

PRELIMINARY  
UNEDITED  
TRANSCRIPT

HOUSE OF ASSEMBLY  
FOR THE PERIOD:  
10:00 a.m. - 1:00 p.m.  
FRIDAY, NOVEMBER 21, 1980

The House met at 10:00 A.M.

Mr. Speaker in the Chair.

MR. SPEAKER (Simms): Order, please!

STATEMENTS BY MINISTERS

MR. SPEAKER: The hon. the Premier.

SOME HON. MEMBERS: Hear, hear.

PREMIER PECKFORD: Mr. Speaker, I wish this morning to outline to all members of this hon. House, the people of our Province and throughout the rest of Canada, as well as the international investment community, the energy priority of the Government of Newfoundland and Labrador, the achievement of fairness and equity in the utilization of the Churchill Falls hydro resource.

Following my statement, Mr. Speaker, I will table a bill for passage as the Upper Churchill Water Rights Reversion Act. Mr. Speaker, I am firmly convinced that the economic well-being of the Province of Newfoundland, indeed its very survival as a coherent political unit, depends upon the proper management and control of our natural resources. Ever since I was given the honour of leading the government of our Province, I have been pre-occupied with seeking techniques for the exploitation and efficient management of the natural resources over which we exercise a stewardship on behalf of existing and future generations.

I have reflected at length upon the incredible history of the development of Churchill Falls and I am determined that we shall learn from that experience. The hydro electric potential of the Churchill River watershed is not only the greatest renewable energy resource of our Province, but it is one of the greatest in Canada and it is large even by world standards. The potential of this resource was realized many decades ago by A.P. Lowe of the

PREMIER PECKFORD: Dominion Geological Survey who, in 1894, reported the availability of "several millions of horsepower". However, it is only in recent years that technology has solved the problem of distance and accessibility to the power site and the problems of transmitting electricity from the site to energy hungry markets.

It is ironic that at the same time that technology was making possible the development of this resource, the Government of Newfoundland and Labrador was making a critical decision which, with the benefit of hindsight, we now view as tragic, namely that this resource would not be developed and directly controlled by the government of the Province or an agency thereof, but be given to a private corporation for exploitation. Beginning in 1953 there were enacted a series of acts of this Legislature which granted British Newfoundland Corporation Limited, BRINCO, a option for thirty years to take an

PREMIER PECKFORD:

exclusive right and concession to harness and make use of waters in Newfoundland and Labrador including the Churchill River, then called the Hamilton River. A subsidiary of Brinco, Churchill Falls (Labrador) Corporation Limited, CFLCo, was formed to exploit the power potential of the Upper Churchill watershed.

The activities of Brinco and the Government of Newfoundland in the '60's in their attempts to develop Churchill Falls were incredibly similar to the efforts which are being made today to trigger the developments at Gull Island and Muskrat Falls on the Lower Churchill. There were many prospects - Ontario, Consolidated Edison of New York, other Northeastern States and various aluminum industry representatives. Most of these efforts came to nothing for a multitude of reasons, largely financial.

I would ask members of this hon. House to remember that at the same time oil was selling and had been selling for many years at a cost well under \$2.00 per barrel, and nuclear power was thought to be a low-cost electrical energy alternative. How true it is that history is to a nation what memory is to man. In the 1960's, as in the 1970's, Quebec played a major role in controlling the development of Newfoundland's resources on the Churchill River. Moreover, its strategy has not changed. Then, as twenty years later, Quebec has attempted to use its strategic location to maximize advantage in exercising its energy priorities but also through clever linkage to propose



PREMIER PECKFORD: unacceptable changes in the Labrador border as part of the deal.

Mr. Speaker, I shall not review in detail the history of the negotiations which led to the development of Churchill Falls. They are fascinating and they offer many practical lessons but they are not relevant to this moment. What is relevant is that by 1971 electricity began flowing from the Churchill Falls plant and the project was completed in 1974 at a final capital cost of approximately \$930 million. It is a magnificent facility with a rated generated capacity of 5,225 megawatts and an average annual energy output of 34.5 billion kilowatts hours annually, the energy equivalents of almost 160,000 barrels of oil per day.

What made development of this site possible? What was the fundamental ingredient, the essential element, the unique and irreplaceable component? I know that these questions can be answered from many perspectives. I have heard it answered in many ways in the past. Some say it was the managerial skill and dedicated commitment of the Brinco-CFLCo-Acres Canadian Bechtel team. Others identify the great financial institutions of Canada and the United States, while others point to Hydro Quebec's power contract and financial support commitment.

PREMIER PECKFORD:

However, all of the foregoing had or could have had substitutes. The one unique, irreplaceable element was the water itself and the land over which the water flows. Therefore, it was the lease given by the Government of Newfoundland to CFLCo which formed the cornerstone of this development. Without it nothing could have been done. The key document in understanding the controversy which surrounds the Upper Churchill today is the lease which was made pursuant to the Churchill Falls (Labrador) Corporation Limited (Lease) Act, 1961. This lease is between CFLCo and the Government of this Province and it provides the basis upon which CFLCo was empowered to develop the generating site and sell the power output. Part 1, clause 2 (e) of the lease grants to CFLCo "the right to transmit throughout the Province any electrical power generated as the result of the harnessing of the whole or any part of the Upper Churchill and to export from the Province such power: Provided that upon the request of the government consumers of electricity in the Province shall be given priority where it is feasible and economic to do so". This lease was for a renewable term of ninety-nine years from May 16th., 1961, and I would remind all hon. members of this House that it provided the basis to serve the future energy requirements in Labrador and on the Island by virtue of Paragraph 2 (e) of Part 1.

As all members of this House are aware, the legal right and protection which were written into this lease and which were approved by the Legislature of Newfoundland have not been recognized by the Province of Quebec. Instead, we have been forced since 1976 to engage in fruitless negotiations with the Province of Quebec and unpredictably lengthy court action to have the rights of the people of Newfoundland, which were protected by our sovereign Legislature, recognized.

PREMIER PECKFORD:

Mr. Speaker, CFLCo entered into a power contract with Hydro Quebec on May 12th., 1969. The government was not and is not today a party to that power contract. The power contract is for a term of sixty-five years which commenced on September 1st., 1976. The power contract gives Hydro Quebec the right to take virtually all the output of the Churchill Falls plant, after providing for; (1) the power and energy required to replace the output of the 225 megawatt Twin Falls plants; and (2) any power recalled by CFLCo under the power contract whereby CFLCo may recapture up to 300 megawatts of power.

PREMIER PECKFORD: The power contract does not, however, make any reference to the right of the Province to access Churchill Falls power under the lease. Under the power contract, the price to be paid by Hydro Quebec for energy declines from a high of just under three mils per kilowatt hour in 1977, to a low of just over 2.5 mils per kilowatt hour in 2001, which price is then maintained until 2016. The price is reduced thereafter to two mils per kilowatt hour for the final twenty-five years.

In addition, Hydro Quebec is required to pay CFLCo certain interest and foreign exchange expense subsidies which in total has added approximately 0.5 mils per kilowatt hour to the effective price paid by Hydro Quebec.

At June 30th., 1980 Hydro Quebec's investment in CFLCo totalled \$123.9 million, comprised of \$34.3 million of equity and \$89.6 million of general mortgage bonds. In addition, Hydro Quebec made a capital investment which the 1969 Churchill Falls financing documents estimated at \$450 million for the construction of transmission lines connecting its system to the Churchill Falls system.

The government estimates that Hydro Quebec has already benefitted by \$2 billion since 1972 as a result of its financial commitments to the Churchill Falls project. During the same period the net return to Newfoundland on its Churchill Falls resource has been slightly in excess of \$100 million.

Another method of valuing the loss to Newfoundland is to consider the power contract on an oil equivalency basis. Under the power contract, Hydro Quebec receives the electrical energy equivalent of 50 million barrels of oil each year at an average price of \$1.80 per barrel for the first forty years and will continue to purchase this energy

PREMIER PECKFORD: for a further twenty-five years at an oil price equivalent of \$1.20 per barrel.

The power contract is discussed extensively in a study on Newfoundland by the Economic Council of Canada which was released on November 19th., It refers to the loss of revenues by Newfoundland under the power contract as "tremendous", and "immense".

The foregoing financial estimates have been included here to illustrate the harsh inequity created by the power contract since 1972. This inequity will clearly magnify to unconscionable proportions and amounts over the remaining sixty-one years of the power contract. It is this very power contract which is being used to deny Newfoundland's right to access of 800 megawatts of Churchill Falls power at this time. The increasing inequity of the power contract adds impetus to the government's determination to reach a resolution to its right of access.

PREMIER PECKFORD:

Mr. Speaker and hon. members, the Upper Churchill is viewed by the people of Newfoundland today, not as a shining symbol of engineering achievement and excellence, which it is, but as a symbol of a shameful legacy. The fault lies not with the project nor with the men of vision and brawn who built it, or with those who today operate it with rightful pride. I am sorry to say that the fault lies with those who have repeatedly and unconscionably denied this Province its legitimate legal rights and have frustrated every effort which we have made to implement energy policies to protect our economic future. The government is faced with a multitude of major policy decisions in connection with meeting the Province's projected electrical requirements during the next decade. The government's energy policy priority is to achieve fairness and equity in the utilization of the Churchill Falls resource. In 1976, Newfoundland attempted to exercise its right under the lease to access power from Churchill Falls to facilitate the construction of a transmission link between Labrador and the Island and avoid projected Island energy shortages in the late 1970's and early 1980's. Quebec's repudiation of Newfoundland's rights led immediately to litigation by the Province to confirm its right to prompt access to Churchill Falls' power. However, this litigation has seen continuing procedural delays, as a result of which after four years the trial of the main issues has still not begun. As a consequence, since 1976 Newfoundland and Labrador Hydro has had to construct one 150 megawatt oil-fired plant and to initiate construction on one 75 megawatt hydro-electric plant and an 84 megawatt hydro-electric plant. The projected final capital cost of these plants aggregates \$314 million. The Island's electrical energy requirements during the next decade underline Newfoundland's extreme need for additional power in general and Churchill Falls'

PREMIER PECKFORD: power in particular. Despite additional generating facilities completed recently or under construction, the Island is expected to experience an energy deficit by 1985 which must be met from yet another new generation source. The following table here sets forth the Island's electrical energy requirements for the latter half of the 1980s as projected by Newfoundland and Labrador Hydro. These deficits do not include the displacement of up to 450 megawatts of existing oil-fired generation with an annual energy capability of 2.8 billion kilowatt hours. All fuel oil used by Hydro is imported and is subject

PREMIER PECKFORD: to the uncertainties of availability and price in the world market. Since 1974, Canada has subsidized the price of oil on a national basis but it is expected that such subsidies will be gradually reduced until the price of oil in Canada reaches 85 per cent of the world price. Accordingly, it is imperative to displace Hydro's oil fired generation if relatively cheap and stably priced hydro power is available from Churchill Falls.

Since the acquisition of CFLCo in 1974, Newfoundland has initiated numerous and lengthy discussions with Quebec dealing with 1) our right of access to Upper Churchill power under the water lease; 2) development of the Lower Churchill and the selling of surplus power to Quebec; 3) alteration of existing pricing arrangements under the CFLCo - Hydro Quebec power contract; 4) the obtaining of a power corridor through Quebec so that we might export power to the United States; and 5) even co-operative development of joint resources.

These discussions have taken place between the Hydro Corporation, the Ministers of Energy, and the Premiers of both provinces. All discussions have eventually ended in total failure. As a result, Newfoundland has been placed in the unenviable position, due to its geographic location, of having its entire Labrador power development strategy dominated by others. Nowhere has this domination been more blatant than in the dispute over Newfoundland's right under the lease to access to Upper Churchill power.

On June 1, 1976, this hon. House passed a resolution authorizing the government to take all action necessary and appropriate to ensure that the residents of our Province have access to Upper Churchill power at the same price as is paid by Hydro Quebec.

Mr. Speaker, the government acted and initiated court action in September, 1976. The action



PREMIER PECKFORD: commenced by the government is one which seeks a declaratory judgement that Newfoundland has the right to access power from CFLCo. The action also sought a declaration that such access would not constitute a breach of the power contract of First Mortgage Trustee Deed. To ensure that the declaration sought would be binding against CFLCo and Hydro Quebec, both were named as defendants. The power contract entered into by CFLCo and Hydro Quebec is subject to the right of the Province to recall power provided for in the underlying lease pursuant to which CFLCo had obtained all of its rights. In other words, CFLCo could not contract away a right it did not have, that is, the right of the Province to utilize this source of electrical energy for consumers in the Province. Moreover, the fact that the Province agreed to and supported the financing arrangements and documents required for the construction of the Churchill Falls development does not derogate from this essential right of the Province.

The government's case is that the Province has, under the circumstances provided for in the lease, the right

PREMIER PECKFORD: to recall power from Churchill Falls.

In addition, the government contends that when CFLCo complies with the Newfoundland request, such an act will constitute force majeure under the power contract. Hence, CFLCo can meet the requirements of the lease without causing a default under the power contract or the First Mortgage Trust Deed. When a trial occurs, it is expected to be lengthy and it is not possible to determine when judgment will be rendered. Following a decision, an appeal to the Court of Appeal of Newfoundland and a further appeal to the Supreme Court of Canada can be expected before the court case is concluded and all avenues of appeal exhausted. A final decision is still some years away.

Hydro-Quebec has also commenced a court action in Quebec in 1977 for a judgment confirming its right under the power contract and for a declaration that if CFLCo were to comply with Newfoundland's request for power it would be in breach of the power contract. This matter is before the courts on procedural points and the central issue has not come to trial.

The Province is confident that eventually its position regarding the accessibility of CFLCo power under the lease will be upheld and it will continue to press its existing legal action. Nevertheless, it has introduced its new legislation at this time for two fundamental reasons; one, Newfoundland must pursue every possible action to achieve access to Churchill Falls power on a timely basis in view of its importance to an economy which is becoming increasingly dependent on oil for electrical generation; and two, an agreement with Hydro Quebec regarding access to Churchill Falls power has proven to be unachievable. Therefore, Mr. Speaker, I place before this hon. House today a bill, "An Act To Provide For The Repeal Of The Churchill Falls(Labrador)

PREMIER PECKFORD: Corporation Limited(Lease)Act, 1960, and the Lease And Amendments Thereto Executed Under That Act And The Reversion To The Province Of The Rights and Liberties Leased or Granted to the Lessee Under the Lease."

The purpose of this legislation is to return control to the Province of the Upper Churchill water rights leased by the government to CFLCo, so that the Province can achieve access to this source of electricity as provided for in the lease. The principle effect of the legislation is to repeal the Churchill Falls(Labrador) Corporation Limited(Lease) Act, 1961. It was this statute which authorized the granting of exclusive water rights to CFLCo over the Upper Churchill and the execution and delivery of the lease.

The Legislature, having enacted the legislation, has the inherent right to repeal it. The Province recognizes that the exercise of this inherent right must be tempered and utilized only under the most extraordinary circumstances. The government has concluded reluctantly that the present circumstances are precisely of the nature which requires the exercise of this inherent right. It is the government's position when the 1961 Act has been repealed, all rights of CFLCo thereunder will cease and CFLCo's hydroelectric works, as defined in the legislation, will revert to the Province. To forestall litigation, however, the

PREMIER PECKFORD: legislation sets out at greater length and for more certainty the termination of CFLCo's rights. The legislation has specifically preserved the water rights of Twin Falls Power Corporation Limited. The government's clear policy is that the Churchill Falls plant will continue to operate and that the mining interests of Western Labrador, which are the primary consumers of Twin Falls power, shall not have their existing entitlement to power from CFLCo jeopardized. The legislation demonstrates the government's clear intention that it will not come into effect until it has been referred to the courts for a ruling on its validity. Following passage, the legislation will be referred to the Court of Appeal of Newfoundland in accordance with the provisions of the Judicature Act. This reference procedure, similar to that of other Canadian jurisdictions, enables the government to ask the Court of Appeal directly whether certain legislation is within the competence of the provincial Legislature. The Court of Appeal has the authority to ensure that all parties who could possibly be affected by the legislation will be given an opportunity to be a party to the reference. When the Court of Appeal has rendered its advisory opinion, any party who is aggrieved can appeal to the support Court of Canada. Regardless of the opinion, the government will ensure that this matter will be adjudicated upon by the Supreme Court of Canada. The legislation will not come into force before the Supreme Court of Canada rules on its validity.

In adopting this reference procedure, the government is acknowledging there may be serious objection to this legislation by certain parties. The government has carefully examined the constitutional basis of this legislation and has been advised by legal counsel that it is well founded and will withstand any legal challenge. Nevertheless, as litigation is anticipated it is in the Province's interest to have the matter settled as expeditiously as possible and the

PREMIER PECKFORD: government has therefore adopted the reference procedure.

This legislation will have a direct adverse affect upon CFLCo as it repeals all rights which CFLCo has in the Upper Churchill and, under the legislation, the hydro-electric works as defined revert to the Province. From the coming into force of the Act, CFLCo will not have significant fixed assets to generate power to fulfill its present commitments. CFLCo will continue to exist, however, as a legal corporate entity.

The government believes that the legislation addresses the needs of all persons having an interest in the property which the legislation affects. Secured creditors will receive the full amount of CFLCo's indebtedness owing to them including principle, premium, if any, and accrued interest provided for in the debt instruments. Payment to secured creditors will be by cash, although the creditors will be given the option of electing another method of payment if the government

PREMIER PECKFORD:           deems it appropriate to provide alternate methods. It is the government's clear intention not to proclaim the legislation until funds for the payment of secured creditors have been provided.

The Act provides for compensation to shareholders of CFLCo for any reduction in the value of their shares that results from the coming into force of the legislation. Any reduction in value will be calculated by reference to shareholders' equity and to the projected operating profits of CFLCo under existing contractual commitments. If either a secured creditor or shareholder is not satisfied with the government's determination of the amount of payment due, the legislation provides for an appeal to the Trial Division of the Supreme Court of Newfoundland. From a decision of the Trial Division, an appeal to the Court of Appeal of Newfoundland, and with leave, to the Supreme Court of Canada may be made.

Mr. Speaker, my government is very much aware of the interest and possible concern that there will be amongst the residents of Churchill Falls with respect to this new legislative initiative. My government wishes to make it abundantly clear to all employees of CFLCo that the action which has been taken is absolutely necessary in order to ensure the fair and equitable utilization of the power which is produced at the Churchill Falls plant. This Act is intended as much for their benefit as Newfoundlanders as it is for other residents of the Province. However, my government recognizes that as employees of this prestigious and highly respected organization, they may face uncertainty at this time as to the implications of our action. Therefore, I offer my assurances to them that this action will not in any way jeopardize their long term future, nor should they expect any change in the operation of their Company at this time. Present facilities will continue to operate and provide energy to customers as it has in the past.

PREMIER PECKFORD: As outlined previously, the proclamation of this Act, when it occurs, will transfer the water lease and all other physical assets owned by CFLCo to the Government of Newfoundland, CFLCo will still be a legal entity but as a company will not longer be in a position to operate these facilities. It is my government's intention, however, to ensure the continued operation of the acquired facilities using the same competent staff, possibly regrouped, in some other form of corporate entity. Such a regrouping will be known well in advance of this proclamation of the act and will be carefully co-ordinated with the officers and other senior management of CFLCo who will be instructed to keep the staff fully informed.

In order to provide maximum communication to the staff of CFLCo at this time, my government has asked the Chairman and Chief Executive Officer to ensure that the senior officers of the company explain the government's action and intent to all employees and make the documentation, which I have tabled with this House today, immediately available to them.

My government also wishes to reassure the domestic, commercial and industrial interests of Wabush, Labrador City and Happy Valley-Goose Bay served by power from the Churchill Falls plant, they will experience no interruption in their service. In particular, the mining industry of Labrador West, which is dependent upon the power supply from the Churchill Falls development, can be assured of my government's

PREMIER PECKFORD:

undertaking that this most necessary action will not interfere with their access to the power needed for their continuing operation.

In conclusion, Mr. Speaker, it is very important that I summarize what government considers to be reasonable and responsible action under all the circumstances to achieve a fair and equitable utilization of our Churchill Falls resource. Number one, we recognize Churchill Falls to be a major Canadian energy resource owned by the Province of Newfoundland and Labrador and developed with financial support from Hydro Quebec to benefit both that province and our own. Two, we reject totally Quebec's contention that Newfoundland is not entitled to power for consumers of electricity in this Province when it is needed, pursuant to the terms of the lease. Number three, we have spent more than four years trying to reach agreement with Quebec on accessing the Upper Churchill power which we need and negotiating more reasonable price terms in the contract and we now must conclude that a fair and equitable agreement for this Province is unachievable without this action. Number four, we have spent the last year examining every conceivable legal avenue open to us to access power from Churchill in accordance with the lease in addition to our ongoing court case which was initiated in 1976 and which, in spite of all our efforts, has yet to come to trial. Number five, we have reluctantly concluded that from a legal standpoint our best alternative is to introduce the act to repeal the Churchill Falls lease as I have done here today.



PREMIER PECKFORD:

We recognize the very serious and significant nature of such an action and the need for the Canadian and international financial community to be knowledgeable and fully informed of the reasons of such action.

I have asked the Minister of Finance (J.Collins) and the Minister of Mines and Energy (L.Barry) to be in New York today and they are at this moment in a meeting to initiate these explanations and information is going forward to the Canadian financial community today also.

Government will continue in the weeks ahead to ensure that its case is properly explained. Number six, I want to explicitly remove any doubt about our intentions. This is not a unilateral move for Newfoundland to get its hands on 5000 megawatts of power which it does not need; it is not a legislative move attempting to recover \$600 million in economic rent annually for the remainder of the contract; it is not a move aimed in any way at underutilizing this great Canadian resource at such a critical point in our energy history; it is not a move aimed at hurting our sister province of Quebec; it is action taken by the Newfoundland government because it has no other alternative; aimed at asking the highest courts in our Canadian legal system whether or not we have the right to repeal the Churchill Falls lease, after all avenues have failed and they certainly have failed to date to achieve a fair and equitable utilization of the Churchill Falls resource.

Number seven, we are assuring the financial community that we will not proclaim this act until we have; (1) examined all legal channels and have

PREMIER PECKFORD:

the legality of our action confirmed by the Supreme Court of Canada; 2) arranged all the financing required to pay off the secured debtors; and 3) are certain that there is no other reasonable option.

This action does indicate that Newfoundland is not willing to lay down and play dead for the next sixty-one years of the Upper Churchill contract while energy difficulties of unconscionable proportions will ensue. It is an action aimed at ensuring the security of our electrical energy future by a fair and equitable utilization of the Upper Churchill resource, as this is a lawful right which we believe we already have, but which is being frustrated by the Province of Quebec who continue to monopolize, because of their geographic location and their present government policy, our developed and undeveloped resources of hydro-electric potential in the Labrador portion of our Province.

Mr. Speaker, this marks a momentous day in the history of our Province, and one which I think in time will be vindicated, that we will become masters of our own resources. Thank you very much.

SOME HON. MEMBERS: Hear, hear!

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

SOME HON. MEMBERS: Hear, hear!

MR. STIRLING: Mr. Speaker, let me at the outset say, and I hope the Premier will agree, that he did give me advance notice of this and that I did respect the confidence. I take it that the Premier will agree with that. I did not know it was coming today, and I can now understand why the Premier was so concerned about the initiative that we had taken in a different approach to accomplish the same end.

MR. WARREN: Right on!

MR. STIRLING: Let there be no doubt that we should first of all, on both sides of this House, send out the word that

MR. STIRLING:

there is no need to panic.

And I think the Premier has gone to great length in making sure that the financial community does not panic. Because what is being done here today - he cannot say it, but I can - what is being done here today is that in the true tradition of the total concept of discussion with Quebec, the Premier has set out the basis for discussion. And what he has really set out here to Quebec and to the financial community - and let us recognize that the financial community and the chief concerns today is where the Minister of Finance and the Minister of Mines and Energy are today, and that is with the people who control the finances of this country and every other country, and that is in New York. And those are the people that the Premier has to have the first concern about.

Let us repeat, there is no need to panic. Let us put this all in proper perspective and let us put it in the same kind of perspective as the initiative taken by this caucus and the federal caucus to accomplish this same aim. What is that aim? That aim is to say to the people of Quebec that they had better prod the temporary government in Quebec, the temporary government of Mr. Levesque, to say that the kind of treatment that the Levesque government - and let us not confuse the Levesque government with the people of Quebec. The people of Quebec are as friendly towards the people of Newfoundland as the people of Newfoundland are towards the people of Quebec.

SOME HON. MEMBERS:

Hear, hear!

MR. STIRLING:

Let us talk about the Levesque government, the unreasonable Levesque government.

MR. LUSH:

Let us (inaudible)

MR. STIRLING:

What the Premier has done here is that he has selected one of the options, one of the options in saying to the people of the Levesque government that all the people in Newfoundland and Labrador intend

MR. STIRLING: to get a fair deal with our power.  
That is all that this is saying. This is saying that we are  
going to put in place in this House of Assembly - what the  
Lord giveth the Lord

MR. STIRLING:

can taketh away. Well, this House gave the lease rights to CFLCo. And what the Premier is saying here is, 'Here is a piece of legislation which this House has the competence to deal with, but do not panic anybody - do not panic in Quebec and do not panic in New York. We are only going to use this if we cannot negotiate a fair deal on the Upper Churchill' in the same way as we are saying the tax, the right to indirect tax was another method of saying to Quebec, "Quebec, one way or the other we are going to get a fair deal on the Upper Churchill," and this is one way. And let me say that this may be the best way. Our caucus will consider it and I hope, Mr. Premier, that you will grant us the courtesy to be briefed by your legal people so that on this issue as well, if possible, similar to the amendment that we have now on another resolution, on this issue we may be able to have unanimous agreement in this House, if we can have the access to the same briefing, Because this is one route, this is one route of saying to the people of Quebec, "We want a fair deal." Now what does it actually say? And let us get away from all the mumbo -jumbo. It says that early on this House decided we would like to develop the Upper Churchill. We were going to develop the Upper Churchill so we gave a lease to the only corporation that was around and in all that listing, by the way, it would have been great to be able to find in their heart that one of the factors - and I am glad that the Premier has done it because some of his colleagues have made this contract seem to be something dirty and bad and horrible done by Premier Smallwood. He has now come out and I am glad that he has put it in its proper perspective because he said this was an excellent project, this is something people can be proud of and that we do have the rights - and he has said it again

MR. STIRLING: that there is no doubt that we have the right under that lease, and the action that he took this morning vindicates everything that people on both sides of the House, back twenty years ago when we were not involved, did the right thing and they put in that contract in the lease. The unfair part of it, the unfair part of it is that the Quebec government and Quebec Hydro never treated that properly. So what is now being done? And whether it was done by that side of the House or this side of the House is we are taking another route. We are saying we will start at the beginning. There are two or three contracts involved. The first one was where this House, this House of Assembly, gave the right to develop the hydro power to CFLCo and all this does -

MR. NEARY: It was unanimous.

MR. STIRLING: It was unanimous then as it may be now after we get all the information and we get a chance to consider it. What this is doing is saying, "Hey, Quebec, if you will not recognize the fairness of that first deal, then this act is going to take it back." Now I have no doubt that our financial friends in New York, getting whatever they are getting on their bonds now, five, six or seven per cent, would gladly make all these financial commitments that are in here to pay off everything and replace it with bonds getting ten, eleven, twelve, thirteen, fifteen per cent. You are not going to find any financial people objecting to turning over something on which they are earning six or seven or eight per cent and then getting twelve or fifteen per cent because they still have you right by the little ones in both cases -

MR. NEARY: Hear, hear!

MR. STIRLING: - except they make more money-

SOME HON. MEMBERS: Hear, hear!

MR. STIRLING: - assuming that is a parliamentary expression, Mr. Speaker.

MR. SPEAKER (Simms): No comment.

MR. STIRLING: Mr. Speaker, what we have here - this is not a calculated risk. I do not see any panic in this. What the government has done here is to say, "Quebec, we are going to sit down and negotiate on the Upper Churchill." Now they have a number of tools to do it. One is indirect taxation, which they have never had before. The federal government is now going to help them. Two,

MR. STIRLING: and I hope that they will now accept that the Prime Minister of Canada has said, "You can put your power across Quebec, it is now in writing. We are going to develop with or without you Quebec." (3) The Anglo Saxon route is now a viable alternative. (4) We are going to tear up the original deal if you fellows will not deal. That is what this legislation says, that we are going to table it, we are going to send it to the courts to see if it is legal, and give Quebec time to get over this. I would say, ~~that~~ knowing the Minister of Energy (Mr. Barry), that this is no surprise today in either Quebec or in New York. The only surprise is in the House of Assembly because a day or two ago the Premier filled me in on the fact that he did not want me to say another thing about the very delicate thing that was happening, and I respected his wishes and I want to say right now that I confirm his greatest concerns because he has developed a little bit of a reputation internationally for doing things that people cannot understand. Well, let us take the panic away from that this morning. Let us say that there is no need for the financial community to panic, that all this is is an enabling pieces of legislation that says, "If we cannot negotiate with you, Quebec, we are pulling out the final rug." And it is one more step in a large issue of essentially - with the help of whatever tactics we can - to renegotiate the Upper Churchill and in that objective, Mr. Speaker, and members of the other side, if we can get the same information that you now have we would love to have the opportunity to be able to make this unanimous. But that is up to you.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Simms): Any further statements?



MR. SPEAKER (Simms): Before proceeding with Oral Questions, I would like to, on behalf of all hon. members, welcome to the galleries today sixty-six students from I.J. Sampson School in the district of St. John's West. We trust that they will find their visit to be interesting and informative.

SOME HON. MEMBERS: Hear, hear!

ORAL QUESTIONS:

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

MR. NEARY: Mr. Speaker, it is most timely. The question I had planned to ask the Premier today ties in pretty well with some of the remarks he made a few moments ago. I would like to ask the hon. gentleman if he intends making public a letter received from the Prime Minister of Canada a couple of weeks ago in connection with a Telex sent by the hon. gentleman asking for additional information in connection with the Constitutional Act that is now before the House of Commons? All the other correspondence the hon. gentleman had with the Prime Minister, and everybody else, has been made public. Why has this letter not been made public?

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: I do not think I have the letter, Mr. Speaker. There was a long Telex from the Prime Minister, last Friday it was received in my office and we responded to it on Monday or Tuesday. But there is no problem in making it public, Mr. Speaker. There is no reason why it has not been made public. We responded to it and it is just the same kind of information that has already been available to all Newfoundlanders and all Canadians. There is nothing new in the correspondence. It just goes on to indicate that - and acknowledge; the Prime Minister and Mr. Chretien<sup>have</sup> acknowledged, and just about everybody in Canada now has acknowledged that there are no more guarantees, that everything is up for grabs. And he acknowledges that but goes on to say, "It is not our intention to do anything." The only problem is that they are

PREMIER PECKFORD: not going to be there forever and we do not like to leave basic rights up to personal intentions but rather guaranteed as has been the British and Canadian way for 113 years.

MR. NEARY: Mr. Speaker, a supplementary.

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

MR. NEARY: The hon. gentleman in his Telex challenged certain statements made by the Prime Minister and they were explained and clarified in this letter. That is what the Telex is all about. And I am amazed that the hon. gentleman did not make it public.

Let me deal with another letter that has something to do with the topic that the hon. gentleman just raised and that is transmitting power across the Province of Quebec. The Prime Minister also wrote in reply to the hon. gentleman a letter on October 20th. Why has the hon. gentleman not made that letter public?

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: I said to the people of Newfoundland, and through the media, Mr. Speaker, and will through this House, that we are communicating with the federal authorities on the question of transmission of power. The only reason why the last letter from the Prime Minister and the others were not is that we check with his office before we release it. They are available. But I thought in the interests of getting the negotiations started we would just communicate those letters and not make them public under it was agreed to by both parties.

We have written the Prime Minister and indicated to him that You have said our idea of getting power through Quebec is hypothetical and even though whether it is hypothetical or real should not make any difference to our right to transmit, so we are being treated as second class citizens if you are asking us, that we must have a contract in

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PREMIER PECKFORD:           our hands before you will give us  
the same rights that all other Canadians can get without  
a contract, which seems to be a strange way of doing it.

PREMIER PECKFORD:

But in the sake of getting something going and even though by so doing we are admitting that we are not even to other Canadians, and have gotten the contract. And so I went back to the Prime Minister and said, 'Even though we have not got to do this, because a right is supposed to be a right and not based upon a contract, we also have a contract. So now we have taken away the argument that you have been using. So will you please now tell us the procedure to be followed so that we can finalize the specifics of this contract and get the Lower Churchill started.' The Prime Minister has come back and said, 'This is an interesting development and we would like to talk to you about it and I am going to have my federal/provincial relations people get on to your people and we will sit down and talk about it.' So there has not been any acknowledgement yet as to whether we have the same rights as other Canadians. What has been conceded are two things, (1) that finally, and for the first time in our history that I can remember, the federal government has acknowledged that it might have a role to play and, secondly, they want to talk about it.

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

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

MR. S. NEARY: That is one interpretation of the Prime Minister's letter. There can be other interpretations placed on it, Mr. Speaker. My interpretation is that the Government of Canada intends to stand by that constitutional principle.

PREMIER PECKFORD: They have not acknowledged that yet.

MR. S. NEARY: Well, they have acknowledged it and they asked the hon. gentlemen, the Prime Minister asked him at an early date, he said, to have the officials of the Federal/Provincial Relations office meet to discuss arrangements for such procedures. To hear the hon. gentleman you would swear, Mr. Speaker, that nothing has happened -

MR. SPEAKER (Simms): Order, please!  
The hon. member has a supplementary question?

MR. S. NEARY: Well, I want to ask the hon. Premier if indeed this meeting has taken place? Has the Premier acknowledged the last paragraph of the Prime Minister's letter and gotten in touch with the Prime Minister's office to arrange this very important meeting, this high level meeting?

MR. SPEAKER: The hon. Premier.

PREMIER PECKFORD: Yes, of course we have, Mr. Speaker. We are very eager to sit down because, as I said, it is the first time - and unfortunately the hon. member for LaPoile (Mr. Neary) is still interpreting words and things the same way as he did ten or fifteen years ago and why we are in the mess we are in now, that letter does not give us any guarantees that we will be treated like other Canadians. Now if he wants to accept it as that he can, but I will not be forced by the member for LaPoile to sell out again on the issue of hydro resources in Labrador whether he likes the letter or not.

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: And no legal interpretation of that letter can give that kind of conclusion that the member for LaPoile has put on it. So let us be careful and let us fight for Newfoundland and let us not get weaselly-mouthed over a couple of words in a letter which gives us no guarantees.

PREMIER PECKFORD:

Mr. Speaker, if the Government of Canada wants to give us the same rights for the transmission of our energy products as other Canadians have, they can do it in their new Constitution Act and then it is enshrined for all time and then there is argument and then there is no doubt. That is the way it has to be done. I have gotten hold to the Prime Minister's office and said we are ready to meet at the drop of a hat, anywhere, anytime, to pursue a breakthrough and the breakthrough is that finally the federal government, the Canadian Government, has acknowledged that they might have a role to play in seeing that we get fair treatment.

On the matter of the telegrams on the constitution, this was all released by my office yesterday. My response to the Prime Minister, if the member for LaPoile (Mr. Neary) is interested, is, 'I reply to your rather long telex of November 14th. It would appear from reading your telex that you still have not clearly answered my government's three main objections to your Constitutional proposal. That is, (1) we feel that your unilateral actions are both illegal and unconstitutional; (2) they fail to recognize our need for shared jurisdiction in the fishery, fail to recognize our ownership of offshore oil and gas, and fail to guarantee us hydro transmission rights; (3) they take away our guarantees on rights which we already have on such things as our border, our educational system and our offshore job preference regulations. Your telex refers to realistic possibilities and this phrase has nothing to do with guarantees. If the Constitution Act passes, we have no more guarantees. Yours truly.'

SOME HON. MEMBERS:

Hear, hear!

MR. S. NEARY:

A supplementary, Mr. Speaker.

MR. SPEAKER (Simms):  
member for LaPoile.

A supplementary, the hon.

MR. S. NEARY: Now we are getting some-  
where, Mr. Speaker. Obviously, the Prime Minister, the  
Government of Canada have offered to co-operate. The hon.  
gentleman decided to keep the correspondence under wraps  
to keep it away from the people of this Province. Now,  
Mr. Speaker, when it is not to the hon. gentleman's  
advantage to call a news conference or pump out a news release  
just keep it under wraps, do not let the people see it.  
I am going to ask the hon. gentleman now in connection  
with the transmission of power across the Province of  
Quebec and the sale of power, surplus power from the  
Lower Churchill, what arrangements, if any, have been made  
with the State of New York? Is there

MR. S. NEARY: indeed a contract or an agreement or is there just an agreement in principle-or is there any agreement at all? Would the hon. gentleman update us on the sale of power to either Con Ed or to the State of New York?

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

PREMIER PECKFORD: Mr. Speaker, that is a very inconsistent line of questioning that the member for LaPoile (Mr. S. Neary) is pursuing. A few minutes ago he talked about not tabling certain information which was not tabled hithertofore because I wanted to co-operate -

MR. S. NEARY: It will be. Copies are available.

PREMIER PECKFORD: - with the new initiative by the federal government until -

MR. S. NEARY: The first copies are available.

PREMIER PECKFORD: - such time as something happens which could be reported on, which he reads very studiously-or misreads. Now he is asking me to refresh his memory about correspondence I did make public three or four weeks ago about a power contract between the State of New York and the Newfoundland Government. So now it is no good for me to table anymore information because the hon. member for LaPoile does not read it.

SOME HON. MEMBERS: Oh, oh!

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

MR. L. STIRLING: Mr. Speaker, in the spirit of co-operation I would like to ask - I realize the Premier got carried away, it may have been the tone of the question - but let me ask the Premier does he now accept, in fact, that the Prime Minister has said to him that in principle we agree with you and we now need to get the officials together to work out the details? Do you now accept that?

MR. SPEAKER: The hon. the Premier.



PREMIER PECKFORD: No, Mr. Speaker, All we know is that the Prime Minister, the government, are acknowledging that they have a role to play and they want to sit down and talk to us about it. Now let us get one thing clear; I mean, we are trying to co-operate, we are on to the Prime Minister's office and to the Government of Canada to sit down on this matter, there is no question about that. But you cannot go making statements unless you are absolutely sure that they are correct and from the information that we have to date - because you see, Mr. Speaker, if the federal government really want to enshrine this as a right like all other Canadians now have, they would do it through the Constitution. Why should we have to negotiate a right? Alberta does not have to, BC does not have to, Saskatchewan does not have to, Manitoba does not have to, Ontario does not have to, Quebec has not got to, In the federal Budget there is a gas pipeline going from Alberta to Montreal now, and the federal Budget said that it is going to be expanded all through Quebec, all through New Brunswick, all through Nova Scotia to Halifax, and the National Energy Board will hear the application and will hear all parties. We are asking for that same kind of right and that has not been given to us yet. However, we do go on to say that we recognize that there has been a change of mood and hopefully policy in the federal government which is now acknowledging for the first time - as you know, up until now, Mr. LaLonde and even the Prime Minister have said, 'That is a problem for you and Quebec'. They did not recognize that it had national repercussions, and under the constitution the main obligation lies with the central government. It seems as if they are starting to move towards that new revelation; it seems like they have been on the road to Damascus and they have been struck down with a certain light which says, "Fairness exists from Bonavista to Vancouver Island and not from Cape Breton to Vancouver Island."

PREMIER PECKFORD: And in the prusuit of this change of policy , we acknowledge and hope with all our hope that in our meetings that we have with them that that right will be fully acknowledged so that then we will be treated the same way, no different than other Canadians.

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

MR. SPEAKER (Simms): A supplementary, the hon. Leader of the Opposition.

MR. L. STIRLING: I yield to my colleague the hon. member for LaPoile.

MR. SPEAKER: The hon. member for LaPoile.

MR. S. NEARY: Mr. Speaker, I would like to ask the hon. gentleman, he keeps referring to constitutional rights to put pipelines across other provinces, would the hon. gentleman give me the reference in the Constitution for such authority? Would the hon. gentleman tell the House where it is enshrined in the present Constitution or in the new Constitution to send oil across a Province in a pipeline without agreement from the provinces? Would the hon. gentleman give me the authority for that so I can go and check it because I do not believe there is any such authority?

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: Once again, Mr. Speaker, the hon. member for LaPoile (Mr. S. Neary) forgets - he has a convenient kind of memory; certain things he remembers and other things he forgets - but on many, many occasions we have quoted the section. I do not have on the top of my head the number but it has to do with interprovincial trade, the section in the BNA Act -

MR. S. NEARY: Oh, but not oil.

PREMIER PECKFORD: - on interprovincial trade. It does not come down to specifics -

AN HON. MEMBER: That is right.

PREMIER PECKFORD: - one way or the other. It is in the provincial trade. Now, what we are saying -

MR. S. NEARY: Now we are getting down to it.

MR. SPEAKER (Simms): Order, please!

PREMIER PECKFORD: -Mr. Speaker, is interprovincial trade and the transmission of energy products is the principle that is enshrined in the Constitution, it has to be standardized. And under that heading, obviously, the Fathers of Confederation said, 'Now, in 1980 we are going to make sure here that Alberta and all the other provinces can transmit oil and gas but we really here mean in intent just oil and gas and not hydro power. We can see far enough ahead in time that we must discriminate against one part of Canada.' No, of course not. The Fathers of Confederation said that interprovincial trade means interprovincial trade for all products that are going to be traded from province to province and through provinces, and there is no other way to interpret it. The best legal and constitutional experts around have adjudicated on this and have agreed unanimously with this position and opinion that I am giving now.

SOME HON. MEMBERS: I agree.

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

MR. L. STIRLING: Mr. Speaker, I am having a little bit of difficulty separating out the fact from the fiction.

MR. STIRLING:

It seems to me -

MR. NEARY:

He is waiting for Cabot to decide and tell him what to say.

MR. STIRLING:

It seems to me that the Premier is continuing to try to get an agreement that he has already gotten in the first case, as I understand what he is now saying is that it is covered under the Constitution. Well, why do we not just go ahead and build our transmission line across Quebec. Who stopped us?

MR. NEARY:

Right on.

PREMIER PECKFORD:

Mr. Speaker.

MR. SPEAKER (Simms):

The hon. the Premier.

PREMIER PECKFORD:

We have been stopped because the Federal Government has continually said they have no role to play and therefore nobody in New York -

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please!

PREMIER PECKFORD:

Mr. Speaker, up until two weeks ago, and up until even now, they have not given us the guarantee, the national guarantee that they will exercise -

MR. STIRLING:

Sure, you do not need it.

PREMIER PECKFORD:

Yes, we do need it because the Federal Government up to now -

MR. STIRLING:

You already have it in the Constitution.

PREMIER PECKFORD:

- Mr. Speaker, if I can finish?

MR. SPEAKER:

Order, please!

PREMIER PECKFORD:

If the Leader of the Opposition wants to ask a question and I am silent, then I would ask him to respect me to answer it and him remain silent.

PREMIER PECKFORD: Otherwise, the parliamentary system breaks down and it is just as well for us to close down. Now, the fact of the matter is we have tried to negotiate as far as we can get with the Power Authority of New York for power and they have said to us in a letter, signed by Mr. Dyson, the head, checked out with the Governor of New York and everybody else, that they will purchase power from us, over six or seven hundred megawatts, they would like to have a thousand, well over six hundred megawatts, it is in the letter that I tabled, and this is an agreement in principle to purchase that. We cannot work out the price, we cannot work out the final price until we know what the charge is going to be for transmission through Quebec. We cannot give you - 'I cannot sit down with you Premier of Newfoundland, and negotiate the final price.' Although we have talked about prices, we do not know what the cost is going to be from the Labrador - Quebec border to the Quebec - New York border. How much is the transmission cost going to be through Quebec? And this is what we are saying, 'Mr. Prime Minister and the Canadian government, is you will acknowledge that the same right exists for transmission as it does for gas, we will go before the National Energy Board, Tell us that that is the way it is going to be' -

MR. NEARY:

(Inaudible)

PREMIER PECKFORD: Mr. LaLonde has completely confused the issue over the years and over the months by continuing to say, as they did at the Constitutional Conference, 'That is the problem between you and Quebec' and therefore Paisney in New York or nobody else in Ontario will sign a

PREMIER PECKFORD: firm contract, not knowing what the cost of transmission is going to be through Quebec.

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

MR. SPEAKER(Simms): A final supplementary, the hon. the Leader of the Opposition.

MR. STIRLING: Yes, I am having some trouble again understanding the Premier. It seems to me that we are talking about two things; one is the right of this Province to run a transmission line across Quebec, and he seems to say that it is covered under the Constitution. Now, as I understand what you just said is that you want Ottawa to force Quebec to accept our power and run it through their grid system. Now is that what we are looking for, transmission through their grid system, or a separate transmission line? Now which?

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: Mr. Speaker, to separate fact and fiction, give the hon. member some time -

AN HON. MEMBER: Hear, hear!

PREMIER PECKFORD: - the question of how the power goes through Quebec is incidental to the principle for the right of transmission. Now what happens - I do not know if the hon. member knows, whether he is just not clear on the information, or whether he is really serious. Because we are saying, Mr. Speaker, to the Canadian Government that under the Constitution you have an obligation to ensure that we can transmit energy products the same way as the West. And if you acknowledge that and allow a company or a government to apply to the National Energy Board, the way the power will be transmitted through Quebec and the cost will be determined and adjudicated by that independent agency. That becomes

PREMIER PECKFORD: a detail after the principle has been acknowledged.

MR. S. NEARY : The principle (inaudible)

PREMIER PECKFORD: But up to now the principle has not been acknowledged and may I further say, Mr. Speaker, as evidence to prove my point, that if in fact some allegation or contention that the existing Constitution does not effectively cover this principle-

AN HON. MEMBER: It does not.

PREMIER PECKFORD: - if it does not, if it does not, the Federal Government has the opportunity, under the new Constitution Act, to make it pretty clear and they have not.

SOME HON. MEMBERS: Hear, hear!

MR. STIRLING: A new question, Mr. Speaker.

MR. SPEAKER (Simms): The hon. the Leader of the Opposition, a new question.

MR. STIRLING: A new question, Mr. Speaker, because I think this is very important. We have just talked about our rights in Newfoundland. Do you acknowledge that Quebec owns their transmission system within Quebec?

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: Of course, Mr. Speaker, that has nothing to do with the matter of transmission, the right and the principle of right of transmission through neighbouring provinces of energy products through an agency like the National Energy Board. It has nothing to do with it at all.

MR. STIRLING: A supplementary, Mr. Speaker.

MR. SPEAKER: A supplementary, the hon. the Leader of the Opposition.

MR. STIRLING: Mr. Speaker, then this is where I think the Premier should be reasonable in saying that the Prime Minister and your own Constitutional experts say we have the right. Now, the Prime Minister has said to you, 'Since you now acknowledge that the grid system is owned by Quebec, sometime you and Quebec are going to have to work out some arrangements or the federal people have to work out -

PREMIER PECKFORD: No.

SOME HON. MEMBERS: Oh, oh!

MR. STIRLING: - a contract to use that system. And so what you have now got, it really is -



MR. STIRLING: now the ball is in your court, Mr. Premier, you have everything cleared. Why do you not start making the move?

PREMIER PECKFORD: Oh, my! Oh, my! I mean, it is just so difficult to try to explain something to the hon. the Leader of the Opposition! I will have to have another meeting with him.

SOME HON. MEMBERS: Oh, oh!

PREMIER PECKFORD: The situation is, do you not understand, Mr. Leader of the Opposition, that when Trans-Canada Pipelines or Alberta Gas Trunk or the government in Alberta or the Government of Saskatchewan wants to put a gas pipeline through their neighbouring province to get it to some market if they want to do that -

MR. STIRLING: But you have not said that.

PREMIER PECKFORD: Listen to me.

SOME HON. MEMBERS: Oh, 'oh!

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: - they make an application - listen and understand. Let us get the wheels turning, listen and understand.

MR. STIRLING: You make up your mind, eh?

PREMIER PECKFORD: -there is no question. They make an application to the National Energy Board. They do not negotiate with the Government of Manitoba, they do not negotiate with the Government of Ontario.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Simms): Order, please!

PREMIER PECKFORD: It is done by the National Energy Board of Canada.

Now, what has happened up to now is that the federal government has stubbornly refused to recognize our rights to have that application to the National Energy Board handled the same way as for oil and gas. So that is the point, and it has nothing to do with that.

PREMIER PECKFORD: You can try to hide behind these convenient little mechanics. The fact of the matter is that if the Canadian Liberal Government wants to give us the same kinds of rights for transmission of energy products, all they have to do is make sure they have it in the new Constitution Act. I asked the Prime Minister to do it, to clarify it, and he would not do it, has not done it.

SOME HON. MEMBERS: Oh, oh!

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER (Simms): Order, please!

I believe it would be imperative for me to remind hon. members that remarks should be directed towards the Chair and not towards each other.

The hon. the member for Windsor -  
Buchans.

MR. FLIGHT: Mr. Speaker, a question leading out of one of the answers the Premier gave. I think he indicated that the State of New York wanted to buy 600 to 800 megawatts, possibly 1000, he did not know for sure. Assuming that a corridor was no problem, assuming there was agreement on a corridor would a 600 megawatt sale to New York justify the cost of building a hydro line from the Upper Churchill to the State of New York across Quebec? Would that type of a contract satisfy the Premier that that would be (inaudible). Muskrat?

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: Not the Upper Churchill. It has to be - you see, we do not know right now; if we could have our assurances that we could go before the National Energy Board the same as the gas companies or the gas producing provinces and be handled that way and have the same constitutional power imposed upon the National Energy Board as now it is imposed upon them for oil and gas; in other words, the right is there as long as the mechanics can be worked out, with all parties having a say in it, then we can decide. Now, we have a dilemma over

PREMIER PECKFORD: Gull Island versus Muskrat, and we have indicated in our policy statements here in this hon. House and in other places that Gull is by far the preferred site if you have a sale for the surplus. We would need around 800 here and the other 800, or around 800 - it would be 1600 or 1700 megawatts - the other 800 could be sold or used for industrial expansion. So what we are trying to do is to put together a deal for the surplus on the Gull first, because Gull would be the preferred site. Now, we have not finalized who will be the customer for that surplus power. We are negotiating and bargaining hard with two customers now, aluminum industry representatives from Europe and the Power Authority of the State of New York. We want to continue to keep both of those customers active because in keeping both of those customers active we can bargain harder for a better deal.

So it is a question of using the surplus power, first of all at Gull Island in the first five or six years, and then after we have a deal on the surplus and bring our own line to the Island for the other 800 here, we have that development done, then we move on to phase two for the Muskrat Falls and try to do a deal on that one. That is the way we would like to proceed. So it is a question of finding a market for your surplus power on the Gull which is available to us. All we want then is the same constitutional power imposed upon the National Energy Board as is now imposed upon it as it relates to oil and gas transmission. And then we have a real chance of a deal with Paisney or if we do not like that deal even with that right, we can go with an industrial customer.

MR. FLIGHT: A supplementary, Mr. Speaker.

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

MR. FLIGHT: Earlier on in the Question Period the Premier indicated that he justified his position with the

MR. FLIGHT:

Prime Minister of Canada by producing a contract from New York that would buy up to 1000 megawatts of electricity. His demand to the federal government was for right of access across Quebec the same as the other provinces having the right of access for oil. He justified that demand by saying he had in hand a 600 megawatt to 1000 megawatt contract. I am asking the Premier again the question whether or not a sale of 600 to 1000 megawatts

MR. FLIGHT: of power to new York -

AN HON. MEMBER: You are asking the same question.

MR. FLIGHT: Because I do not get an answer -  
to New York would justify the cost of building a transmission  
line from Labrador to the New York market.

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

PREMIER PECKFORD: I have answered the question,  
Mr. Speaker.

MR. FLIGHT: A supplementary, Mr. Speaker.

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

MR. FLIGHT: Some time last year - the Premier  
alluded to this a few minutes ago too - the Minister of Mines  
and Energy (Mr. Barry) pointed out that there was three  
alternatives to wheel Labrador power - Lower Churchill, Muskrat  
Falls power - out of Labrador and into a market. One, a court  
order. Two, the Anglo-Saxon route across the Strait and  
across the Gulf. And three, wheeling that power out over the  
same hydro lines that Quebec now owns. And he said - he qualified  
it here when he was asked to assure the House that it was technically  
possible - the capacities were there to wheel the power out over  
the hydro lines and that is the way it should be done. If an  
agreement could be reached, that is the way it should be done.  
Now have there been any negotiations ongoing with Quebec  
Hydro to wheel that power out over the existing lines as  
opposed to the constitutional negotiations we are hearing tell of?

MR. SPEAKER: The hon. the Premier.

PREMIER PECKFORD: I will have to go back teaching  
school, Mr. Speaker.

AN HON. MEMBER: Yes, do that.

SOME HON. MEMBERS: Hear, hear!

PREMIER PECKFORD: But it will not be forced upon me  
by hon. members opposite, I can assure them. June, 1979 was  
just a start, Mr. Speaker. It was just a start. June, 1979 was  
just the first stage of a long series of stages whereby -

MR. FLIGHT:

Answer the question.

PREMIER PECKFORD:

Let me try to put it as simply

as I can for the member for Windsor-Buchans. The question of the nature of transmission through Quebec is putting the cart before the horse. What you have to do, Mr. Speaker, that is a decision that will be made by the National Energy Board after an application has been put before it and after the various interests involved in this thing have their say. The National Energy Board then rules. All we want is to have the same rights, the same power imposed upon the National Energy Board as is now imposed upon the National Energy Board for oil and gas. Then the application is made by either CFLCo or Newfoundland Hydro, the contract is tabled and hearings begin, and then it is decided by the various agencies involved which is the best procedure for transmission through Quebec. But it is the second step after the principle has been acknowledged and not the other way around. You cannot do the breast stroke until you get into the water.

MR. NEARY:

How about the shower?

MR. FLIGHT:

A supplementary Mr. Speaker.

MR. SPEAKER (Simms):

One final question. The hon. member for Windsor-Buchans.

MR. FLIGHT:

I wonder if the Premier would tell the House, assuming the right is ceded to us so we have the right to wheel power out of Quebec under any circumstances, would the Premier care to comment on whether or not the National Energy Board would have the authority to tell Quebec-Hydro to wheel our power out? We know that that is the way to get it out, over the present lines, from an economic point of view. Now assuming we have the right to do that, recognized under a constitution, if he wants to recognize it under a constitution, could the National Energy Board order Quebec Hydro to wheel Newfoundland power over Quebec over lines that they own, assuming Quebec were

MR. FLIGHT: not prepared to go along with that?

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

PREMIER PECKFORD: In principle, yes, but it would be subject to - this is a quasi judicial body, the National Energy Board, like the Public Utilities Board. That is the whole point of it, because then it will hear all parties to the application and then the National Energy Board will rule on the most appropriate means, given all the evidence that is put before them, as to how this can be transmitted so the contract can be honoured that we signed with Paisney or whoever we will be signing it with. That is the whole point. But it is done impartially so that neither party can then argue with it. They might be able to appeal it again to another appeal provision that might be in the National Energy Board Act, you see, but that is the way Canada operates and it is a fantastic way to operate. I mean the National Energy Board or some other agency because of the vying interests - it is like the Trans-Canada Pipeline or Alberta Gas Trunk when they make an application. Trans-Canada Pipeline might be totally opposed to this, the Ontario Government might be opposed to it, and there have been from time to time interventions even by the Newfoundland Government to National Energy Board hearings. I do not know if the hon. members -

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER: Order, please!

PREMIER PECKFORD: I do not know if the hon. members opposite are aware that in all the applications that are put before the National Energy Board, from time to time there is an intervention by a province, by a company, by some corporation and so on. And it is after

PREMIER PECKFORD: all of these hearings have been held in public, all the evidence is available and is sent around the country, that the National Energy Board then adjudicates on the matter. And then I think there is even a further provision, if I am not mistaken; I think I remember from three or four years ago, there is a final appeal to the Governor in Council, even under the National Energy Board Act, I think, and I do not know under what categories that appeal is applicable, but there is. So that gives you the kind of procedure.

AN HON. MEMBER: You are not sure.

PREMIER PECKFORD: No, the National Energy Board Act now, I am not sure if that reference is there and under what conditions it is there, but I think it is. But whether it is or it is not is not the salient and relevant kernel of what I am trying to say. What I am trying to say is that if the Canadian National Government will recognize the powers of the National Energy Board for the purposes of power transmission, we would be satisfied and we would be then being treated like other Canadians. That is all.

MR. FLIGHT: You do not have the Churchill power.

MR. SPEAKER (Simms): Order, please!

The time for Oral Questions has expired.



NOTICES OF MOTION:

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

PREMIER PECKFORD: Yes, Mr. Speaker, I give notice that I will on tomorrow ask leave to introduce a bill entitled, "An Act To Provide For The Repeal Of The Churchill Falls (Labrador) Corporation Limited (Lease) Act, 1961, And The Lease And Amendments Thereto Executed Under That Act And the Reversion To The Province Of The Rights And Liberties Leased Or Granted To The Lessee Under The Lease."

SOME HON. MEMBERS: Hear, hear!

ORDERS OF THE DAY:

MR. SPEAKER: Motion I on the amendment proposed by the hon. the Leader of the Opposition.

The hon. Minister of Labour and Manpower.

MR. DINN: Mr. Speaker, in rising to speak to the amendment proposed by the hon. the Leader of the Opposition, may I first of all take this opportunity to congratulate him on his election as Leader of the Liberal Party and wish him every success as Leader of the Liberal Party and hope that we can get some sort of co-operative effort on the constitution to the federal government so that our rights are protected so that we have equality in this country.

I want to start off my remarks by saying that I lived in other parts of Canada for ten years and worked there and I am a Canadian.

MR. FLIGHT: Good. Good.

MR. DINN: And, Mr. Speaker -

MR. STIRLING: No local preference.

MR. DINN: - I take strong objection to anyone who would say any different than that.

Now, Mr. Speaker, I sat here and listened for some time to the Leader of the Opposition (Mr. Stirling) who just interjected, and I would respectfully request that I be

MR. DINN: given an opportunity to speak in this House without such interjections.

Mr. Speaker, the hon. leader mentioned something about local preference . That is one of the things that is in the main resolution in this House, that was not put into the hon. the Leader of the Opposition's amendment.

MR. BUTT: Right on.

MR. DINN: One of the things that is in that main resolution, Mr. Speaker, that is of utmost importance to this Province, not because we as Newfoundlanders and Canadians want to prevent other Canadians from getting jobs, but to prevent what has been happening for over fifteen years in our offshore, in that development of our resource not only where Newfoundlanders were not working, but no Canadians were working. They got the odd jobs from ships that we built in Canada, but with respect to the record of the former fifteen years of jobs on the offshore, the record

MR. J. DINN: of the federal Liberal Government was atrocious. I will give 1978 as an example, prior to when our regulations came into effect on the offshore, when we had several drillships working offshore. In 1978, we had the Pellerin and the Ben Ocean Lancer working in our offshore and we had zero Canadians working on those ships, zero Newfoundlanders who are Canadians, and zero Canadians from any other province, zero per cent of any jobs in the offshore. And I take objection to that. I think that is a disgrace, that nobody took over the responsibility for anything like that. Now, one would say, why does not the Newfoundland Government take over responsibility for getting jobs for all Canadians?

Well, Mr. Speaker, the registry that I have for people to be employed in the offshore will be a lot bigger than 6,000. And I would also say that it would be impossible, it would be impossible for us as a government to in any way control that. We have a computer programme now that has close to 7,000 names that we have to check continuously, and fight continuously to make sure the Newfoundland Canadians, Canadian Newfoundlanders work in the offshore. And I will take no back seat, nor will I apologize for the work that the Department of Labour and Manpower, the Minister of Mines and Energy (Mr. Barry), that the Premier of this Province put into our regulations so that we could get some of those jobs. Contrast 1978 to 1979; 1978, zero Canadians in the offshore; 1979, the first year that the regulations came into place, 730 Newfoundlanders in the offshore, Newfoundland Canadians in the offshore; 1980, this year, at peak, over 900 Newfoundland Canadians. But there are 1,600 jobs out there. There are 1,600 at peak this year, What happened? Where was the federal government, where was Canada Employment and Immigration? Why did they not provide jobs for the other Canadians? Is that my responsibility? Is that the responsi-

MR. J. DINN: bility of this government, to provide jobs for those other Canadians? Should somebody else get involved?

I think it is near time that the people of Newfoundland learned the facts about what is going on. I will certainly take no back seat to anybody. It kind of disturbs me a little bit when we have the federal Minister of Employment and Immigration (Mr. Axworthy) come down here and stand up amongst Newfoundland Canadians and talk about whether we have the right to those jobs; who went on CBC television and got ten minutes of time on CBC television to explain the federal government's position before a poll was taken. And I was not given the opportunity, I was not asked to go on to explain our position because Mr. Axworthy would not be able to defend his position on T.V. with me. I was not called by CBC to go on and talk about local preference in the offshore and ask Mr. Axworthy, 'Where was he for fifteen years?'

Mr. Speaker, I take no back seat to the hon. Lloyd Axworthy or the hon. Leader of the Opposition (Mr. Stirling) who disagrees with us getting jobs for Newfoundlanders. I take no back seat to anybody. I have to get up and stand up and it is nearly time somebody did, stand up for Newfoundlanders. But there were 1,600 jobs, what happened to the other 700 jobs on the offshore this year? Where was the hon. Lloyd Axworthy and his Canada Employment and Immigration? Where was he?

MR. STIRLING: You are being anti-Canadian again.

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Tape No. 2327

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MR. J. DINN:

That is not anti-Canadian, that is telling the people of Newfoundland that the federal minister of Employment and Immigration is shirking his responsibilities. He has responsibilities to the other people, the other Canadians in Canada to get jobs for these people. One million people

MR. J. DINN: unemployed in this country and 700 jobs in the offshore and not a finger lifted.

Mr. Speaker, I will never take a back seat, a back seat in this Province nor in this country, to anyone. In the 1960's an average of 8,000 to 10,000 Canadians, Newfoundlanders who could not find jobs in this Province had to move out. The net outward migration in the '60's and '50's was 10,000, and I should take a back seat or I should cringe or run into a corner because somebody claims that I am doing something with respect to local preference in the offshore.

We had a resource developed in Western Labrador, the iron mines in Western Labrador -

MR. R. MOORES: (inaudible) relevancy?

MR. J. DINN: It may not be relevant to the hon. member for Carbonear (Mr. Moores) but there were people out in Carbonear who got jobs this year on the offshore oil and gas. It may not be relevant, he may not think it is important that jobs be secured for Newfoundlanders. I think it is important, Mr. Speaker, and I will fight for every job that I can get out there.

MR. MOORES: It is not relevant though.

MR. DINN: He may not think that local preference is relevant. Well, local preference is relevant. Because there is nothing in that resolution - and there is a reason why I cannot support it - there is nothing in that resolution, that amendment to the resolution that protects jobs for Newfoundlanders.

MR. MOORES: What has that got to do with it?

MR. DINN: The Economic Council of Canada thinks it is a disgrace that we are not getting our rights,

MR. DINN: that we are not getting rights.

MR. MOORES: What has that got to do with anything (inaudible)

MR. DINN: They did not tell us anything about the Quebec and North Shore and Labrador railway. They did not mention anything about that, going into Western Labrador, extracting our minerals and taking them out. 1,250 people work on that railway, two-thirds of which is in this Province. Two-thirds of the railway runs in the Province of Newfoundland and Labrador. We have forty-seven jobs! We have forty-seven jobs on the Quebec North Shore and Labrador railway. Why? Well, I will tell you why, Mr. Speaker, because the governments prior did not see to it that Newfoundland's interests were protected. And that is not going to happen again. The hon. the Premier stood up in this House today to speak about our legal rights. There are other rights that Newfoundlanders should have. And I have to listen daily to members opposite talk about our local preference policy and how un-Canadian I am.

Well, Mr. Speaker, there are a lot of people in this country today disturbed about what is going on. But I say to them that this is the greatest nation in the world, that do not despair; hang in Western Canada, hang in there Quebec who were discriminated against for years. In 1958, when I joined the Royal Canadian Air Force and went to Quebec, the people in their own Province who spoke French, who had the nerve to sit at a table to eat dinner and speak French, one person who spoke English could go and sit down and demanded that they speak in English. They have grievances in this country and I would fight for the rights of the people of Quebec, and the people of Western Canada just as I would fight for the rights of

MR. J. DINN: Newfoundlanders. And I do not take kindly to anyone who thinks that I am un-Canadian because I do that.

Mr. Speaker, we have an unemployment record in this Province that is disgraceful and anything that I can do to bring that down, I will do, Mr. Speaker.

AN HON. MEMBER: What was brought down last year?

MR. SPEAKER (Butt): Order, please!

MR. J. DINN: Mr. Speaker, the hon. the Premier, last year said that he could create, there would be created in this Province



MR. DINN: 40,000 jobs in five years. Simple mathematics, 8,000 a year. What has the government done? Last year we beat the hon. the Premier's prediction; he predicts, he is conservative, we beat that prediction by 1,500 jobs -

AN HON. MEMBER: How.

MR. DINN: - not the least of which, half of which by the way, Mr. Speaker, were due to our local preference in the offshore. 9,500 jobs last year -

MR. PATTERSON: Hear, hear!

MR. DINN: - 1979, over 1978.

MR. PATTERSON: Hear, hear!

MR. DINN: To this point in time this year, Mr. Speaker -

MR. MOORES: Not true.

MR. DINN: - onshore and offshore, the hon. the Minister of Lands and Forests (Mr. Power) 400 jobs -

AN HON. MEMBER: Budworms did that.

MR. DINN: - cleaning up the budworm in this Province, employing people.

Hinds Lake and the other hydro developments employing people. Mr. Speaker, to this point in time this year the hon. the Premier is wrong by 1,500 more jobs and, Mr. Speaker, he is wrong because he has worked hard on behalf of the people of this Province.

MR. PATTERSON: Hear, hear!

MR. DINN: And he should not apologize for that.

MR. MOORES: What is permanent?

MR. DINN: The average from January to October this year is 9,500 jobs, month over month from last year.

MR. MOORES: What is permanent (inaudible)?

MR. PATTERSON: Hear, hear!

MR. DINN: Mr. Speaker, 9,500 jobs.

MR. MOORES: What is permanent?

MR. DINN: Month over month this year over last year.

AN HON. MEMBER: That sounds permanent.

MR. DINN: 1,500, he is wrong by 1,500.

SOME HON. MEMBERS: Hear, hear!

MR. DINN: It is on the positive side and it is because of the initiatives that have been taken by this government and we should not take any back seat to anyone who might claim that we are un-Canadian. There are a lot of people who are being branded with being anti-Canadian. Well, Mr. Speaker, the people of Western Canada are not anti-Canadian. The people of Newfoundland are not anti-Canadian.

AN HON. MEMBER: That is correct.

MR. DINN: They are Canadian to the core -

AN HON. MEMBER: The government is.

MR. DINN: - Mr. Speaker, but they expect their government to stand up for their rights.

MR. WARREN: Right on.

MR. DINN: And, Mr. Speaker, that is what we are going to do.

AN HON. MEMBER: Hear, hear!

MR. DINN: And we are not going to wilt, and we are not going to sell out like has been done in the past.

Mr. Speaker, a little common courtesy in this House would not hurt and I would recommend to the hon. member for Torngat Mountains (Mr. Warren) to read about forty or fifty of -

MR. WARREN: Tell the truth.

MR. DINN: - the simple little rules of this House on common courtesy -

MR. SPEAKER(Simms): Order, please!

MR. DINN: - when a man is up speaking on behalf of the people of this Province. He will have an opportunity to speak in this debate and we will see where he stands with respect to the resolution on the constitution and the amendment, Mr. Speaker, which mentions nothing about transmission of power across Quebec, which mentions nothing about offshore oil and gas and who owns.

MR. WARREN: All jobs -

MR. DINN: Resolutions, Mr. Speaker, before the Liberal Convention pale when it comes to action by the party in power in Ottawa. Who owns the offshore oil and gas? The hon. member should read the budget and he will see where the federal government stands on who owns offshore oil and gas. But we are not going to sell it out, Mr. Speaker. We will fight right to the last man. There is not a man jack of them on this side and there is not a Newfoundlander - and I can say this, Mr. Speaker, that if CBC had given me an opportunity to give Newfoundland's side of the story when Mr. Axworthy was on TV, that it would not be two to one that the people of Newfoundland would vote for our policy, it would be 100 per cent. They are not aware of the 1978 record of Canada Employment and Immigration -

SOME HON. MEMBERS: Hear, hear!

MR. DINN: - when zero Newfoundlanders worked on the two rigs that were working in the offshore.

Mr. Speaker, there is a litany here of inequities that we have had to suffer over the years. I will take no back seat. 9,500 jobs is not a lot, is not where we should be, but it is 9,500 jobs that we would not have if we wilted and walked away into the corner and let somebody else shove us around.

MR. PATTERSON: Hear, hear!

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MR. DINN:

We are not going to let it happen again. What effect does this have in Newfoundland? Well, let us have a look at some of the statistics that Statistis Canada put out

MR. DINN: with their 11 per cent in September and October, 11.7 and 11.2 respectively. It is more like 24. But what you have to look at in statistics is how are you doing with respect to how many people are into the force and how many people are employed on that basis? And, Mr. Speaker, in 1970, the employment rate, which is that rate computed. When you take the population of fifteen years of age and over and you divide that into the number of people employed, you get the employment rate; how many people are employed or what percentage of that population are employed. It does not take into account, for example, the numbers of students over fifteen going to university, the number of people who are retired, the number of people who cannot work for one reason or another.

Well, Mr. Speaker, in 1970 the employment rate was 40.2 per cent, 40.2 per cent. In 1979 it was 44.5 per cent, to this point in time, September of this year, 46.4 per cent; that is from January to September this year. And Mr. Speaker, what that says to people who are uninitiated or who cannot understand, it says that even though, the work force is growing we are beating unemployment in this Province.

AN HON. MEMBER: Hear, hear!

MR. DINN: We will overcome, Mr. Speaker.

AN HON. MEMBER: Great stuff!

MR. DINN: Now, Mr. Speaker, I have got, any hon. member who wants, I have the record of employment, unemployment, population fifteen and over, participation rates and the whole works. When we compare them to other provinces it is dismal, it is sad, but does that mean that

MR. DINN: we have to stop? Does that mean that we have to say, 'Let us give up, let us despair, let us forget about it, let somebody else look after it'? That is not what we were elected for, Mr. Speaker. That is not what we were elected for. We were elected to work on behalf of the people of this Province, a sacred trust that the people put in us to do whatever we can, to do whatever we can, Mr. Speaker, to help the people of this Province to their way in the sun, to see that day. Every time we looked down the road, every time we have had the opportunity in the past, Mr. Speaker, we have been thwarted, one way or another.

First of all, our ancestors were not allowed to settle, were not allowed to stay here. And then they had to go off to the coves and hide. Then they were not allowed to fish on the French shore even though they lived there, Mr. Speaker.

Well, Mr. Speaker, there is a new opportunity in Newfoundland today. Another time, another try, another opportunity. It may be the last opportunity that we will have, Mr. Speaker. The Linerboard mill: A disaster area when it started, the Linerboard mill could not possibly work. There is no way it could have worked. It could not have worked, Mr. Speaker. It is sold now to a private enterprise firm. It could not work.

AN HON. MEMBER: Why?

MR. DINN: The hon. member knows why it could not work. Because the wood from Labrador was too expensive, they could not get it down cheap enough to put it through. As the hon. the former Minister of Industrial Development (Mr. Doody) said, it would be better if we bought Linerboard, put it through the plant and took logs out and sold them.

SOME HON. MEMBERS: Hear, hear!

MR. DINN: Turn it around. The hon. members opposite said to the hon. the former Minister of Industrial Development, Mr. Doody, 'Turn it around'. And he said, "Well, it might work that way if we could buy enough Linerboard to put back into it to create logs, because the logs are certainly costing us more than we are getting for the Linerboard."

So, Mr. Speaker, that could not work.

MR. BARRETT: A Liberal economic policy.

MR. DINN: That is right, Mr. Speaker, a Liberal economic policy; develop and perish at the same time. Well, Mr. Speaker, the Linerboard mill now will be a great success, not as a Linerboard mill but as a newsprint mill. It will be a success because we negotiated, negotiated hard, got \$43,000,000 for a mill that you could not get a dollar for the year before. We got \$43,500,000 for a linerboard mill, converted it to newsprint and that will be a success story as we go down the road to progress in this Province, Mr. Speaker.

MR. DINN: The Come By Chance refinery: The hon. the member for Fogo (Mr. Tulk) mentioned, "What about the Come By Chance refinery?" Well, Mr. Speaker, the hon. the member for Fogo should know that if the former administration had not renegotiated that deal, we would be on the hook right now for \$600 million. The hon. member should know. He may not think that is significant because we give that away every year up in the Upper Churchill. What is another \$600 million? Fish it out! Keep her going!

AN HON. MEMBER: Fish (inaudible) fish.

MR. DINN: Fish, another thing. The hon. member has the nerve to talk about fish, Mr. Speaker.

MR. WARREN: Yes, talk about fish, talk about the strike.

MR. DINN: Yes, and that is another story, Mr. Speaker, that will come out - 848,000 man days lost due to strikes in this Province this year. And when the Royal Commission reports on that there will be some people in this Province who will not be able to sleep, but it will not be me, Mr. Speaker. There was not a day, there was not an hour, there was not a second that I was not available to both sides in those negotiations. We had the best negotiators in this Province present to try to get resolution to that. The Premier on four different occasions went to the Newfoundland people, to the fishermen of this Province, pleading with them. 'Give me an opportunity,' he said, 'thirty days cool off, and,' he said, 'we will sit down and work out what you need, what you want done', Mr. Speaker.

MR. WARREN: Now you are talking about fish.

MR. DINN: Now, I am talking about fish - 848,000 man days lost this year, much of it due to the strike in the fishery. And, Mr. Speaker, one of these days when the truth will out, somebody will not be able to sleep, there will be some sick consciences in this Province, Mr. Speaker, with respect to that disastrous thing that happened this Summer in the fishery. Mr. Speaker, I will be able to sleep and the Premier will be able to sleep because there was not a stone left unturned to prevent that from happening.



MR. MOORES: (Inaudible) went to sleep, he would wake up.

SOME HON. MEMBERS: Oh, oh!

MR. DINN: The hon. the member for Carbonear (Mr. Moores) has another occupation and maybe he should go to that right now instead of interrupting in the House and breaking the rules of this Legislature and lowering the decorum of this House. And if he cannot contribute any more than that, he should go elsewhere and take up his other occupation.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER (Butt): Order, please!

MR. DINN: Now, Mr. Speaker, what we want now in Newfoundland is to be treated fairly, to be treated equally with other provinces in Canada. One would think that offshore oil exploration and development happened in only Newfoundland. Hon. members opposite might know that the first well, the first gas well in this country, in Lake Erie in 1913, was developed and nobody asks who owns that resource. It never came into question. Lake Erie is an international water owned by the United States and Canada to midpoint in the lake, but nobody questions who owns the natural gas that comes out of Lake Erie. It started in 1913 and has been producing ever since and nobody questions who owns it. Well, Mr. Speaker, why? Why are they trying to steal our resource offshore? Mr. Speaker, we asked for some say in the fishery. Western Canada has say in their major resource, in agriculture. They have say in their major resource. Some say is all - we do not want total control like Manitoba, Saskatchewan and Alberta have over their wheat and their farming, we want some say in the fisheries offshore. Why are we being denied? Why are we not considered equal in this country, Mr. Speaker? Some say in the fisheries, is that unreasonable to request? Denied, because we are not considered

MR. J. DINN:

equal by the federal government in Canada. Now another thing, Mr. Speaker, is that every Premier in this country agreed that we should own our offshore resources. Two parties in the federal government, in the federal Legislature, the NDP Party and the PC Party, believe that we own our resources offshore. There is only one roadblock as to who owns the resources offshore and, Mr. Speaker, it is not only Newfoundland that is having trouble with that one person. It is not just Newfoundland, there is Newfoundland, there is BC, there is Alberta, there is Manitoba, there is Saskatchewan, there is Quebec. But we had a problem with Quebec when the hon. the Prime Minister of this country came into power, a small problem with Quebec with respect to separatism and now it is talked about all over the country. But we will fight for this country. We will not talk about separation in this Province, Mr. Speaker, we will fight for this country to keep it together and tell the people of Newfoundland and Labrador, and tell the people of Western Canada, and tell the people of Quebec that the time will come in this country when we will not have Pierre, who is the only, who is the most dividing force, the greatest dividing force this country has ever seen.

SOME HON. MEMBERS:

Hear, hear.

MR. J. DINN:

Now, Mr. Speaker, we are asking for three things to be included; That we have protection of our sacred rights; not just the two that the hon. the Leader of the Opposition talked about, but we want some discussion about Clause VI of the Constitution which talks about local preference so that we can make sure we get jobs in the offshore. We want some discussion about that, we want some control over our offshore, some say in our fishery, we want our rights protected with respect to transmitting hydro power through Quebec. We want the federal government to come clean with this

MR. J. DINN: Province, Mr. Speaker.

MR. SPEAKER (Butt): Time, Mr. Minister.

MR. J. DINN: The hon. member should know that I started off my remarks by saying that I am a Canadian, as good a Canadian as anyone opposite, that I spent ten years in the service of Canada and I will spend a lot of years in the service of Canada through this Legislature. I was confirmed by the people of Pleasantville, thanks be to God, Mr. Speaker, and if we continue to fight for the rights of Newfoundlanders as we should, then I will be confirmed many, many times more.

MR. G. WARREN: Right on.

MR. J. DINN: Thank you, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear.

MR. SPEAKER (Butt): The hon. member for LaPoile.

SOME HON. MEMBERS: Hear, hear.

MR. S. NEARY: Mr. Speaker, for the last half hour or so we have heard some pretty rough stuff -

SOME HON. MEMBERS: Oh, oh!

MR. S. NEARY: - a pretty low level of debating in this hon. House, Mr. Speaker, the likes of which you would only hear down in a tavern somewhere downtown. I would suggest to the hon. gentleman, I would suggest to the hon. Minister of Manpower (Mr. J. Dinn), that he not expose his true feelings about all the attacks that are being made on him by Human Rights organizations and by people inside and outside of this Province in connection with his local preference policy. The hon. gentleman is testy and he gets up in this House pale and white around the gills -

SOME HON. MEMBERS: Oh, oh.

MR. S. NEARY: - attempting to defend a policy that is indefensible. And then the hon. gentleman obviously did not take time to read the original resolution, because there is no reference in the original resolution, as the hon.

MR. S. NEARY: gentleman stated, that deals with local preference as such.

MR. J. DINN: That is right.

MR. S. NEARY: It is not in there.

AN HON. MEMBER: Well, it should be.

MR. S. NEARY: But the hon. gentleman said that it was. This is a government resolution, a minister speaking who says, 'The reason I am supporting the government resolution, the original resolution is because it deals with local preference.'

MR. ROBERTS: There is another member over there who has not read it either.

SOME HON. MEMBERS: Oh, oh!

MR. S. NEARY: There is no reference in this resolution to local preference.

AN HON. MEMBER: He is just doing what he is told, eh?

MR. S. NEARY: Maybe in the hon. gentleman's mind, maybe he thinks it should be in there to try to prop him up, to try to defend him against all the attacks that are being made on this administration and on the hon. gentleman for carrying out such an anti-Canadian policy.

The fact of the matter is, Mr. Speaker, this so-called local preference policy that this government is following - and, apparently, now, Mr. Speaker, I would gather from the speech made by the member for St. John's East, the Government House Leader (Mr. W. Marshall), and

MR. NEARY: the minister who just took his seat, I would gather from these two speeches that the government are now retreating from the two issues that were mentioned on television by the hon. the Premier; the Labrador boundary and the denominational system of education being threatened by this Canadian Constitution. They are retreating from that now and from the tone of the two speeches already made by government ministers, by ministers in the government, they seem to be retreating to the position of using the local preference policy to try to justify their attacks on Ottawa and their attacks on the constitution. The fact of the matter is that this local preference policy has left a very uneasy feeling in this Province, that the only way you can get a job offshore is to be a Tory. Mr. Speaker, that may or may not be true. I do not know. But the danger is certainly there. When you have a minister who just got up and expressed views the way that he did, I would suspect that he would hate anything and anybody that is NDP or Liberal. If you are not toeing the Tory party line, no job. And I would think there are an awful lot of people in this Province, Mr. Speaker, who are very nervous about this local preference policy inasmuch as the feeling is widespread in this Province, that you have to be a Tory to get a job. It has nothing to do with local preference, it has to do with the government trying to justify keeping a list of Tories, their buddies they want to get jobs for on the offshore. The minister would be far better off, Mr. Speaker, he would be far better off if instead of trying to create a smoke screen, he investigated and looked into and tried to eliminate this \$2.00 an hour that two companies are getting in this Province, \$2.00 an hour they are getting for hiring workers offshore on three rigs. Oh, the member shakes

MR. NEARY: his head but it is a fact. They do get \$2.00 an hour for every hour worked by employees that they put on three rigs. I raised it several weeks ago and the minister instead of investigating it came out and defended the policy.

AN HON. MEMBER: It is not true.

MR. NEARY: It is true. And I would not be a bit surprised but it is against the Restrictive Trade Practices Act. I have not had time to look into it yet but I will in due course. It would be far better if the hon. gentleman who just spoke looked into that kind of a situation; unheard of and unprecedented and completely outrageous. And perhaps instead of getting up and getting pale around the gills and ranting and raving like his boss, he would tell us how many Labradorians are employed on these rigs. You had a rig of Hopedale this year, how many Labradorians were on these rigs? And how many Newfoundlanders from Central and Western Newfoundland are employed on these rigs? If you do not live on the Avalon Peninsula, near a minister or a member in Tory St. John's, you have not got a chance. I am told there is only one worker from Western Newfoundland working on the offshore rigs. That speaks well for the local preference policy. I do not intend to deal with all the matters raised by the hon. gentleman, I thought it was very low class. But I just want to mention in passing the fisheries strike, The hon. gentleman was very testy and very sensitive about that particular matter and well he should be, Mr. Speaker, when this government sat back for several weeks and allowed the fish merchants in this Province to lock out their employees, lock them out! The government sat back and did nothing and now we hear that as a result of the incompetence of the provincial government, it has cost the economy of this Province \$50 million. And I would say that is a very, very conservative figure.

MR. NEARY: \$50 million directly but how many millions indirectly? And the hon. gentleman says he can sleep at night. He was available. He says, "I was available every second and every minute and every hour." Well, the member, our spokesman on the fishery was available. The Leader of the Opposition was available. I was available. Everybody in Newfoundland was available, of any consequence. So what does that mean?

MR. HODDER: It means the minister was incompetent.

MR. NEARY: That is right. It means the minister was incompetent.

MR. WARREN: He was available for the Federation of Labour too.

MR. NEARY: Yes, I know. He was available but he was not invited.

SOME HON. MEMBERS: Hear, hear!

MR. NEARY: At least our man made an appearance. And so, Mr. Speaker, I do not want to deal with the other points raised by the hon. gentleman except to say that if this is the thinking of the government, and obviously it is, the poor example being set by the Premier himself in developing this confrontation, negative attitude, then you cannot blame his ministers for following that poor example. I am sure the hon. gentleman feels today that he endeared himself to the Premier by lashing out at just about everybody in sight; and an attack, again, on another federal minister.

Now, Mr. Speaker, let us talk about the constitutional matter, that is what this debate is all about. I have to go back, Mr. Speaker, to the appearance of the Premier on television several weeks ago, and in that connection I would, first of all, have to question the wisdom of the CBC in granting a political leader in this Province a half hour free time, prime time, to make a political statement.

The statement had nothing to do with the affairs of the Province, it was political. In every respect it was a political statement designed to whip up the emotions and the feelings of the people of this Province. Fortunately, Mr. Speaker, it did not work, and the Premier has been losing ground ever since. It did not work.

This great instrument of national purpose, the CBC, this great instrument of national unity, gave our hon. friend a half hour free television prime time to make an anti-Canadian statement. It is rather unfortunate, indeed, Mr. Speaker. That was rather unfortunate,



MR. NEARY: indeed, and I would caution the CBC, in future, to send, to ask for a copy of the statement to be made before they decide that they are going to allow a half hour free time, television time. And how they justify it then in the eyes of the world, Mr. Speaker, is that, 'Oh, we offered the Liberal Party the same time'.

Now, Mr. Speaker, I would say that that is going a little bit far. Now, on this question, we have heard so much about this, it is a unilateral decision. The Premier seems to be hanging his hat on that. And I have heard it expressed so often in the last few weeks that the decision to bring home the constitution from Westminster is a unilateral decision. Now, Mr. Speaker, is that true? Is that statement true? Do hon. members understand the meaning of the word 'unilateral'? I checked the dictionary before I came in here this morning, which is an old lawyers' trick. I have never, ever done it before, myself. Unilateral, according to Webster, means: "Something occurring on, or affecting one side only. Involving or obligating one side only or several persons is unilateral. Undertaken by one only is unilateral. Produced on one side, unilateral.

Mr. Speaker, could we not say that every piece of legislation brought into this hon. House by the government is a unilateral decision? Could we not say that? Could we not say that every piece of legislation introduced in the Parliament of Canada, a government measure, is a unilateral decision? This document, this act that we have before the Parliament of Canada had been introduced in the same way as every piece of legislation introduced in this House or introduced in the Parliament of Canada, or introduced in the Mother of Parliament over in Great Britain. It is introduced in the same way. It is a

MR. NEARY: piece of legislation drafted by the legislative draftsmen, notice is given, second reading takes place, it is then sent to a committee and then third reading takes place and it becomes law. Is that not what happens to every piece of legislation? So why is this piece of legislation singled out as being unilateral? The fact of the matter is, Mr. Speaker, that that is a popular thing to say and an easy thing to say and something my hon. friends think that people may swallow. It makes the Prime Minister sound like a dictator. And that is the whole purpose of the exercise, that is why it is being said, when in actual fact it is not a unilateral decision because it is a decision of the Parliament of this nation.

AN HON. MEMBER: Right.

AN HON. MEMBER: Not the provinces.

MR. NEARY: Not the provinces, the hon. gentleman says. Well, I know one province that is supporting the Prime Minister, Tory Ontario, so how can you call it a unilateral decision?

AN HON. MEMBER: Hear, hear!

MR. NEARY: The N.D.P. are supporting the bringing home of the constitution. How can you say it is a unilateral decision? Members of Parliament on all sides of the House have the right to debate it, vote for it, vote against it, so how can you say it is a unilateral decision?

AN HON. MEMBER: It is unilateral.

MR. NEARY: It is unilateral. Would you say the piece of legislation introduced by the Premier today in connection with the Upper Churchill is a unilateral decision?

AN HON. MEMBER: Sure, it has got to be (inaudible).

MR. NEARY: The flag legislation, was that a unilateral decision?

AN HON. MEMBER: It pertains to Newfoundland only.

MR. NEARY: Ah, but that is different. Single out the constitution, the Constitutional Act, that is different. No, it is not different, Mr. Speaker, and it is not a unilateral decision, it is a decision of the Parliament of this nation. And the only people, the only institution that Westminster will recognize is the Parliament of this country and not the provinces and not the Bar Society.

MR. B. TULK: It will all change next week now, boy, when the Premier goes over.

MR. G. WARREN: The Premier is going over next week, is he?

MR. NEARY: Well, the Premier is going over next week. He got himself invited, by the way, Mr. Speaker. I do not know if members of this House are aware of it. The Premier was not invited. You know, people outside of this Province and a lot of people inside the Province must think that we have a crowd of hillbillies running this Province. He gets himself invited to go over and speak to a crowd of aristocrats over in London. Well, if he wants a trip to London, I would gladly endorse it and say, 'Go ahead, boy, but do not go out and make a fool of yourself and a fool of the Province and go over there and lead these people to believe we are being run by a crowd of hicks here in this Province. He will go over now and rant and rave and squirt his poison and his venom. Mr. Speaker, even a kindergarten student knows that Westminster will only recognize the Parliament of Canada and nobody else.

AN HON. MEMBER: Do not be so (inaudible).

SOME HON. MEMBERS: Oh, oh.

MR. S. NEARY: Mr. Speaker, the fact of the matter is that the Resolution that was introduced in this House by the hon. the Premier is a continuation of the declaration of war on Ottawa, on the federal ministers, on the provinces who do not agree and go along with Newfoundland, and a declaration

MR. S. NEARY: of war, a continuation of a brutal policy of confrontation that we have seen in the last sixteen months that is working to Newfoundland's detriment. All we have seen are attacks and condemnations by ministers in the present administration on the Government of Canada and the Prime Minister and provinces who do not agree with the Premier of this Province. It is completely, Mr. Speaker, out of harmony, completely out of harmony with uniting this country. Ninety per cent of the people in this Province are grateful Canadians and they will continue to be grateful Canadians and they do not like what is happening. And if the hon. the Premier thinks that his television appearance, when he tried to whip up the population, whoop them up, in such a way that a lot of people in this Province thought he had joined the lunatic fringe over in Quebec, when it did not work, now he is going around and saying - Well, he did not get the support that he had hoped to get. The churches were not drawn into his little dastardly act. The churches quietly went about

MR. S. NEARY:

their business, consulted who they figured to be people familiar with constitutional matters. They approached this emotional issue that the Premier had raised in a very calm and quiet way and I presume they will make representation to the Committee of the House of Commons and Senate to try to get the wording changed. If they are indeed nervous about the wording as far as the denominational system of education is concerned, they will go about it in the proper way because the machinery was provided in the legislation and by the Prime Minister so that everybody but everybody could make representation if they felt nervous about the wording. And the churches are to be congratulated for not allowing themselves to be drawn into this political controversy.

MR. G. WARREN:

Right on.

MR. LUSH:

(Inaudible) get carried away.

MR. S. NEARY:

And the NDP are to be congratulated for the stand that they have taken on the patriation of the constitution. And I would say, Mr. Speaker, that 99 per cent of the people of this Province are happy, if indeed they are interested at all, and there is every appearance that they are not interested in the constitutional matter, that they would prefer to have us debate it in this House record unemployment, the high taxes we are paying, the cost of living and the cost of electricity, trying to get some developments going in this Province to develop our natural resources. I would say they are more interested in these matters than they are with the Premier and the ministers continuing their unending warfare on the present administration in Ottawa and on the other provinces of Canada, that will do us no good in the end, Mr. Speaker. We have separated the two important points - the Labrador boundary - and sometimes I wonder if that is really all that important. There is no threat to the Labrador boundary -

MR. G. WARREN: There is more of a threat to the Newfoundland and Labrador boundary.

MR. S. NEARY: We have separated the two main points. The other matters that are being dragged in - the red herrings that are being dragged in - are political matters, for instance, the fishery. The Premier advocates shared jurisdiction. I do not know what he means by shared jurisdiction, there is already shared jurisdiction.

AN HON. MEMBER: You would never say it.

MR. S. NEARY: There has never been a definition of what they mean by 'shared jurisdiction'. We already have shared jurisdiction with the Government of Canada and any change in that will be a political decision, Mr. Speaker, not a matter for the constitution. The transmitting of power across Quebec has already been dealt with and the Prime Minister told the Premier of this Province in a letter dated October 20th, that he recognizes this as a constitutional right but the details of how you transmit power across Quebec have to be worked out. Then the Premier bounces back and says, 'Oh, well, we want the same rights as bringing oil in pipelines across provinces.' But the only question I want to ask about that, Mr. Speaker, is this, if Quebec did not want a gas or oil pipeline across their province, would they have it? National Energy Board or no National Energy Board, would they have it? If we did not want a pipeline across Newfoundland would we have it? The fact of the matter is, Sir, that all these things are quietly negotiated behind the scenes and the National Energy Board and the Government of Canada have a pretty fair idea of the feelings of the provinces when they make the decisions. But with the cowboys and the hillbillies that we have running this Province, they never heard of diplomatic relations or carrying out quiet negotiations. It seems that everything has to be done either at news conferences or in press releases.

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Tape No. 2336

SD - 3

MR. S. NEARY:

So, Mr. Speaker, I am proud to  
be able to say as a

MR. S. NEARY:

Canadian and a Newfoundlander that I am happy to see that somebody in this country had the courage, after fifty-five years of procrastination, to finally take the bull by the horns and decide to ask Westminster to let us bring home our constitution. Now, hon. gentlemen will get up and they will say, 'Well, why do we have to go to Westminster?' Well, Mr. Speaker, that is the only way that we can bring home the constitution. There are certain amendments that have to be made to the British North America Act. We just cannot go over to Westminster and say, 'Well, we want a Canadian constitution. So let us bring home our constitution. And the Prime Minister of Great Britain would say, 'Well, what is it you are going to bring home? What is the legislation that perceives this?' It is foolish nonsense to say that you do not have to go to Westminster. And anybody who says that is a complete ignoramus. You have to go to Westminster because of historic rights. Nothing wrong with Westminster you have to go there, it is the only way you can legally bring the constitution home. But I have heard ministers and I have heard the Premier say, 'Oh, why are we going to a foreign country?' You would not know but Britain was a foreign country to us. You would not know but the Prime Minister was somebody down in darkest Africa the way they talk about it. So we have to go to Great Britain.

So what we have done, Mr. Speaker, what we have done is we have separated the so-called sacred rights from the political matters. I know the Premier would like to be able to keep the denominational system mixed up with gas and oil, mixed up with fishery policies and mixed up with local hiring because that is an emotional issue that will get the attention of a good many people in this Province, as he thinks. He may not be getting the



MR. S. NEARY:

attention of as many now as

he thought.

It is not a debate, Mr. Speaker.

If the hon. gentleman thinks this is a debate pro or con of whether or not we should have a denominational system, he is wrong. He is absolutely wrong! That matter may or may not be debated at some future date. What we are talking about here is the degree of safeguards in the new Constitution that will protect the denominational system of education as long as we want it in this Province. That was one of the terms of Confederation and there are a lot of people in this Province who feel that we should protect the denominational system of education, especially the churches. And that is why we have separated the two issues. We have given the Premier and the government of this Province an opportunity to prove their sincerity. Are they sincere or are they not, Mr. Speaker, or are they just playing politics? Is the Premier of this Province trying to get revenge against the Prime Minister because he will not give him his own way? Is that what it is? I can see him now leaving the last federal/provincial Constitutional Conference and coming back and saying, 'Ah, Trudeau, I will show you, I will show you who is boss in Newfoundland. I will whoop them up down there, I will get an emotional issue going.' And what better emotional issue could you get going than to get going than to talk about the denominational system of education? It does not make any difference what you say about it, people do not even look at the words or think about what you said, the fact that you mention denominational system of education is like waving a red flag in front of a bull in certain quarters of this Province. And so he said, 'I will show you'. And that is what it is all about, Mr. Speaker.

MR. S. NEARY:

I would have been quite happy with the wording of the Constitution as it is; that now states, 'That where an item is unique to a province, then the amending formula does not apply'. However, I am prepared to recognize the uneasiness and the nervousness of the churches and other people in this Province, and I prepared to go along with their desire to have the wording tightened up, to have it strengthened; that make it more comfortable for them to go along with the constitution.

MR. S. NEARY: They are asking, Mr. Speaker, that the right to repeal the denominational system of education in the referendum that applies to the rest of Canada, that that right not be there. And I recognize their right to make that request, and they have the machinery whereby they can do it, and I presume they have made representation to the Committee of the House of Commons and the Senate. If they have I am sure, Mr. Speaker, that their request will be granted. And all the ranting and all the raving of the Premier and the ministers in this House and outside the House, and throughout other parts of the world, will not help the situation any in that regard. It would have been far better if they followed the procedure, the course that was open to them, and made representation in the proper place and then they would have got the wording changed, and that is what we are attempting to do in this amendment.

SOME HON. MEMBERS: Hear, hear!

MR. CHAIRMAN (Butt): Order, please!

Before recognizing the member for St. John's North (Mr. Carter) I would like to welcome to the galleries today fifty students from Bishop O'Neil Collegiate in Brigus. I trust that your visit with us will be an enjoyable one.

SOME HON. MEMBERS: Hear, hear!

MR. CHAIRMAN: The hon. member for St. John's North.

MR. J. CARTER: Thank you, Mr. Speaker. The hon. gentleman for LaPoile (Mr. Neary) is a hard act to follow. I have never in my life heard such a stream of poison, an absolute river of venom, as far as I am concerned. The hon. gentleman is just swollen with hate. The hon. gentleman - did you ever notice how upset he gets when he is talking about so-called aristocracy; Lord this and Sir that? All

MR. J. CARTER: I can say is that it is a pity his forebearers were not barren.

SOME HON. MEMBERS: Oh, oh!

MR. J. CARTER: Actually, before I get into the body of my remarks, I would like to deal with a matter that came up a little while ago.

MR. L. STIRLING: (Inaudible)

MR. J. CARTER: I notice the Leader of the Opposition is interrupting me. perhaps I should begin by congratulating him for being Leader of the Opposition. And I must say I am sure he will do a very good job, and I sincerely hope that he remains the Leader of the Opposition for the rest of his life.

SOME HON. MEMBERS: Oh, oh!

MR. J. CARTER: But I do not wish to take up too much of his time. He is a busy man, it is time for his milk. So I will get on with the body of - I would like to deal with something that the member for Cat Cove (Mr. Roberts) brought up yesterday. Last year I made an unparliamentary remark, I called him a 'traitor' because, in my view, he was denying our rights to offshore oil. I withdrew that remark and I still maintain that withdrawal. It is unparliamentary.

I should not have said it and I am sorry I said it. But I am still smarting from his attitude and I am disappointed that especially a lawyer in this House, would not accept the fact that his client in this House is Newfoundland.

Now, as to the present state of affairs, before any changes have been made in our Constitution, our constitution, as I understand it, does still reside at Westminster as part of the BNA Act and in order for the Parliament of Canada to change it, they have to apply to another parliament. Some people have been unkind enough to refer to it as a foreign parliament. I do not think it is

MR. J. CARTER: a foreign parliament but it is certainly not the Canadian Parliament. And I understand, and, to some extent, sympathize with the desire of the Canadian Government to be so-called masters in their own House. Not that they are not already masters in their own House, but their is a legal fiction that they have to ask Westminster or the House of Commons in London to make any changes in the Constitution.

The problem that arises is not that the House of Commons or the Canadian Government wants to re-patriate the constitution, but that they want to get Britain to do their dirty work and institute certain changes before that is brought back. And I regard this as high-handed, unnecessary and utterly beyond the proper powers and certainly not a proper procedure. The guarantees that we received at Confederation should remain guarantees and we have no firm commitment to these principles. At the present time, as I understand it, the Terms of Union can only be reversed by an Act of the British Parliament and I am sure the

MR. CARTER: British Parliament would not do that unilaterally. Now, obviously, our Terms of Union can be changed, if we so request that, and the Canadian Government also agrees. And, I suppose, any new constitution, any changes that had to be made, provided all the provinces agreed, or the provinces that were affected agreed with the Canadian Government, then there should be no difficulty in making those changes. Where I have difficulty in accepting the proposed changes, is that changes can be made without our agreement.

Now, I hope no one in this Chamber is surprised, because the Canadian Government at the moment is a Liberal Government and, as far as I am concerned, Liberals are like that. I have tried to identify exactly what -

MR. LUSH: Despite some difficulty for you to put up with the former Premier.

MR. SPEAKER (Baird): Order, please!

MR. CARTER: - what characteristics Liberals have. and I have identified ten characteristics that would enable one to identify Liberals and I can tie it in with their approach to the constitutional change. In other words, how would you recognize a Liberal if you did not know that a person was like that? You know, would there be a difference in their sound or their sight or their smell? I think that you would have to go beyond the evidence of your senses in order to be able to establish this.

MR. ROBERTS: The hon. gentleman took leave of his senses some time ago.

MR. CARTER: I do not believe that is unparliamentary although -

SOME HON. MEMBERS: Oh, oh!

MR. ROBERTS: No, I would probably (inaudible) somebody's (inaudible).

MR. CARTER: Anyway, as I was saying, I believe there are at least ten facets of Liberalism and if I were to include the members in this House, I think I could find an eleventh. However, in the first place Liberals are only interested in holding onto power. Liberalism of 100 years ago -

MR. STIRLING: That explains the (inaudible) of your Premier.

MR. SPEAKER (Baird): Order, please!

MR. CARTER: Liberalism of 100 years ago -

MR. SPEAKER: Order, please!

MR. CARTER: I am sorry.

MR. SPEAKER: I assume you are speaking on the amendment.

MR. CARTER: Yes, Mr. Speaker, I am.

SOME HON. MEMBERS: Hear, hear!

MR. CARTER: 100 years ago, Mr. Speaker, Liberalism was a magnificent philosophy that inspired whole nations, but from being an enlightened nineteenth century doctrine expressing individual freedom, it has degenerated through selfish opportunism to a mere conspiracy to seize and hold on to power.

MR. STIRLING: That explains why your Premier (inaudible).

MR. CARTER: Men died for early Liberal principles.

Can anyone imagine anyone dying for a Liberal today?

SOME HON. MEMBERS: Oh, oh!

MR. CARTER: Who would up and die for the Leader of the Opposition?

SOME HON. MEMBERS: Oh, oh!

AN HON. MEMBER: I would.

SOME HON. MEMBERS: Hear, hear!

MR. CARTER: Well, then, I say to the hon. gentleman, go and do it. Go and do it. We will give you the thirty pieces of silver.

MR. CARTER: So, number one, in my opinion, Liberals are only interested in holding onto power.

AN HON. MEMBER: What power?

MR. CARTER: Any power.

SOME HON. MEMBERS: Hear, hear!

AN HON. MEMBER: They do not have a whole lot.

MR. CARTER: Whatever little they have. And in point - to illustrate that - the present federal constitutional proposals would consolidate federal power, the provinces would become mere municipalities.

AN HON. MEMBER: Oh, the federal Liberals.

MR. CARTER: I am sure - well, I am speaking largely of federal Liberals, I will get back to the provincial Liberals.

MR. NEARY: Oh, we are all right.

MR. ROBERTS: We are exonerated. We are exonerated.

MR. CARTER: As far as the federal Liberals are concerned, they see Canada as a string of municipalities, exercising only delegated authority.

Two, Liberals exhibit a complete lack of morals or principles. Now, if these present constitutional changes go through -

MR. NEARY: Is that federal now?

MR. CARTER: Mostly federal.

MR. NEARY: Okay.

MR. CARTER: If the present constitutional proposals go through, our guarantees at the time of Confederation will be completely worthless, and this is just another Liberal trick, as far as I am concerned.

Number three, Liberals believe that the end justifies the means. Now, as far as I am concerned, the federal Liberals want to give Labrador to Quebec and they do not care how they do it. They have seventy-five members from



MR. CARTER: Quebec and they want to hang onto them. They will give Quebec anything it wants. The Province of Quebec obviously wants Labrador, and I suggest that the federal Liberals are going to try and give it to them.

Four, the Liberals are not a party, just a conspiracy to dominate.

SOME HON. MEMBERS: Oh, oh!

MR. CARTER: And proof of that; no party, as far as I am concerned, contains such a collection of self-seekers.

MR. LUSH: With the exception of some of them (inaudible) philosophy.

MR. CARTER: Five, Liberals show a complete lack of concern for citizens.

SOME HON. MEMBERS: Oh, oh!

AN HON. MEMBER: Federal Liberals, that is.

MR. CARTER: Well, they do not care about Newfoundland. Newfoundland must look very small from Ottawa. It only contributes

MR. CARTER: seven seats and, you know, that is only a drop in the bucket out of -

MR. WARREN: How many Liberals are there?

MR. CARTER: Pardon?

MR. WARREN: How many Liberals are there?

MR. CARTER: How many Liberals where?

MR. WARREN: Out of the seven seats.

MR. CARTER: I said Newfoundland only contributes seven seats.

MR. WARREN: And how many Liberals?

MR. CARTER: Five. Number six, Liberals exhibit absolute fiscal irresponsibility.

MR. STIRLING: Is that federal Liberals?

MR. CARTER: Well, provincial too, but federal particularly. They are prepared to spend whatever is necessary to implement the referendum, referendum after referendum, just to stay in power. The CBC will be shamelessly used. Now, while we are speaking about referendums, we had a referendum here once in 1949 and the issue was not decided upon the merits of the case, it was decided largely by what religious persuasion was voting for what particular form of government. In other words, if one religious group were voting for one form of government, then someone from another religious group decided they had to vote against them; just on religious grounds or on racial - well, not racial grounds, but on the grounds of whether you lived in St. John's or whether you lived in the outports. Referendums Just do not work. They widen the rifts in society and they cause more problems than they solve. But the federal Liberals, I am convinced, and the government at Ottawa, will use the referendum technique shamelessly to divide and conquer and to implement their proposals. Now, we saw a referendum recently in Quebec and that seemed to be fair because both parties were more or less equally matched. The 'yes' votes, or the 'yes' proponents were the Partie Quebecois, and the 'no' proponents were

MR. J. CARTER: the federal Liberals and their hands were joined by the provincial Liberals, so that the two groups were more or less equally matched. But I cannot see any federal referendum proposals affecting Newfoundland being able to be equally matched by Newfoundland. We would be far outnumbered and it would be quite impossible for us to win. Probably what they would be relying upon would be apathy.

and after several referendum tries, I am sure that they would succeed. It would not be too hard to stir up enough apathy.

Number seven, Liberals believe in backstabbing and blackmail.

SOME HON. MEMBERS: Oh, oh!

MR. J. CARTER: Now, the hon. Leader of the Opposition may like to think that I am his enemy, or we are his enemies over here.

MR. STIRLING: Oh, no. I think you are wonderful.

MR. J. CARTER: No, no. We are his opponents.

His enemies are the ones who sit behind him ready to slip a knife into him.

MR. STIRLING: I thought you were an honourable gentleman.

MR. J. CARTER: Now, the proof of what I was just saying about Liberals believing in backstabbing and blackmail; The present Prime Minister, Prime Minister Trudeau, we all remember his promise not to bring in wage and price controls. It did not take very long for him to change his mind once he got into power.

Number eight, the Liberals, generally, enrich only their closest friends.

SOME HON. MEMBERS: Oh, oh!

MR. J. CARTER: I can see the federal Liberals trying to enrich Quebec. I have already discussed how they want to give Labrador to Quebec. And you just watch, if these proposals go through, which I hope they will not, they

MR. J. CARTER: will try and give Labrador to  
to Quebec.

Nine, Liberals make laws only  
to break them and contracts only to violate them. As far  
as I am concerned, they cannot be trusted with the powers  
that they aspire to.

Number ten, Liberals are  
entirely insincere.

MR. LUSH: A point of order Mr. Speaker.

MR. SPEAKER (Baird): A point of order.

MR. LUSH: Mr. Speaker, I enjoy the  
hon. member's definition of a federal Liberal, but there  
is such a thing as relevancy and I do not for the life of  
me see what the definition of a Liberal has to do with this  
present amendment. I realize that there is some flexibility  
in talking about this amendment, but we are talking about  
two specific items and I have not heard the hon. member  
allude to one of these items. But talking about the definition  
of a Liberal, although I am interested in knowing what the  
definition of a Liberal is, particularly a federal Liberal,  
I do not see the relationship between the definition of a  
Liberal and

MR. LUSH: the amendment that we are now discussing, Mr. Speaker.

MR. CARTER: To that point of order, Mr. Speaker, I am maintaining throughout my remarks that the amendment and the proposed constitutional changes that we are discussing are part and parcel of the Liberal philosophy, the Liberal approach to government. And since it is a Liberal Government that is in power in Ottawa, that is trying to impose these unilateral decisions upon this Province and upon Canada, as a whole, it is perfectly within the scope of my discussion to try and put together a reasonable definition of Liberals and this is what I am trying to do.

MR. SPEAKER (Baird): To that point of order, there is no point of order. While some degree of flexibility is allowed, I would like to remind the member of the rules of relevancy.

MR. CARTER: Mr. Speaker, number ten, Liberals are entirely insincere.

MR. LUSH: What was that number again?

MR. CARTER: They have yet, as far as I am concerned, they have yet to tell the truth. When the Prime Minister was asked about the Quebec power corridor, he said 'Oh, surely that right already exists, I did not know there was any trouble. I did not know that Newfoundland was having any problem transmitting its power.' Now, if that is not misrepresenting the state of affairs, I do not know what is.

I said earlier that there was an eleventh trait. This applies, I think, largely to Provincial Liberals, and that is that they are the give-away party. They would give away and have given away -

MR. STIRLING: Family Allowance, Baby Bonus, Old Age Pension, (inaudible).

MR. CARTER: Oh, excuse me. A point of privilege, Mr. Speaker.

MR. MARSHALL: Mr. Speaker, I rise on a point of privilege, regrettably rise on a point of privilege, to report to Your Honour that regrettably there was an assault upon one of the hon. members of this House. This morning the hon. Minister of Manpower and Labour (Mr. Dinn) was reportedly assaulted by the hon. the Member for Carbonear within the precincts of this House, in the corridor of this House, after he had concluded his remarks on the motion that is now before us.

MR. HODDER: Mr. Speaker.

MR. SPEAKER (SIMMS): The hon. member for Port au Port.

MR. HODDER: Perhaps - no, I will defer, Mr. Speaker.

MR. SPEAKER (Simms): With respect to the matter raised, it is clear that one member cannot attack another member of this House within the confines of the House, and I would therefore rule that there is a prima facie case, breach of privilege. If the hon. member or somebody from the hon. member's side would like to offer an explanation or say a few words, I will allow it.

The hon. member for Port au Port.

MR. HODDER: Mr. Speaker, I do not know what procedure we are following here.

MR. ROBERTS: No, there should be a motion and then if anybody wants to speak.

MR. MARSHALL: There will be (inaudible). Mr. Speaker, I think -

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

MR. MARSHALL: - the procedure is that Your Honour asks the person who has allegedly breached the privileges of the House whether or not there is an explanation. And I gather, because, you know, we do not want to be precipitous in this and we want to be fair, but I gather that the hon. member is not here and he realizes that the point of privilege is being raised. I think that that has to be established and if that is -

MR. HODDER: No, that is not fair. He does not realize it.

MR. MARSHALL: He does not know about it?

MR. ROBERTS: He is not here anyway.

MR. MARSHALL: No, I know he is not here but -

MR. STIRLING: He did not think he was doing it in the House.

SOME HON. MEMBERS: Oh, oh!

MR. MARSHALL: Yes, okay, well now that is -

MR. ROBERTS: Mr. Speaker.

MR. SPEAKER (Simms): The hon. member for the Straits of Belle Isle.

MR. ROBERTS: Well, Your Honour, not to speak in a substantive way, it seems we have one of two courses: one is to deal with the matter in the absence of the hon. member for Carbonear (R. Moores) - I notice that the hon. minister is in his seat and the gentleman from Harbour Main (Mr. Doyle) who I understand was - I am sorry, Harbour Main-Bell Island - who was involved - either that or the matter will have to stand until the gentleman from Carbonear, being the other member involved in the incident, is here. And I think probably my colleagues the Leader of the Opposition and the House Leader

MR. ROBERTS: (J.Hodder) on our side, would have to have a call and they could decide. But I think either would be in order, would it not, now that the matter has been brought to the attention of the House? There also ought to be a motion at some point to deal with the matter.

MR. MARSHALL: Mr. Speaker.

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

MR. MARSHALL: There will, of course, Mr. Speaker, obviously be a motion. But, I mean, we want to, you know, really want to deal with this in a fair manner, obviously. And, you know, this allegation has been made about the hon. member for Carbonear (R. Moores). And I think it is, once Your Honour - you know, it obviously is Your Honour's rule that it is a prima facie breach of privilege. I think that the member is asked - I mean, I am going to make a motion if it is found that this is a fact, which I am quite sure it is or I would not raise it, but I do not want to do it without the hon. member, you know, if the hon. member realizes the situation. I think the hon. the Leader of the Opposition indicated the hon. member is aware of it, but he did not think that this was the House.

MR. HODDER: Mr. Speaker.

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

MR. HODDER: If I could just follow along with what



MR. HODDER: you were saying, the hon. House Leader on the other side.

After the Government House Leader (Mr. Marshall) told me of the incident, I then immediately tried to get hold of the member for Carbonear (Mr. Moores) who at that point had already left the building, so he has no knowledge of what is happening here.

MR. ROBERTS: Let it stand.

MR. MARSHALL: Mr. Speaker, it was my understanding he does not deny the fact. And, you know, the fact of the matter is it is a breach of privilege, that the hon. member has assaulted another member of this House. I think it has to be dealt with and dealt with carefully. So if there is a prima facie breach of privilege, there is a breach of privilege. There being no explanation for it, I would move tht the hon. the member for Carbonear (Mr. Moores) be expelled from this Chamber for three sitting days.

MR. SPEAKER (SIMMS): You have heard the motion.

The hon. member for Port au Port.

MR. HODDER: Mr. Speaker, as I pointed out before, I did not see this particular incident although I did hear of it. And, as I said, I then tried to speak to the member for Carbonear and could not reach him, he had already left the building.

I am quite aware that one member hitting another member is a very serious breach of the privileges of the House of Assembly, and that, whether inside or outside of the House, whether we are here in the Chamber - as long as we are within the confines of the House, we are considered to be in the confines of the House. But, Mr. Speaker, I do feel - I do not think anyone on this side of the House saw what happened, we have only heard it second-hand. The member for Carbonear is not here in any way to defend himself. I do not believe, Mr. Speaker, that we can make a decision on this on,

MR. HODDER: as far as I know, heresay.  
I believe the motion is now out to suspend the member.  
I did, Mr. Speaker, hear the minister make provocative remarks.

SOME HON. MEMBERS: Oh, oh!

MR. HODDER: I do not know, Mr. Speaker, what happened on the other side of the House to provoke the attack. I mean, I only heard certain things here in the House which may have been allusions. We can all say things, Mr. Speaker, that are very acid without the true meaning being there, but, Mr. Speaker, nevertheless, I do not think that we should make a decision on this matter at the present time until the member is here.

I have seen a number of other occasions in the House, one in which the former member for Gander, I believe it was, attacked the former member for Burgeo - Bay d'Espoir, neither of which are in the House now, and no action was taken. And I also know of precedents in the House where the person who attacked and the person who made the comment were both suspended from the House. So, Mr. Speaker, before any decision is made here, I think perhaps we should consider the matter.

MR. MARSHALL: Mr. Speaker.

MR. SPEAKER (Simms): The hon. the Government House Leader.

MR. MARSHALL: If I can just add - and I am not disputing what the hon. the member has said. I know that he is not saying it from the point of view of one side against the other side, because this is a matter of privilege of all of the members of this House. The matter of privilege under the rules, of course, has to be raised at the earliest possible opportunity and that is why we are doing it. There can be and there is in the parliamentary practice, of course, no

MR. MARSHALL: justification whatsoever for an assault, and I think that the only question that comes in was, Was there assault? I have been informed there was an assault. It has been verified by people here, by members in this House. We can leave this to Your Honour. We have the matter now before the Chair, and if Your Honour wishes to afford the member for Carbonear (Mr. Moores) the opportunity to say a few words, that, of course, is within Your Honour's prerogative. But we have done what has to be done and we have done it, as I might say, regrettably. And the situation is here. I mean, there is no doubt about, once the privilege has been established - and I think the only question really is whether an assault had occurred or not, it is not any other issue - once the point of privilege has been established, I shall accompany it with the usual motion that is provided for in the rules for the remedy.

MR. SPEAKER (Simms): Well, the Chair obviously has no

MR. SPEAKER (Simms):

choice because there is a motion on the floor, There has been a prima facie case ruled, a breach of privilege ruled and unless the House decides otherwise the Chair will have no choice but to put the motion. So if there is no further debate on the motion, you have heard the motion, those in favour "Aye".

SOME HON. MEMBER:

Aye

MR. SPEAKER:

Contrary.

The motion is carried.

On the amendment, or still on this?

The hon. President of the Council.

MR. W. MARSHALL:

I just want to

clarify, Mr. Speaker, the motion we were voting on was my motion that the hon. member -

MR. SPEAKER:

Be suspended for three days.

MR. W. MARSHALL:

That is correct, three days.

MR. SPEAKER:

Three sitting days.

AN HON. MEMBER:

Both members involved?

MR. W. MARSHALL:

No, no.

MR. OTTENHEIMER:

No, there was only one assault.

SOME HON. MEMBERS:

Oh, oh.

MR. SPEAKER:

Order, please!

We are now back on the amendment.

The hon. member for St. John's

North.

MR. J. CARTER:

I have had eleven aspects of

Liberalism, I think a twelfth has just been added.

SOME HON. MEMBERS:

Oh, oh!

AN HON. MEMBER:

Make it thirteen.

MR. J. CARTER:

Liberalism are liable to attack

members within the confines of the House.

Now, on the resolution, the

amendment to the resolution, I am not supporting the

MR. J. CARTER: amendment to the resolution because I find it to be mealy-mouthed. It does not -

MR. L. STIRLING: That is not what you found yesterday.

MR. J. CARTER: It has two aspects that are not too bad, but Ottawa is not condemned for asking London to alter the BNA Act and to impose a new amending formula. There is no mention of any confirmation of a power corridor for us through Quebec, nor is there any mention of our resources inshore or offshore. And as far as I am concerned, there is a fat chance that Prime Minister Trudeau will guarantee anything, I would not trust him with a hot stove. Thank you.

SOME HON. MEMBERS: Hear, hear.

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

MR. T. LUSH: Mr. Speaker.

MR. SPEAKER: I am sorry, The hon. member for Terra Nova.

MR. T. LUSH: Mr. Speaker, it will come as no surprise to my colleagues on this side of the House that I rise hesitantly and reluctantly to speak not only to this amendment but to speak in this debate at all. I think it is a lot of hogwash, I think it is completely irrelevant and a waste of the time of this House -

MR. G. WARREN: Right on.

MR. T. LUSH: - to be talking about this constitution.

SOME HON. MEMBERS: Hear, hear.

MR. T. LUSH: Mr. Speaker, I have been elected by the people of Terra Nova to talk about the issues that concern them, to talk about 'bread and butter' issues.

SOME HON. MEMBERS: Right on.

MR. T. LUSH: And, Mr. Speaker, I have not come

MR. T. LUSH: here to talk about battles that have been fought years ago.

MR. G. WARREN: Right on.

MR. T. LUSH: And when I heard the Premier's television debate I was so disturbed as a Newfoundlander, I was so upset as a Newfoundlander, that I want to serve warning to this House. The Premier mentioned the possibility of calling an election on these two emotional issues that he raised, Well, I can ensure the Premier if he calls an election on these two issues, this is one member who will not be participating - not that it will probably do much to politics in this Province, but I will have done my own self the satisfaction of not being associated with such issues.

Mr. Speaker, not only that, if this hon. House does not soon get off these nonsense issues it will also expedite the members' departure from this hon. House. And I will have done again, as I say, the satisfaction to myself of not associating myself with this kind of low-level debate.

I rise, Mr. Speaker, to demonstrate to the people of Newfoundland and to my district that I am a concerned Newfoundlander. And that is the level to which the Premier has reduced this debate, that people have been forced to get up and to say that they are Newfoundlanders. What a lot of nonsense! Only recently, Mr. Speaker, I was forced to call an Open Line show as a result of the Premier's television debate, when people were calling in to ask all of the Newfoundlanders to stand up and support Mr. Peckford, asking all of Newfoundland to get behind Mr. Peckford - what trash! Since when did one man determine who are Newfoundlanders? Since when did one man's actions require that to follow these dictate, and require that you be a Newfoundlander?

MR. LUSH: Mr. Speaker, as people will recall, or any of the hon. members will recall, that I have defended members on both sides of the House, that I thought we were all great Newfoundlanders in this hon. House -

SOME HON. MEMBERS: Hear, hear!

MR. LUSH: -that I thought we were all great Canadians -

SOME HON. MEMBERS: Hear, hear!

MR. LUSH: -and that I did not have to follow the whims and the fantasies of any one particular man to be identified as a Newfoundlander. Neither do I have to follow the whims and fantasies of one particular man to be a Canadian.

SOME HON. MEMBERS: Hear, hear!

MR. LUSH: I have my own views, Mr. Speaker, and I want to let the people of Newfoundland know what they are. But I reiterate, if I am not afforded the opportunity in this hon. House to talk about the bread and butter issues, to talk about the issues in my own district, to talk about the issues that concern the people of the Terra Nova district, to talk about the lack of public services, the lack of paved roads and the lack of water and sewer in the 1980s, then I am not going to be a member of this House.

MR. WARREN: Right on!

MR. LUSH: I am not going to be here. I am not going to be standing up here, Mr. Speaker, defending that I am a Newfoundlander or that I am a Canadian. I do not have to do that. I have spent my lifetime working in this Province and people know what I am. Mr. Speaker, that is the level to which this debate on the constitution has been reduced. That is the level. As I have said, we have talked about the two issues that the Premier has raised. We fought those years ago. I am happy with the position in this Province. Our educational system has been going fine. I am happy with it. I want to let the people know that. I want to let the people of

MR. LUSH: Newfoundland know where I stand with respect to that issue, and that is why I am supporting this amendment. That is why I can speak to it. Because we have identified the issue, we have specified it and we are telling Newfoundlanders where we stand on it.

The hon. the member for St. John's North (Mr. Carter) who just spoke, for the first time gave me the reason why, maybe, the boundary was mentioned. It is abhorrent to me almost to have to refer to it, the fact that the Liberal Government wants to give Labrador to Quebec. What a suggestion! What a suggestion! How easy to raise that hatred in Newfoundlanders against our fellow French Canadians!

MR. WARREN: Right on! Say it again. Say it.

MR. LUSH: What a level of debate, Mr. Speaker, what a discussion to come up in this hon. House of Assembly by Newfoundlanders and proud Canadians! So disgusting, Mr. Speaker! So disgusting! I wonder why any hon. member would want to associate himself in dealing with such a debate, participating in such a debate.

Well, Mr. Speaker, as I have said, this is one hon. member who will not if I cannot get down and talk about the issues that I think concern this Province, the bread and butter issues, not, Mr. Speaker, platitudes and not twisting around language, not trying to distort the picture, trying to twist around these pie in the sky things here that we see before us to appear as the bread and butter issues of Newfoundland, not, Mr. Speaker, any suggestion to Newfoundland, to Newfoundlanders, that this Province failed because of the Constitution of Canada. Now, what a suggestion! For all of these years that we have been in Confederation, we have been kept down, we have been impoverished, and it has all been related to the constitution, it has all been the constitution. What a lot of hogwash, Mr. Speaker! It is time, Mr. Speaker, that we ceased from engaging in these anti-Canadian activities.



MR. LUSH:

It is time that we got together.

Thinking about getting together, why was the Premier so anxious? I have never seen so much effort since I have been a member, in the five years that I have been a member, in getting motions of this type, resolutions to the House of Assembly, and asking for unanimous support. How seriously does the Premier want unanimous support of

MR. LUSH: the Opposition in this resolution? How seriously does he want it? We were never consulted as to what the Premier's plans were in this respect. We got the resolution an hour before - did we? An hour before the House of Assembly that particular day we got the resolution asking for our unanimous support on what he himself deemed to be the most important issue in the history of this Province, and to get the support of the Opposition, the resolution is dropped off to us an hour before the House begins.

Well, Mr. Speaker, I want a little more time. I want a little more time. I want a little more time contemplating and deliberating over things to which I am going to give my support, particularly after hearing the kind of antics and the kind of tactics that the Premier engaged in in that infamous television discourse.

Mr. Speaker, why is it that the Premier is looking for our unanimous support on all of these issues? We have given unanimous support in the last sitting on a motion and a resolution relating to the fisheries. We told them where we stand with respect to offshore. What do we have to do? What do we have to do, write it in stone? Mr. Speaker, this is not the issue in this particular resolution. The issues, as the Premier saw them, were two issues. He saw two issues and we have identified them. We have clearly spelled them out. We have made it very clear where we stand on these particular issues and now we understand that that is not the thing at all. That is not it at all. One wonders, you know, where the Premier stands. I am surprised he is not called the swinger, swinging from one idea to the next. In this hon. House last Spring, he stood up and told us about the offshore. Remember that speech, that major speech? He listed the four points that

MR. LUSH: would be a resolution to the offshore ownership. Remember that? I do not know what the number of the point was, but number two or three, which was an agreement with Ottawa, that is the one that he clearly identified as being the best one. Now he is back on the ownership again, back on that, and his clear position was that he believed an agreement with the federal government was the best solution.

Now, Mr. Speaker, he gets on television and says that he is concerned about our sacred rights and he identifies, clearly identifies, clearly emphasizes, clearly articulates these two issues to be denominational education and the boundary, the Labrador boundary. When we bring in an amendment to ensure that these will not be changed in the constitution without the consent of this Province, the Premier does not agree with it.

SOME HON. MEMBERS: Oh, oh!

Hear, hear!

MR. LUSH: He does not agree with it. Well!

Well, Mr. Speaker, now he is talking about the broad concerns of the Terms of Union. I wonder do hon. members opposite know the Terms of Union? Do they know how many there were? How many were there? Were there ten? Were there fifteen? Were there twenty? How many? How many were there?

MR. TULK: They have to look it up.

SOME HON. MEMBERS: Oh, oh!

MR. LUSH: How many Terms of Union were there? How many? What were the Terms? This is what we classify them as, the Terms of Union. How many were there? I suppose we all know of Twenty-nine. So it goes beyond twenty-nine.

MR. MARSHALL: Would the hon. member like to leave the question with the House and adjourn the debate?

AN HON. MEMBER: No.

MR. WARREN: He wants to continue.

MR. LUSH: I shall do that and take right over,  
Sir, on Monday, whenever.

MR. HOLLETT: That will give them the weekend to  
look up the answer.

SOME HON. MEMBERS: Oh, oh!

MR. SPEAKER(Simms): The hon. the member for Terra Nova  
(Mr. Lush) adjourns the debate.

The hon. the President of the Council

MR. MARSHALL: Mr. Speaker, I move that the House at  
its rising do adjourn until tomorrow, Monday, at 3:00 p.m.  
and that this House do now adjourn.

I might tell hon. members we will be  
back considering the constitutional question on Monday.

On motion, the House at its rising  
adjourned until tomorrow, Monday, November 24, 1980, at  
3:00 p.m.