizenship in Canada you first have to pay a price. And I do not believe that. I know that is not accepted by the people of Canada. I find it embarrassing, Mr. Speaker, that these statements are made. I think that our representatives outside of this Province, really, they should be standing with us. And when allegations are made about treasonous anti-confederates and all the rest of it, all I will say is I fail to conceive how these gentlemen can be acting in the best interests of the people of this Province. How, possibly, can they be acting in the best interests of this Province when they flank the Prime Minister with great glee when he turns down our request for a rightful confirmation of the offshore? How can they be acting in the best interests of the people of this Province, Mr. Speaker, when they co-operate and they espouse a policy that has been set forth in this resolution, which is inherent in this resolution about mobility rights, when they know that that is aimed at the Peckford preference policy which has

MR. MARSHALL:

this Province, Mr. Speaker, when they sit back, mutely back while we continue to be denied our vested right as Canadian citizens to transport power through other provinces of Canada? We well know, Mr. Speaker, that if Newfoundland were between Quebec and Ontario, and Quebec it was that had the resource, you would have to take the children off the roads in Newfoundland for the sake of the construction equipment that would be going through to run the lines through, there would be no question.

SOME HON. MEMBERS:

Hear, hear!

MR. MARSHALL:

And neither should there be any question. And there should not be any question, Mr. Speaker, for the people of this Province. But very, very sadly by supporting measures like this when they have it in their hands, those five Liberal members - five Liberal members in the House of Commons voting against the government, I remind you, Mr. Speaker, amounts to ten votes. They have a particular weight that they can exercise, and I say they have a particular responsibility if they want to act in the best interests of Newfoundlanders.

SOME HON. MEMBERS:

Hear, hear!

MR. MARSHALL:

So, Mr. Speaker, we are not going to support this amendment to the resolution. The amendment of the resolution is posed for political purposes to try to get the hon. gentlemen there opposite to escape the necessity of facing the grim realities of this Province, of facing the fact that we have to have local preferences to provide for jobs in this new industry, that we have the right to our offshore, that we have to have shared jurisdiction in the fisheries, that we have to have all the other rights that we have asked for from time to time. So they are trying to hide from this, Mr. Speaker, but we are not going to allow them. What we are going to do, we are going to vote against the amendment for the reasons I have given, and we are going to invite the hon. gentlemen to reconsider this temperate motion

MR. MARSHALL: as opposed to the other motion that would paint us, as I say, for generations as having sold out Newfoundland. And I would ask the hon. gentlemen, in sober reflection, perhaps, over the evening, to consider the terms, to consider the consequences, to consider the reasons why we bring this in, and to do what they possibly can to urge their fellow colleagues in Ottawa to stand up and be counted for the people of this Province.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (SIMMS): Order, please!

Pursuant to Standing Order 31 (h) it being five o'clock I now can inform the House that I have received notice of two motions for debate at five-thirty when a motion to adjourn will be deemed to be before the House.

Notice is given by the hon. member for Eagle River (Mr. Hiscock) arising out of a question asked the hon. Minister of Transportation (Mr. Brett) and the subject matter is the Straits Road. And notice, as well, given by the hon. member for LaPoile (Mr. Neary) arising out of a question asked the hon. the Premier (Mr. Peckford) and the subject matter is the Come By Chance oil refinery.

The hon. member for the Strait of Belle Isle.

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: Originally my colleagues asked me to speak following - we did not know it would be the gentleman for St. John's East (Mr. Marshall), but whoever was to speak for the government in this matter. And I think I am not breaching any oath of secrecy, or any undertakings when I say that the reason I was asked to do that was so that I could discharge the traditional function of he who gets to speak after the government state their position, and that is to reply to anything that might have been said of any importance or any note. I would be happy to do that. The only trouble was the gentleman

MR. ROBERTS: for St. John's East (Mr. Marshall)
said nothing of any importance.

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: I made some notes and I could quibble or quarrel but to do that, Sir, would be to engage in the type of tactics that he engages in and I have only got half an hour, I am not going to be sidetracked. As Mr. Diefenbaker once said in the House of Commons, "When I am after elephants I am not going to be worrying about rabbits". So my friend from St. John's East and I will have to have another go another time, perhaps when the main motion comes back on, or perhaps at another appropriate time if the rules would permit. I will content myself with simply saying that having listened to his speech-he quoted an ancient Greek adage that 'Those whom the Gods would destroy, they first make mad.' I was reminded of the line from Shakespear that 'Me thinks the man doth protest too much'. And when he told us time and time again of how pure his motives were and how impure everybody elses motives were, I was reminded of that and I will simply leave it at that.

MR. ROBERTS: He might, however, wish to consider that the Premier's resolution - I assume my friend from St. John's East (Mr. Marshall) was consulted in drafting it. It bears the marks, the undisputable and unmistakable handiwork of my friend from St. John's East. Anybody reading it would be willing to bet, say, a case of champagne, a wager that is of some value, and sometimes win and sometimes lose on that, Your Honour. But anybody reading the resolution would feel that my friend from St. John's East had some input into it, simply to put it at that. That resolution, interestingly enough, makes it quite obvious that this government do not believe in something in which we do believe and that is that Newfoundland and Labrador own the offshore rights. Hon. gentlemen opposite say they believe in it but when it comes to the crunch, Sir, they do not act as they say. And I notice that the Premier's resolution asks that there be confirmation of provincial rights. Sir, we do not need confirmation of our rights; we own them. We do not need anybody to tell us we own them; we own them now.

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: Hon. gentleman opposite apparently are not prepared to put that belief to the test. They are doing everything they can. They have scuppered one Prime Minister, the Rt. Hon. Mr. Clark.

MR. WARREN: He was not there very long, was he?

MR. ROBERTS: He was not there very long, and one of the reasons he was not there very long was with friends like he had, the hon. gentlemen opposite, he did not need any enemies. They have scuppered one Prime Minister and now when another one says to them, "Put it to the test" - that is all Mr. Trudeau has said. I am not here to speak for Pierre Trudeau. He is more than capable of speaking for himself. He came to the university during the election and he said in crystal clear fashion where he stood and he said, "Put it to the test".

MR. ROBERTS: And hon. gentlemen opposite, hon. ladies opposite, have been curiously reluctant to put it to the test, and now we know why. And this resolution moved by the Premier makes it crystal clear why.

Mr. Speaker, I do not want to talk about the resolution because I think the Premier's resolution is a very bad one and that is why I am going to vote in favour of the amendment moved by friend from Bonavista North (Mr. Stirling), and that is why I hope that hon. gentlemen opposite will rethink their partisan position - and I suggest their position is a partisan one - will rethink it and come to the point where they will support the resolution put by my friend from Bonavista North, the Leader of the Opposition, and will make it a unanimous expression of the view of this House so that it could be carried up this week to Ottawa and put before the Committee, the Joint Committee of the Senate and the House of Commons that is now seized of the constitutional matter.

Our amendment, Sir - and my friend from Bonavista North laid it out in admirable fashion and I do not intend to go over - I do not need to go over what he said, he said it clearly and concisely - but our amendment would achieve two purposes: First of all, it would state in unmistakable terms where this House stands with respect to these two issues that the Premier has raised; the question of the denominational system of education as it now exists in this Province, and the question of the territorial integrity of this Province. Now, I will come back in a minute to talk about each of those in a little more detail, but let me say that our amendment, the amendment put forth by my friend, the Leader of the Opposition, would make it quite clear where this House stands. The language is strong. The language is very strong and very firm. "This House requires and requests that the Parliament of Canada take such steps as are necessary to amend

MR. ROBERTS: the resolution to ensure that the constitution of Canada contains provisions adequate to ensure the territorial integrity of Newfoundland and Labrador and that the denominational system of education cannot be altered without the authorization of a resolution of this House."

AN HON. MEMBER: (Inaudible).

MR. ROBERTS: Now, Mr. Speaker, let me say a word to my friend from Mt. Scio (Mr. Barry) because scum always rises to the top, and let me say a word to him before he rises any further than he has. I listened to my friend from St. John's East (Mr. Marshall). He said very clearly how deeply he was hurt - I noted the words down somewhere - how deeply he was hurt when people got up and questioned - called him a separatist or something. And I must say I had some feelings when the gentleman from St. John's East said that. What went through my mind was an incident in this House about a year ago, and I wondered where the gentleman from St. John's East was then, when I

MR. ROBERTS: was called a traitor by the gentleman from Mount Scio who has never - St. John's North (Mr. Carter), I am sorry, St. John's North - who has never had the good grace to apologize. I have always considered him a gentleman. I have always dealt with him in confidence. I can recall once when he came to my home, at his request, in confidence and I treated that matter as confidential and I will still because I believe in keeping my word when I give it. Although the hon. gentleman would agree if I had broken my word on that occasion he would have been mightily embarrassed, mightily embarrassed in a political sense.

MR. NEARY: He would have been flung out of the Cabinet quicker than you could -

MR. ROBERTS: No, he was out of the Cabinet, boy, he had been flung out. That is perhaps why he came to see me. But, Mr. Speaker, I simply say to him that I would ask him to stay silent during what I have to say. I have little enough time. The rules of this House allow me a few moments, I will use them and let him stay silent. If he does not like what I say, let him leave. By leaving, Sir, he will improve immensely the intellectual level of this House. So let him leave -

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: - if he is not prepared to abide by the rules. He might also wish to have a word with his friend from St. John's East (Mr. Marshall) if you want to talk about how men and women can debate issues seriously. I do not particularly like being called a traitor and, I must say, it annoys me, but it would annoy me immensely more if it came from someone for whom I had any respect at all. So I say to my friend from St. John's North at least, if he is not prepared to do me the courtesy, at least let him do the House the courtesy of observing the rules.

MR. ROBERTS: Now, Mr. Speaker, as I was saying, our amendment will achieve two purposes: One is to make crystal clear where this House stands with respect to these two issues that the Premier raised in his infamous television address. The second would be to approve the initiative being taken by the Government of Canada to bring home to Canada our constitution, to provide an amending process and to entrench a bill of rights. Let us be very clear. I do not know, I assume every hon. member in this House has read the resolution, some may have even understood it. But let me say, Mr. Speaker, let it be understood by all that the initiative of the Government of Canada would achieve three separate aims. They may be related one to the other but they are separate and distinct. One is to bring home our constitution so that we in Canada can become like every other self-governing nation in this world and that is to have the power to amend our own basic law within our own country. I know it is only a formality to go to Westminster. The British Parliament will pass whatever the Canadian Parliament asks them to pass. They have no choice and they have no desire.

MR. NEARY: We still have to go though.

MR. ROBERTS: But as my friend from LaPoile (Mr. Neary) says we must still go to Westminster. It is a remnant from colonial days. And I say that the government ought to hang their heads in shame that they think we should go to Westminster on bended knee to ask them to intervene in the matter that is Canadian.

SOME HON. MEMBERS: Hear, hear!

MR. ROBERTS: I am a Canadian. We are part of Canada. If hon. gentlemen opposite wonder why we sometimes think that they perhaps are Separatists, it is when they do things like this or acting like - oh, that is not parliamentary - they are acting like a bunch of illiterate, ignorant, outside the law who believe they have got to go to another country's parliament. We can solve our own problems in Canada as

MR. ROBERTS: Canadians. The second thing the Government of Canada's initiative would do is to entrench a bill of rights. And I will deal with that in a few moments, in a little greater length, to say what I think about that and how I am unable to understand how any person can be against that. Perhaps against the words. In fact, I have no hesitation in saying that the Government of Canada are going to have to amend the words. The hearings before the Parliamentary Committee in Ottawa, the joint committee, made it crystal clear that the words that stand in the resolution need immense improvement. And that surely is the reason why they are before the Committee and why people have come forward. There has never been a draft written, I would counsel the Premier and even his colleagues - even the Premier ought to realize that even his words could be improved upon. The Premier does not realize that but he ought to. But I do not see how anybody could be against the principle of entrenching a bill of rights. What does it do? What radical move is it? What dangerous move? Why, for example, it would prevent us in this House doing something which we can now do.

MR. ROBERTS: We can vote by a majority never to have another election in Newfoundland or extend the length of this House of Assembly.

The British North America Act has some provisions on it. We could act in this House to wipe out all property rights. We can do any number of things. We could wipe out in this House anything within the legislative competence of the Province as spelled out in Section 92 and the other sections of the B.N.A. Act that are relevant to provincial powers.

Ottawa, within its competence, can do anything, can take any action that is within its purview. The effect of the Bill of Rights is to take a bundle of topics and put them outside any Parliament. It will take a constitutional amendment to change them - radical things, Your Honour, absolutely striking to the very root of the sacred family, things that no Parliament, surely no Parliament, would ever want to affect. Your Honour, I am sure, has read them. Perhaps they should be read again. Section (1), Section (2), Section (3), Section (4), these are things that no Parliament would ever want to touch, but Parliaments have touched them. We have had Habeas Corpus suspended in this country ten years ago. I am not particularly proud of that. I do not think any Canadian ought to be.

It is only forty years past since Canadians were uprooted and moved from their homes, deprived of their property and faced with internment camps because they happened to have been born of parents who happened to have been born in Japan. Forty years ago, that is not that long. Ten years ago is not very long, the October crisis. The effect of the Bill of Rights is simply to spell out a number of rights that no Parliament - this Parliament here, no other provincial Parliament, no Parliament at Ottawa - that no Parliament could henceforth touch. And I do not see how any person can be against

MR. ROBERTS:

that concept.

I can see being against the particular words that have been used to embody it. I do not find that strange. In fact, if I were writing these words I would have different words, and I have no doubt that when the Parliamentary Committee makes its report to the Senate and to the House of Commons at Ottawa, it will recommend changes. Changes are needed. But that is the second thing that the constitutional change will do. The third thing is to provide an amending process, and here I can understand - I do not agree but I can understand how reasonable men, reasonable women can disagree with what the Government of Canada are proposing to do. I cannot understand how anybody can disagree with the entrenchment of a Bill of Rights. I cannot understand how anybody could be against patriation and I do not think anybody is against patriation. Even our own Premier yesterday made it clear that he is not against it. It had been said that he was. There is a gentleman, a Mr. Morris, was it? - who is a Tory minister in Nova Scotia. He had only been elected very recently in Halifax, one of the ridings there, and he made a statement and the Premier set that clear and that is fine, we accept the Premier's word with no question at all. I wish the Premier had said it even earlier because then the matter would have been cleared up even earlier. But I do not understand -

MR. HISCOCK:

'Ed', he is a veteran.

MR. ROBERTS:

Who is a veteran?

MR. HISCOCK:

Morris at Halifax. He has been there a long time.

MR. ROBERTS:

Ned Morris? He was Mayor of Halifax for a long time. He was only elected a couple of months ago, was he not?

MR. CARTER:

Here is the chair.

MR. ROBERTS:

My friend, the Minister of Justice - I mean, Mr. Morris was only elected recently, as I recall it.

AN HON. MEMBER:

In a by-election.

MR. ROBERTS:

In a by-election. I think it was probably Jerry Regan's seat, in fact, in downtown Halifax where the bridge comes across. He has been, I would say to my friend from LaPoile (Mr. Neary) - Mr. Morris has been very active in politics in Nova Scotia. He was Mayor of Halifax for many, many years.

MR. OTTENHEIMER:

And federal M.P.

MR. ROBERTS:

Yes, he was a federal member of Parliament for Halifax. I believe he was retired at the request of the electorate at one stage.

Now, Mr. Speaker, before I go on to speak briefly on the amending process, and I do not have very long left, let me just make a comment or two on what I think about the denominational system and the Labrador boundary as issues, these two issues. I think the Premier acted in an extraordinarily and improperly irresponsible fashion in raising these the way he did. I accept his concern and that of his colleagues as being genuine but I am unable to understand whatever possessed him. I am not going to impute any motives, but if I had

MR. E. ROBERTS:

to assign a motive it would not be a nice one because I am unable to understand how anybody who cares for this Province, as I believe the Premier does, and anybody who considers himself responsible, as I assume the Premier does, could act the way that that man has on this issue.

SOME HON. MEMBERS:

Hear, hear.

MR. E. ROBERTS:

I just cannot understand it.

Let me say three things. First of all, as I read the words of the Constitution, there is no doubt that it is not impossible that changes could be made without our consent. That is why I am voting for this resolution here. And a vote against the resolution ought to be taken very seriously. Secondly, the protections in the new constitution are greater than we now have today and there is no person in this Province who knows whereof he speaks who can challenge that. That is the point that the Premier and his colleagues have somehow neglected to mention in their fever and impassioned pleas.

MR. J. CARTER:

What about the Terms of Union?

MR. E. ROBERTS:

My hon. friend from St. John's North says Terms of Union. Well, I should send him to Coventry, but I will do him more decency than he has shown to me and I will answer that. In law the Terms of Union could be changed by a resolution of the Parliament of Canada petitioning the government of the United Kingdom.

MR. S. NEARY:

Right on.

MR. E. ROBERTS:

That is the law. Whether my hon. friend likes it or not it is the law. I do not like it but that is irrelevant just as the hon. gentleman is irrelevant. Now, Mr. Speaker, secondly, or thirdly, I have made the second point, the denominational system and the

MR. E. ROBERTS: Labrador boundary can be changed today with greater ease than it could ever be changed should that become law as imperfect and as flawed as the proposals before the Parliament of Canada now are. So those who are quick to wrap themselves in the cloak of Newfoundland nationalism, the folds of the new flag, ought to be made to answer for that too. I would say they have mislead unwittingly, but they have mislead, the people throughout this Province. Fourthly, I would say that while the concerns are real there is a far, far better way to have raised them than in the way our Premier did. I do not have a lot of time, I wish I did, because in my fifteen-odd years, and some of them in public life, I have never seen a public figure act as irresponsibly and as heedlessly as the Premier did with that television speech, I just never have.

SOME HON. MEMBERS: Hear, hear.

MR. E. ROBERTS: I have known the Premier for twelve or thirteen years at least - ever since he was a Liberal when he was working for Mr. John Crosbie in 1967 - 1968, that period - and I have watched him in this House and while we have disagreed I have never before felt that he acted as irresponsibly and he did. I think it was irresponsible, sir.

MR. S. NEARY: And now they are trying to prop him up a little.

MR. E. ROBERTS: And it could have done grave danger to the social fabric of this Province. I hope it has not. I hope that the steps that are being taken by those who are responsible, including Bill Rompkey, and I would certainly rather have Bill Rompkey than Bill Marshall or

MR. E. ROBERTS: a hundred Bill Marshalls -

MR. G. FLIGHT: Hear, hear.

MR. E. ROBERTS: - or a thousand Bill Marshalls.

MR. NEARY: Fight and hate.

MR. E. ROBERTS: But, Mr. Speaker, the steps that are being taken by those who do take it seriously, political figures and otherwise, members of this House and otherwise, members of Parliament and otherwise, will I hope, meet the need and ensure—because, you see, I suspect this resolution is doomed. I think hon. gentlemen and ladies opposite have made up their minds to consign this resolution, this amendment of ours, to parliamentary predition. Fortunately, the churches do not have to rely upon this government to ensure that denominational rights are protected, fortunately, Sir. Because if they did they would be relying on a very weak reed indeed.

SOME HON. MEMBERS: Hear, hear.

MR. E. ROBERTS: Now, Mr. Speaker, I have about seven minutes.

SOME HON. MEMBERS: By leave. By leave.

MR. E. ROBERTS: No. Well, I am grateful to my friends but I do not want to be beholden to hon. gentlemen opposite. In any event, the rules say that at 5:30 the Speaker must leave the Chair because this is Thursday.

MR. S. NEARY: I will give up my question.

MR. E. ROBERTS: Well, I am grateful to my friend from LaPoile (Mr. Neary) who has given up a great deal for me, as I have for him over the years, on many occasions.

MR. ROBERTS:

There will be other opportunities.

There may be other amendments, I do not know. My friend from Bonavista North (Mr. Stirling) was only the first speaker in this debate. Anybody else who has not spoken in the debate can move an amendment if he can find a seconder.

I do want to make one or two points.

I do want to say that I think the amending procedure is where we ought to devote our attention because I think there are real issues there. I cannot conceive of anybody wanting to bring the B.N.A. Act home to Canada and call it the Canada Act and not attach an amending formula. I just cannot conceive of that. I do not think even the gentleman from St. John's East (Mr. Marshall) suggested that, so that then brings us to the question of what should the amending formula be. And the question is, really, ought it to be unanimous or ought it not to be? My hon. friend from St. John's East thinks it is unanimous now. I think he is wrong in law as I suggest the courts will rule when his colleague, the Minister of Justice (Mr. Ottenheimer), makes the reference which, I understand, is going to be made. That is what has been announced by the government. We will see what the courts say. He might also find himself in conflict with his friend, the Minister of Mines and Energy (Mr. Barry), who a year ago stood in the House - it was on March 11th., 1980 - and said that unanimity is not the rule in Canada, and I said it was the rule within Canada. I did not speak of Westminster. The Government of Canada are cutting the Gordian knot. They are acting unilaterally. They have given their reasons for it. The people of Canada can judge and find for or against as they see fit, but they are cutting the Gordian knot. After fifty-three years, after a summer of the Minister of Justice and his senior officials and his colleagues from across Canada, his counterparts and their senior officials traipsing across the country working very hard, I will give them credit, after all that has gone on, after the First Ministers' Conference we all saw on the television in September month in Ottawa,

MR. ROBERTS: after all that produced nothing, nothing by way of consensus, the Parliament of Canada, the Prime Minister of Canada, the Government of Canada are asking the Parliament of Canada to cut the Gordian knot, So it is unilateral. Whether we like it or not, it is unilateral, And one can argue against that. For my part, I think it is high time we cleared the national agenda and we got the constitution home, put an amending procedure in place and let us get on with more important matters, because there are more important matters in Canada and in Newfoundland and Labrador today. What should the amending formula be? I reject unanimity. I do not see why sixteen MLA's in Prince Edward Island or, for that matter, twenty-seven MHA's here in Newfoundland and Labrador ought to have the power to hold twenty-three or twenty-four million Canadians to ransom. I am a Canadian and I am a Newfoundlander, but I do not think that I should have the right to impose my views in that way on everybody else. The amending formulas that have been suggested - and the resolution provides that if the ten provinces and Ottawa can agree on another one it will be substituted, or if only eight provinces can agree the people of Canada will be allowed to choose, and, oh, how people object to that! How radical! Imagine, how unthinkable! Actually going out asking people what they wish to do in a fundamental way by means of a referendum! Oh, shame! How could anybody conceive of that? I fail to see how any person in public life, who exists only by sufferance, only by virtue of the suffrages of his electorate, how anybody could object to asking the people of Canada to give their view on a referendum. It is the sort of issue that ought to be referred to a referendum, But the amending formula that is provided will not allow constitutional change to come easily. It can come only, only if there is a significant degree of support in each of the four regions of Canada, each of the four regions, expressed either in the form of a referendum or in

MR. ROBERTS: the form of legislative resolutions; two of the four Western provinces, two of the four Eastern provinces, and then Ontario and Quebec, one having more than seven millions and the other having more than six millions. I am sorry, I just do not think 120,000 Prince Edward Islanders or, for that matter, 580,000 of us ought to have the right to impose our views any more than seven million in Quebec - I am sorry, in Ontario - or six million in Quebec cannot impose their views. They have a negative power, a veto power, but not a positive power despite what the Premier seems to feel.

Let me end, Sir, if I may

MR. ROBERTS: by saying that I have been sorely distressed by the government's approach to this entire issue. I do not mind them fighting with Ottawa and, in fact, as my friend from Bonavista North (Mr. Stirling) has said, on most of the policy issues which they attempted to lump in with their substantive legal issues, on most of those we are in agreement. In fact, they are agreeing with positions we took years ago in reality. But their general approach has been narrow and chauvinistic and inward looking in everything they do. I could attempt to psychoanalyze them but I say they are narrow and chauvinistic and inward looking. They are a bunch of little men who are afraid of the real world. They are not at home in their own skins for some reason. I find that reprehensible for Canada and we are Canadians, and I am proud to be a Canadian. It makes me no less, Sir, a Newfoundlander to be a Canadian, it makes me a better Newfoundlander. I find it reprehensible for Canada and reprehensible for Newfoundland and Labrador. And that, Sir, is the issue. The issue is what kind of Canada we are going to have and what kind of Newfoundland and Labrador within a Canada. Because I believe the future for this Province and her people, my Province and my people, my homeland, lies within Canada. I believe this resolution moved by my friend from Bonavista North (Mr. Stirling) will best achieve that end and that is why I will vote for it. And that is why I hope each and every member of this House does, Sir. I believe it is in the best interests of this Province and I believe it is in the best interests of Canada. Thank you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (SIMMS): Does the hon. Minister of Labour and Manpower wish to adjourn the debate?

SOME HON. MEMBERS: Hear, hear!

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

MR. DINN: I adjourn the debate.

MR. SPEAKER (SIMMS):

Adjourn the debate?

MR. DINN:

Yes.

MR. SPEAKER:

It being

five-thirty, then, a motion to adjourn is deemed to be before the House. The first matter for debate raised by the hon. member for Eagle River (Mr. Hiscock) is the Straits Road. The hon. member for Eagle River.

MR. HISCOCK:

Mr. Speaker, when I would have asked the Minister of Transportation (Mr. Brett), the other day, questions with regard to the Straits Road, he basically turned it back to the Minister of National Revenue and said if the minister got off his butt then, basically, something would have been done on the road. I would like to point out that this DREE agreement was supposed to be signed for the past three or four years. And I can understand the minister's frustration as much as my frustration and the minister's in Ottawa, Mr. Rompkey, as well as the people's in the Straits area. There is a great deal of frustration on everybody's part. In the meantime, it was supposed to be signed late in the term of Mr. Trudeau but they got put out. Mr. Clark was put in, there was a freeze on everything. Then Mr. Clark was put out and then Mr. Trudeau was back in and everything was being reviewed. The agreement was supposed to be signed around the end of October this year. And as you know, being a minister of the Crown you do not always have jurisdiction over other people's departments. You have jurisdiction of your own, but even then Treasury Board has jurisdiction over you in the final say.

Agreement came to this Province that the road would be done on a fifty/fifty deal, that the Province would pay 50 per cent and the federal government would pay 50 per cent through DREE. The people in the Straits area were extremely upset with this as well as myself, and more so the Minister of National Revenue; so much so that he basically went back to DREE officials and said, "Look, how come

MR. HISCOCK: we have this agreement where it is only fifty/fifty? Whereas the Northern Peninsula Road was done ninety/ten, the Trans-Canada was done ninety/ten, the Straits Road is fifty/fifty?". He basically asked them to revise this and look for more money and basically that is where it is at. I asked the minister of Transportation (Mr. Brett) and the Minister of Transportation himself pointed out that if this Province had to turn around and build a road down in Labrador itself, if they had to do it themselves, it would take several years to get it done. So I do not think you can turn around and criticize Mr. Rompkey. To go back to Ottawa and ask for more money thereby saving the Province more money, in the long run, to spend on other things - but I have to turn around and criticize this government from the point of view that in those three years, while we are waiting to get this DREE agreement signed, basically minimum maintenance on the road was not done, so much so that in the past two weeks we have had major washouts in that area because of eleven days of heavy rain. Seventeen washouts from Pinware to Red Bay, seventeen in the middle of October and it is still raining down in that part of our Province.

MR. NEARY: The road is not passable down there.

MR. E. HISCOCK: The road is passable now but just barely. Mail has not been in to Red Bay for two weeks. They had to charter a longliner and take the mail over from Sandy Cove and the Northern Peninsula to L'Anse-au-Loup because the ferry going to Labrador is also broke down because of mechanical problems.

MR. S. NEARY: And remains in port.

MR. E. HISCOCK: Exactly. So the point I would like to raise here is that if the Minister of Transportation (Mr. Brett) and the provincial government can only see fit to maintain the road at a minimum standard, a minimum standard only, so that when this agreement can be signed and hopefully have the construction start in the Fall, then at least the people will have a basic minimum standard that we can expect in other parts of this Province and we have in other parts of this Province.

SOME HON. MEMBERS: Hear, hear.

MR. E. HISCOCK: So, my point in asking to speak in this Late Show is to point out to the Minister of Transportation -and the question I asked him yesterday, also, Did he agree with Mr. Rompkey going back and asking for more money from Ottawa? And he said, of course I do. Then I say that you cannot turn around and kiss him on one side of the cheek and slap him on the other and say that basically it is Mr. Rompkey's fault. So, Mr. Speaker, hopefully this government will see fit -and the Minister of Municipal Affairs will also realize that there is an emergency down on the Labrador Coast in the District of Eagle River. We have had heavy rain for the past two weeks and it is still raining and the roads have been washed out. Somehow or another both departments have to come up with additional funding over and above what they

MR. E. HISCOCK: normally give to bring these roads back to a minimum standard. Thank you.

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

MR. C. BRETT: Mr. Speaker, I will try to give the facts of exactly what has happened on the Southern Labrador Highway.

We were asked by DREE how much we could do for \$10,700,000. This is what we told them. We could reconstruct from Blanc Sablon to Forteau a distance of 8.3 miles at a cost of \$2.5 million. We could reconstruct from Forteau to Capstan Island, this is fifteen miles, for \$3.3 million. And we could pave from Blanc Sablon to Capstan Island, a distance of 23.2 miles for \$4.2 million. And we could reconstruct near the Pinware River bridge, a distance of 0.6 miles for a cost of \$700,000. That would take up the \$10,700,000. Now, in addition to that what we have to do is reconstruct and pave from Capstan Island to Pinware, a distance of 4.3 miles for \$1.5 million; construct the road from Country something Pond to Red Bay, a distance of 10.5 miles for \$3.5 million; -

AN HON. MEMBER: Country (Inaudible)

MR. C. BRETT: Yes, that is it.

-reconstruct the road through Pinware River Valley, a distance of 13 miles for \$2.6 million; and upgrade the road and pave through Red Bay, 1.5 miles for \$1 million. Now, that is the total programme and that would amount to approximately \$28 million in today's figures. We requested funding from DREE through the Coastal Labrador Agreement in the first instance for \$25 million. Now, as I indicated in this year's dollars that would be \$28 million. We have never, ever, believe you me this is true, we have never, ever received any reply from the minister

MR. C. BRETT: responsible for DREE or Mr. Rompkey or anybody else in Ottawa indicating they were going to give us one dollar, on a fifty-fifty basis or whatever. However, we did get sort of a draft agreement from the local DREE office in St. John's and they said, "Look, we are prepared to give you \$10 million on a fifty-fifty deal." Now, that is not from Mr. Rompkey, that is not from the Minister of DREE, that is from the local DREE office. Remember what I said, nothing from anybody in authority. Now, obviously we did not accept that because it is at least a \$28 million job and how far is \$5 million going to go? I mean it is utterly ridiculous, plus the fact that it was not from anybody in any authority anyway.

SOME HON. MEMBERS: Oh, oh.

MR. C. BRETT: So, that is exactly where it stands. We are not prepared to accept \$10 million on a fifty-fifty basis. And the hon. member - you know you said what I was going to say. A lot of the things I was going to say you have already said so you should have come over here and made that little speech and not stayed over there because after all, what is the difference?

SOME HON. MEMBERS: Oh, oh!

MR. BAIRD: We do not want him over here, you hold on to him.

MR. SPEAKER (Simms): Order, please!

MR. C. BRETT: I agree with the hon. member, what is the difference between Labrador and the Island part of the Province? They were satisfied to fund the Burin Peninsula Highway on a 90/10 and the Bonavista North Loop Road and the St. John's Harbour Arterial and all the rest of them.

MR. NEARY: (Inaudible)

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MR. C. BRETT: Oh, no, that one was not DREE, it was not 90/10 anyway. But they were prepared to do the major roads in the Province.

SOME HON. MEMBERS: (Inaudible)

MR. C. BRETT: You are having trouble with your colleagues, my friend.

SOME HON. MEMBERS: (Inaudible)

MR. SPEAKER (Simms): Order, please.

MR. C. BRETT: They were prepared to do that on a 90-10 basis, so why, why only 50/50 in Labrador? We are not prepared to accept that.

MR. BRETT: And we say that Labrador is no different from the Island and so now we are still hoping that DREE - and we are hoping that Mr. Rompkey will be able to influence the DREE people to come up with, not \$5 million - I cannot do anything with \$5 million, it is no good, it is like a drop of water out in St. John's Harbour.

MR. HISCOCK: I am saying that you have to maintain the road until he gets the money.

MR. BRETT: Well, in the meantime it is very - I indicated that yesterday during Question Period, or today sometime, that it is not fit to be called a road and it is very difficult to maintain something that is not up to some kind of a standard. You know, we do spend a lot of money in the area but I realize the road is not what it should be. So all I can tell the hon. member is that I will continue to use my influence, the government will continue to use its, and I am sure that Mr. Rompkey will do the best that he can as well.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (SIMMS): Order, please!

The second matter for debate raised by the hon. member for LaPoile (Mr. Neary) is the Come By Chance oil refinery. The hon. member for LaPoile.

MR. NEARY: Mr. Speaker, in June, 1979, a certain event took place in this Province called a provincial general election. During that provincial election the Leader of the Tory Party who is now Premier of the Province (Mr. Peckford) went around this Province and told the people of Newfoundland that sixty days after he became Premier the oil refinery at Come By Chance would be reopened.

AN HON. MEMBER: Ninety days.

MR. NEARY: Ninety days, excuse me, ninety days after he became Premier the oil refinery at Come By Chance would reopen. Here it is now, Sir, four hundred and sixty-odd days

MR. NEARY: later and the oil refinery is still not open. The reopening of the refinery is overdue by almost 400 days and we seem to be no further ahead now than we were back in June, 1979. The government has put all its eggs in one basket. They have hung the hopes of the people in the Come By Chance area and the people of Newfoundland on Petro-Canada. And the rumblings and the utterances from Petro-Canada today would indicate that they are not interested in taking over the refinery and operating it as a going concern. They are interested in taking it over and just letting it sit there but not interested in taking it over to operate it. The President of Petro-Canada was quoted in the Toronto Globe And Mail today as saying as much. And his PR man said the same thing practically in the Halifax Chronicle Herald yesterday. And yet today, Mr. Speaker - and not only that, Mr. Speaker, but two ministers of the Crown have thrown up the warning signal. The Minister of Mines and Energy (Mr. Barry) told us a week ago that Petrocan, he was optimistic they were going to take it over but there were two problems; they did not have the markets and they did not have the supply of crude to operate it, two of the main ingredients for operating the oil refinery and that was confirmed only the day before yesterday by the Minister of Finance (Dr. Collins) who said the same thing. He is optimistic, he says, "I am optimistic but Petro-Canada does not have a supply of crude and they do not have markets". So how are they going to operate it? So today when I put questions to the hon. the Premier he made me very nervous in his answers and rightly so and it is unfortunate that he is not in his seat to answer it. He is going to leave it up to the man who has been the biggest obstruction in the way of considering other proposals for that oil refinery, the skinful of spite and hate and his hatred for anything that Joey Smallwood had anything to do with

MR. NEARY:

and his hatred for Mr. Shaheen.

That is the man who is going to answer me now, the biggest obstruction in the Province to getting that oil refinery rehabilitated. But, Mr. Speaker, I would submit to this House that the Premier knows the answer now to the oil refinery, he knows that Petro-Canada is not going to operate it for fear they would lose their shirt. He knows that now. Why does he not level with us? Why did he not answer me, give me a straight answer today when I questioned him during the Oral Question Period?

I said to him, for instance, will the Premier confirm the declaration that Petro-Canada have decided that in no way could they operate the oil refinery as a going concern and he sidetracked it and he was wishy-washy and he played with words. Nothing to be gained by calling a press conference, I suppose, or he would have been out and called one days and weeks ago. But he left me with the impression, Mr. Speaker, that he knows the answer and he should level with the people and give it to us straight. And when I asked him, I said, "If Petro-Canada informs the government that they will not operate the refinery, will the other proposals be considered?", and he would not give me a straight answer.

How can this government, Mr. Speaker, how can they give the refinery at a bargain price, fire sale price

MR. NEARY: to Petrocan to leave it sit there when there is another proposal to rehabilitate the refinery, pay off the unsecured creditors and provide jobs for Newfoundlanders, and they say - I do not know if it is true or not - they say they have the crude and they have the markets. Now, how can the government give that refinery to Petro-Canada, no future in it, just to leave it sit there when they have a proposal like that in front of them? I know it is not their place to make the decision, but at least they can express an opinion and indicate to the receivers and the trustees that they should look at other proposals. I am very concerned, Mr. Speaker, and I am very nervous about this and I have good reason to be after the answers I got from the Premier today when all he did, instead of giving it to us straight, levelling with us, is play these little cheap, political games that he is gaining a reputation for in this Province.

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

SOME HON. MEMBERS: Hear, hear!

MR. MARSHALL: Mr. Speaker, I do not know who the hon. member was talking about but I am going to reply for the hon. Premier.

Mr. Speaker, the hon. the Premier, in his leadership and the election, did not say within sixty days that the oil refinery would be opened, and the hon. gentleman is confusing this, perhaps, with another election that occurred in 1966, when a certain hon. gentleman said a certain mine not too far away from here would be opened within sixty days -

SOME HON. MEMBERS: Oh, oh!

MR. MARSHALL: - so he is confusing his sixty days and his places.

Now, Mr. Speaker, look, the hon. the Premier did not say today, neither has it been said, that Petro-Canada has indicated there is no way that it could operate this refinery. The hon. gentleman wants to advocate, which is his own concern - he thinks that Mr. Shaheen

MR. MARSHALL: would be the better operator of that refinery. He knows, first of all, as he has already indicated, that decisions on this are really decisions of the trustee. The Government of Newfoundland does not own that refinery. The other thing is, Mr. Speaker, I say here and now that the government has supported Petro-Canada. We will continue to support Petro-Canada in its endeavours because we think it is by far the best chance for the reopening of that refinery and the provision of steady employment to the people in the area, and we are going to continue to do that and the people in Petro-Canada are working very hard. The people in Petro-Canada have had a feasibility study done with respect to the technical condition of the refinery. They are looking around for markets. They are looking around for supply. To date they have kept with the obligations that they undertook when they entered into the agreement with respect to the refinery itself. Quite frankly, I think it is quite a coup, quite a coup of this government to have gotten Petro-Canada interested -

SOME HON. MEMBERS: Oh, oh!

MR. MARSHALL: - because, Mr. Speaker, if Petro-Canada had not gotten interested in this, right now that refinery would have been dismantled and it would have been taken away -

SOME HON. MEMBERS: Oh, oh!

MR. MARSHALL: - it would have been taken out because there was nobody else around who had a feasible offer that was interested. Now, despite what the hon. gentleman says about Mr. Shaheen and all the rest of it, I have no brief for or against Mr. Shaheen but I think it needs to be said that Mr. Shaheen's companies had an opportunity to operate this refinery. They constructed it and they operated it, and the end result of it was, for whatever reason, mind you, the biggest bankruptcy in the Western world, one of the biggest ones.

MR. MARSHALL: So, from time to time, we are asked, we are asked, Mr. Speaker, by the hon. gentleman there opposite and other friends of Mr. Shaheen, as to why we do not jump hokus-bolus in and welcome him back with open arms. The fact of the matter is, Mr. Speaker, I think that even the hon. gentleman there opposite can understand why we would have somewhat a modicum of caution before giving back a refinery to a person who had a company which operated it and it was the biggest bankruptcy, as I say, in the Western world. Now, that is the first thing.

AN HON. MEMBER: Hear, hear!

MR. MARSHALL: The second thing, the statements that are being made from time to time by the hon. gentleman and the other people supporting Mr. Shaheen are not really geared, I suggest, to the best interest of this Province, to the best interest of the possible operation of this refinery. I can guarantee from the reports that are coming to this government from Petro-Canada - and, you know, they come in monthly - that we have kept a very close watch on this, that Petro-Canada is working diligently. If anyone can secure the markets, we think Petro-Canada has the best chance of doing this. If anyone can secure a source of supply, we feel that Petro-Canada - and we are going

MR. MARSHALL:

to continue to support, Mr. Speaker, Petra-Canada in the certain hope and the expectation that eventually we will right again this particular industry and get it operating for the people of this Province. In the meantime, if the hon. gentleman wishes to ask questions, you know, about these matters and say that the answers are unsatisfactory, I would first ask him to be very careful about his statements and not really twist the answers that he gets, because some of the things he said that the Premier said are not so, and all he is doing, when he is playing his little game, is he is casting some uncertainty in the minds of the people of this Province with respect to the oil refinery, with respect to our sincere efforts concerning the rehabilitation of it. And I think perhaps he could lend a little bit more feeling to the people in the Come By Chance area, a little bit more concern for their own feelings. We are doing the best we can. If it is possible that refinery will be rehabilitated. We still think the best chance for it is Petro-Canada and despite what the hon. gentleman says, we are going to continue to urge Petro-Canada, to co-operate with Petro-Canada to see if the refinery can become operational again. Thank you.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER (Simms):

The hon. the President of the Council.

MR. MARSHALL:

Perhaps before we adjourn, the hon. the member for Harbour Main - Bell Island (Mr. Doyle) has the answer to the question - it is rather detailed - that the hon. the Leader of the Opposition asked of the Premier today with respect to the wind damage in his district. With leave of the House, I would ask that the hon. member be able to answer.

MR. SPEAKER:

A request of that nature would require leave. Is there leave?

SOME HON. MEMBERS:

Agreed.

MR. SPEAKER (Simms):

Agreed.

The hon. the Parliamentary

Assistant to the Premier.

MR. DOYLE:

Mr. Speaker, this information has been supplied by Hydro today about the various places around the Province, including the hon. member's district, that do not have power yet restored.

In the St. John's area power will be back to normal tonight. On the rest of the Avalon, including Grates Cove, Red Head Cove and Northern Bay, power will be restored tonight as well. On the Burin Peninsula, all customers will have power back tonight. In that area thirty-five poles were broken but power will be restored tonight there. In the Clarenville area including North Harbour, power will be back on later tonight. Southport power will be restored later tonight as well, and in the rest of that Clarenville area, power will be back on tonight. In the Gander area, Gambo to Wesleyville, sixty-one poles have been broken, but power has been restored down to Hare Bay and power will be on tonight in Trinity as well. Power to Wesleyville will be restored tomorrow and beyond Wesleyville, tonight and tomorrow.

In a sustained effort to have these repairs effected, Mr. Speaker, crews have been moved from Grand Falls to St. John's and from Stephenville in to Gander and also private contractors have been hired for that as well.

In the Harbour Breton area, 160 customers still have power out, but it will be restored by midnight tonight. English Harbour West, power will be restored by midnight and in Mose Ambrose, Red Cove, Coomb's Cove and Boxey, power will be back on by tomorrow. In St. Brendan's, Bonavista Bay, line crews are waiting to get out to St. Brendan's. Ten customers are out, but electricity will be back by tonight or tomorrow morning. In Fogo, the majority of customers have

